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# LOUDERMILK CIVIL SERVICE ALTERNATIVE DISMISSAL REFORM

## *H.R. 559 - Modern Employment Reform, Improvement, and Transformation (MERIT) Act*

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### **The problem:**

*According to a 2015 GAO report, it can take more than 300 days to dismiss and replace an under-performing civil service employee.*

America is eyeing Washington to see how the new Administration and Congress will fight government inefficiency, corruption, and bloated bureaucracy to drain the swamp. We don't have to look far to find areas in need of reform.

Currently, from start to finish, it can take agency management more than a year to dismiss a poor performing employee and work to replace them. It has proven easier to promote or transfer poorly performing government employees than to terminate them – resulting in diminished efficiency, workplace morale, and quality of service to Americans.

### **The solution:**

*Civil service employee dismissal should be more like what takes place in the private sector.*

- Increase agency management's power to remove poor employees.
- Expedited timelines:
  - 7 to 21-days' notice of action.
  - Simple presentation of cause with employees given opportunity to respond.
- Retain employee right to appeal to the Merit Systems Protection Board.
- Cap appeal decision time at 30 days, after which the dismissal is upheld unless declared otherwise.
- Require that if the 30-day deadline is not met, MSPB must report to Congress and the oversight committees in the House and Senate to explain non-compliance.
- Uphold whistleblower protections.

This proposed reform establishes an alternative dismissal protocol, but does not replace the current system, so that managers may follow it at their discretion to get bad employees out and new, passionate ones in. Already enacted in law for the Department of Veterans Affairs for senior executives, this alternative is an expedited tool to clean out our agencies and get the best and brightest back in the civil workforce.

The **MERIT Act** is supported by:

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