ISSUES OF MERIT

WHAT'S INSIDE

Home Alone 2020

Mitigating potential professional and social isolation in remote work.

Since the Federal Government moved to maximum telework (max-telework) in response to the coronavirus pandemic, some agencies and employees have claimed higher productivity, policymakers are considering how telework can save money in the long term, and the ability to physically distance has undoubtedly reduced the spread of the disease among the workforce. Nevertheless, max-telework arrived suddenly and arose from necessity rather than choice for many employees and organizations. In our 2016 Merit Principles Survey, only 2 percent of respondents said they teleworked full-time and 11 percent chose not to telework. The percentage of full-time teleworkers is obviously much higher now and will surely include employees who did not want to telework this much, for this long. Also, in 2016 full-time teleworkers were freer to interact personally in both their work and personal lives. Therefore, we should consider how workplace social distancing affects employees' state of mind and explore how to mediate potentially negative effects.

One possible consequence of max-telework is the professional isolation (PI) that can result. PI is defined as the feeling that one is out of touch with others in the workplace (Diekema, 1992) and involves physical distance, separation from learning environments, and detachment from peers (Coleman and Lynch, 2006). Research by Golden et al. (2018) shows a correlation between PI and increased amounts of time spent teleworking. They also found that job performance, as rated by supervisors, was lower for teleworkers suffering from PI. In addition, PI can reduce trust in supervisors and coworkers (Mulki, Locander, Marshall, Harris, Hensel, 2008) and can be associated with workplace stress, poor relations with colleagues (Dussault, Deaudelin, Royer, & Loiselle, 1999), and feeling forgotten and undervalued (Ross, 2015).

These research findings, however, do not mean that max-telework is a bad thing or that the potential negative effects outweigh the positive results. There are strategies employers can use to reduce feelings of PI and help employees thrive in a remote environment. It starts with ensuring employees feel connected to the organization and have access to information, resources, and opportunities. Some strategies include providing access to communication-enhancing technology that enables more interactions and collaboration; holding regular staff and individual meetings to enhance communication and keep employees aware of what is going on in the organization; digitizing processes, records and supplies and ensuring employees know where to find these resources; encouraging participation in professional networks or other career-building opportunities; and paying

attention to warning signs that an employee is struggling, such as reduced productivity or lack of engagement, and reaching out quickly to provide assistance.

As organizations consider how to make the virtual workplace more supportive of employees, keep in mind that today's "new normal" poses risks of social isolation in addition to PI. Social isolation is the absence of social connections and support systems, which is likely more prevalent in these days of social distancing and staying at home. Holt-Lundstad (2015) found that social isolation can lead to loneliness which increases the risk of premature death at rates similar to those found for smoking and obesity. Studies also show there is a relationship between social isolation and suicide.

To explore this issue, we interviewed Dr. Paul Quinnett, a clinical psychologist at an educational organization dedicated to preventing suicide. Dr. Quinnett observed that the many societal changes faced by employees today act as stressors that deepen their need for social connectedness. Factors such as concerns about childrens' schooling, loss of a sense of security, worry about being out of work, and fear of a life-threatening disease all pose an existential threat to many employees who must now cope under conditions of social isolation. Dr. Quinnett said that Employee Assistance Programs are helpful but may be underutilized because of employee concerns about stigma. Such concerns are particularly common in high-stress occupations with stringent requirements, such as nuclear regulation, aviation, law enforcement, and corrections. Some solutions that Dr. Quinnett recommended include:

- *Peer support groups with a designated lead who has strong social skills.* Such groups can meet informally but regularly to keep people connected, grounded, and in the social loop—a virtual water cooler.

- *Suicide risk recognition and prevention training.* Following a first responder model, organizations can sponsor training for employees in how to recognize risks, intervene at a basic level, and focus on awareness and prevention. The National Action Alliance for Suicide Prevention has a list of such training programs.

- *Organizational self-audits.* These involve a systematic collection of local data on suicides and suicide risks to learn lessons and inform suicide prevention plans. An audit template is available from the QPR Institute.

- *Big data mining with predictive analytics.* These may be useful for large organizations in identifying suicide risk factors and informing interventions. They, however, require vary large data sets, special software, and data scientists.

As telework increases, so too may feelings of isolation associated with risks ranging from poor job performance and quitting all the way to depression and suicide. Fortunately, there are things organizations can do to reduce these risks. ❖

Citations:

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Resilience: It's Not Just for Employees

Organizational resilience helps Government anticipate and react to unexpected events.

Over the last several years, the seemingly old-fashioned virtues of patience and persistence have gained new appreciation in both management literature and popular culture. A common label for those virtues, in the face of adversity, is "resilience." For example, OPM's MOSAIC (Multipurpose Occupational Systems Analysis Inventory—Close-Ended) competency inventory—consisting of crosscutting competencies relevant to broadly defined occupations—includes resilience: "Deals effectively with pressure; remains optimistic and persistent, even under adversity. Recovers quickly from setbacks."
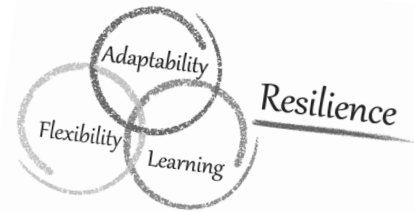
The benefits of individual resilience, at work and outside of work, are well-documented. What seems to earn less attention is resilience as an *organizational* characteristic. As the research shows, cultivating resilience takes more than recruiting and hiring resilient employees, although that helps. It may also may require organizations to reexamine some longstanding values.

What is organizational resilience? On one level, it is individual resilience on a larger scale. A resilient organization is one that can persist and perform in the face of unwanted developments, both foreseen and unimagined. But it is also broader than that. For example, persistence is not everything. A resilient organization is not blindly insistent ("laser-focused," as some might say) on Plan A, regardless of circumstances. Instead, a resilient organization rethinks and changes its priorities to find the best way to meet the needs of citizens, customers, and stakeholders. Resilience may be especially important in Government because the missions of many of our organizations require the ability to anticipate and react to unexpected events, such as pandemics, natural disasters, terrorist events, and other emergencies.

Attaining a resilient organization is not necessarily an easy charge. Recent events have sometimes revealed more brittleness than resilience. One reason might be the tension between resilience and efficiency. In recent years, many companies established thin, globalized supply chains to minimize costs and increase control. Under good conditions, those supply chains often yielded low cost and high quality, to the delight of customers and stockholders. Unfortunately as a result of the coronavirus pandemic, some of these supply chains have been strained or shattered when a supplier had to stop production or when moving products across geographic and political borders became difficult. (See, for example, "Coronavirus Is a Wake-Up Call for Supply Chain Management" in the March/April 2020 *Harvard Business Review*.)

What might it take to become less fragile and more resilient? Some suggested practices include sharing information across disciplines and organizations, conducting "what if" exercises, and investing in people (beyond the training needed for daily work). But for such practices to endure, we may also need to change our mindsets—and that might be harder to do. Most leaders inside and outside Government are conditioned to emphasize efficiency and focus on results. Although that is usually beneficial, it may lead organizations to devalue or discontinue programs that appear to have no immediate benefit or that focus on planning for events that may never happen. The price of resilience, beyond the bottom line, may be accepting that some efforts might not pay off during our careers or lifetimes—or ever, if we are fortunate.

On a more positive note, the practices that build resilience also support growth and innovation. Paradoxically, the most robust and effective organizations over time may not be the most efficient ones. For example, Paul Light's *The Four Pillars of High Performance* observes that organizations that perform best over the long term have capacity that is not needed for daily operations. Preparing for unpleasant surprises also helps organizations act on pleasant surprises.

Does efficiency still matter? Of course. The fifth merit system principle of using the Federal workforce efficiently and effectively is not obsolete. But one lesson we might take from 2020 is that short-term efficiency does not guarantee long-term effectiveness, and that planning for the unexpected is not a waste of time or money. Instead, it is a necessary and prudent measure to protect the public interest. ❖

Acting Director, Policy and Evaluation

Do Federal Employees' Views on Fairness Differ Based on Their Perspectives?

As the recent confluence of events has focused the public's attention on the persistence of racial inequities, we look at MSPB survey data to shed light on the perspectives of Federal employees.

As an employer, the Federal Government is required by law to ensure that employees and applicants are not discriminated against due to personal characteristics, such as their race, sex, age, or disability. Similarly, Federal agencies are bound by Title 5, U.S.C., Section 2302(b) to avoid prohibited personnel practices, including discrimination on all legally protected bases. However, refraining from committing discrimination in itself is insufficient for managing a vast workforce fairly and effectively. Therefore, the Federal Government has set a higher standard for itself with the merit system principles, which serve as aspirational goals emphasizing the need to treat employees fairly and equitably and to manage the Federal workforce in a manner that best serves the short-term and long-term interests of the public.

MSPB's Merit Principles Survey periodically evaluates the degree to which Federal employees feel that their agencies are keeping their obligations to focus on work-related abilities and contributions, and not consider extraneous variables—such as demographic characteristics—when making critical decisions that impact employees' careers. Our 2016 survey results present a mixed view of employee perceptions from different racial and ethnic groups—specifically White, African American/Black, and Hispanic/Latino employees. On some topics, there is little or no difference between groups. For example, responses across the groups were comparable in terms of their job making good use of their skills and abilities, having the opportunity to perform challenging work, and feeling comfortable being themselves at work. Additionally, African American employees were slightly more likely to say that their supervisors provided constructive feedback and to recommend their agency as a place to work.

However, on other survey items, there were notable differences in opinions between the groups. For example, African American and Hispanic employees were less likely to say that their agency did a good job of either recruiting or retaining a diverse workforce. They were also more likely than White employees to say that they had not been treated fairly in terms of career advancement, awards, training, performance appraisals, job assignments, discipline, and pay. Finally, they were more likely to say that they had been denied a job, promotion, pay increase, or other job benefit within the past 2 years because they had been discriminated against based on race. A look at workforce data from the Equal Employment Opportunity Commission's (EEOC) 2018 Annual Report reveals that these same groups are under-represented at the higher pay levels, particularly among the Senior Executive Service, which may lend support to respondents' views that they were denied equal opportunity in terms of career opportunities.

Yet another challenge to achieving a shared view on workplace treatment appeared when we asked questions about the treatment of people of color compared to White people. The results were strikingly consistent: African American and Hispanic employees were much more likely to agree that people of color were treated worse in terms of several actions, such as being subjected to higher standards and being passed over for supervisory positions. As a result, it appears that Federal employees are neither having, nor witnessing, similar experiences across racial and ethnic lines.

While these survey findings include some encouraging results, responses to other questions indicate concerns regarding the fair treatment of some groups of Federal employees. Further, fair access to these opportunities are essential to achieving a more representative workforce at all levels. And while addressing these concerns among the Federal workforce cannot solve all of the inequity in the United States, the Federal Government acts not only as the largest employer but also should serve as an exemplar for the fair and equitable treatment of all employees. That is so not only because it is the right thing to do, but because it is the best way to manage the Federal workforce to effectively and efficiently serve the American public. ❖

For more information on how to improve the fair and equitable treatment of Federal employees, see the following:

- MSPB, *Fair and Equitable Treatment: Progress Made and Challenges Remaining*, December 2009.
- EEOC, *African American Workgroup Report*, March 2013.
- EEOC, *Report on the Hispanic Employment Challenge in the Federal Government, by the Federal Hispanic Work Group*, October 2008.

Confidence in Ability to Perform Successfully in the Federal Workforce

An introduction to why employee confidence makes a difference in work outcomes.

The future of the Federal workforce is greatly influenced by how individual Federal workers think about the future consequences of their own actions. MSPB's 2016 Merit Principles Survey (MPS) addressed this relationship by including six questions about participants' Confidence in Ability to Perform Successfully (CAPS). Scores derived from these questions summarize how strongly respondents believe that their actions in the workplace can produce the intended results. Previous research shows that high scores are positively related to higher job performance, greater job satisfaction, more discretionary effort at work, and other positive work outcomes.

A closer look at work behaviors reveals that employees who have high CAPS scores are more likely to make work plans and carry them out. Low CAPS employees, who believe there is little relationship between their actions and results, are less likely to set and work toward goals. Low CAPS reasoning can foster a general tendency toward inaction, although the reasons for that inaction may not be apparent to the casual observer. These conclusions are supported by research on topics like self-efficacy, internal locus of control, and learned optimism. These labels refer to a single underlying concept which, for ease of discussion, we call CAPS.

CAPS scores can tell us something important about the Federal workforce. There is a familiar stereotype of Federal employees as sluggish and unmotivated—the very profile of a low CAPS employee. To the extent that this stereotype may be true—and every workforce contains some employees who feel that their actions will not make a difference—the CAPS framework provides a way to understand and perhaps improve the performance of these employees. To the extent that this stereotype is false, this research provides recognition and support for Federal workers who not only feel their actions will help produce results but are personally active in making a difference for the public they serve.

Based on their MPS 2016 CAPS scores, we divided survey respondents into three CAPS groups distributed as follows: Low CAPS (9.4 percent), Medium CAPS (38.4 percent), and High CAPS (52.2 percent). The large percentage in the High CAPS category suggests that Federal employees overall may take more responsibility for their performance than they are often given credit for. Over half of the Federal workforce surveyed have high confidence in their ability to perform their work tasks effectively.

> **Merit Principles Survey Questions About Confidence in Ability to Perform Successfully**
>
> 1. There is little point in setting goals at work because so much happens that I cannot control.
>
> 2. If I set a goal at work, I can achieve that goal with hard work and determination.
>
> 3. The responsibility for an employee's career advancement lies mostly with the employee.
>
> 4. The responsibility for employees' career advancement lies mostly with the employing organization.
>
> 5. Success at a job like mine is determined mostly by things outside of the employee's control.
>
> 6. Most employees in a job like mine have it within their power to succeed at their job.

MSPB plans to discuss CAPS and its implications for job performance and management of the workforce more fully in a future publication. That publication will discuss what engages high and low CAPS employees, differences in how they describe their work tasks, what performance ratings they expect, and where they plan to go next in their careers. ❖

For previous research on concepts related to CAPS, see the following:

• Ng, T., Sorensen, K., & Eby, L. (2006). Locus of Control at work: A meta-analysis. *Journal of Organizational Behavior*, 27, 1057-1087.

• Bandura, A. (1977). Self-efficacy: Toward a unifying theory of behavioral change. *Psychological Review*. 84(2), 191-215.

• Rotter, J. (1966). Generalized expectancies for internal vs. external control, *Psychological Monographs*, 80 (1), 609.

• Maier, S., & Seligman, M. (2016). Learned helplessness at fifty. *Psychological Review*, 123(4), 349-367.

• Judge, T. A., Bono, J. E., Locke, E. A. (2000). Personality and job satisfaction: The mediating role of job characteristics. J*ournal of Applied Psychology*, 85(2), 237–249.

Hiring Political Appointees Into Career Positions

A recent case clarifies the law and demonstrates the importance of following hiring rules.

In a recent decision, *Avalos v. Department of Housing and Urban Development*, the U.S. Court of Appeals for the Federal Circuit clarified some important points of law surrounding appeal rights, emphasized the importance of avoiding even the appearance of impropriety when hiring, and reminded agencies and managers that there are consequences for failing to follow rules and observe merit system principles. Let us unpack what happened in *Avalos*:

The Hiring Action: On October 8, 2009, Mr. Avalos was confirmed by the U.S. Senate to serve in a political appointment in the Department of Agriculture. In 2015, the Department of Housing and Urban Development (HUD) announced a vacancy in the career civil service. Mr. Avalos was not referred for selection on the certificate, but a preference-eligible veteran was. The HUD management official, who knew Mr. Avalos through a former job, did not select the veteran or seek to consider other candidates by requesting permission to pass over that veteran. Instead, she began to revise the job announcement to include a selective factor (a skill that is required instead of just desired) and allowed the initial certificate to expire. Mr. Avalos was the only candidate referred on the certificate for the revised announcement and was selected. In September 2016, he left his Senate-confirmed position to begin serving on a career-conditional appointment with HUD the next day.

The Appointment Procedure: Agencies must obtain approval from the Office of Personnel Management (OPM) *before* appointing a person who has recently held a political appointment to a position in the career service. Under OPM's current policy, "recently" means at any time in the 5 years preceding the job announcement and the career service includes both the competitive and excepted service.

The Removal: When OPM learned of the appointment, it investigated and informed HUD that it would not have approved the action. HUD was instructed to "regularize" the appointment. As explained in OPM's Delegated Examining Operations Handbook, this means: (1) attempting to find a lawful appointment authority; (2) obtaining an OPM "variation" (exception from the strict rules of a regulation); or (3) removing the individual. The court concluded that HUD was not required to seek a variation, and that it would be reasonable to assume one would be denied, since the regularization order was a result of OPM's objections to what had occurred. HUD looked at the matter and concluded that while there was not sufficient evidence that the parties intended to grant an unauthorized preference, there was "still an appearance of a prohibited personnel practice." Avalos was terminated before the completion of his 1-year probationary period on the basis that the agency could not prove the appointment met the requirements of the merit system principles and did not constitute a prohibited personnel practice.

The Probationary Period: Mr. Avalos appealed the termination to MSPB, but HUD argued he did not have appeal rights because he was serving a probationary period. Individuals in the competitive service are employees for purposes of appeal rights if they have completed 1 year of current continuous service (5 U.S.C. § 7511(a)(1)(A)). In *Avalos*, the Federal Circuit held that nothing in the law excludes service in a political appointment from counting as part of that year. Thus, despite serving less than 1 year in the competitive service, the court ruled that Mr. Avalos had appeal rights because he was in the competitive service and had a total of more than 1 year of current continuous service.

The Efficiency of the Service: A general principle is that the removal of an employee must further the efficiency of the service. The Federal Circuit held that, "HUD's legitimate interest in removing the appearance of political influence in Mr. Avalos's appointment (and that further investigation could not entirely dispel) promotes the efficiency of the service by improving compliance with merit systems [*sic*] principles." Ultimately, HUD's removal of Mr. Avalos was affirmed.

There are several lessons in the *Avalos* case, such as the requirement for OPM's pre-hire approval of the appointment of any a person who has recently served in a political appointment and the clarification of what types of service may meet the probationary requirement for 1 year of current continuous service. But possibly more important is the message that just the perception of political influence in a hiring action is unacceptable, and that is why the court affirmed the decision to remove Mr. Avalos. The *Avalos* case serves as one more reminder of the importance of ensuring that personnel actions follow merit procedures. ❖

OPM's Revitalized Delegated Examining Certification Program

OPM has revamped the DEU certification program to strengthen human resource (HR) capabilities.

Delegated examining units (DEUs) are responsible for carrying out competitive examining responsibilities across Government and help ensure agencies operate merit-based hiring systems. It is critical that these HR staffs are trained in the complex rules and regulations that govern the competitive service. To better prepare DEU employees, OPM launched a revitalized Delegated Examining Certification Program. The program requires that all HR staff involved in delegated examining—specialists and assistants, Federal employees and contractors—pass a delegated examining certification or recertification assessment. Upon passing the assessment, employees receive a DEU certification valid for 3 years.

The certification and recertification assessments test knowledge of key delegated examining concepts, rules, and procedures. If practitioners fail the initial certification assessment, they can take it again in 90 days. If they fail a second time, they cannot take it for another 6 months. If practitioners taking the *recertification* test fail the first time, they can take it again after 60 days and maintain the certification until it expires. However, if they fail the exam a second time before the certification expires, then they lose the certification. So preparation for the exam is extremely important.

To help practitioners get ready for the certification assessments, OPM developed the Delegated Examining Certification Program Guide that describes recommended preparation activities. A key to that preparation is a 3-day delegated examining training course, currently offered virtually in response to coronavirus concerns. The training offers updated and scenario-based exercises and activities, including a capstone exercise. The training is not mandatory, but OPM has found that it vastly improves practitioners' chances of passing the assessment. Unfortunately, OPM reported that many HR practitioners are not taking the training.

So why wouldn't they participate in the training? As we point out in our recent research brief *The State of the Federal HR Workforce: Changes and Challenges*, a key challenge for the HR workforce is that HR staffs often do not have the time or resources for training. Even with virtual classes, practitioners would have to be absent from the job for 3 days. Also, the training is relatively expensive, with the fiscal year 2020 cost listed at $1,142 per participant, plus the additional $200 fee per practitioner to take the assessment.

Having a well-prepared HR workforce is critical to the Federal Government's ability to maintain a high-quality workforce. OPM's Delegated Examining Certification Program is an important piece to that preparation. It would be even more helpful if OPM could explore alternatives to fee-based training and if agency leadership would make HR staff training a priority. ❖

Improving Applicant Assessment

On June 26, 2020, the Administration released the *Executive Order on Modernizing and Reforming the Assessment and Hiring of Federal Job Candidates*. The Executive Order reinforces the idea that Federal hiring should be based on merit, and it argues that the best way to achieve that is through skills-based assessments. Additional guidance was provided to the Chief Human Capital Officers Council on July 31.

To improve applicant assessment, implementation is key. MSPB's research has found that agencies often use assessments that are not the best predictors of performance because developing good assessments takes expertise and funding many agencies do not have. OPM's USA Hire Program has validated assessments for a multitude of Federal occupations, but they are only available on a reimbursable basis, making them relatively expensive for some agencies.

Given the Administration's push to improve hiring, this is an ideal time for OPM and Congress to explore how to make assessments more accessible to agencies. For additional ideas on how to improve Federal assessment practices, see the following MSPB resources.

- *State of the Federal HR Workforce: Changes and Challenges*
- *Building on OPM's Hiring Improvement Memo*
- *Improving Federal Hiring Through Better Assessment*
- *Evaluating Job Applicants: The Role of Training and Experience in Hiring*
- *Job Simulations: Trying Out for a Federal Job*
- *Reforming Federal Hiring: Beyond Faster and Cheaper*
- *Reference Checking in the Federal Government: Making the Call*
- *The Federal Selection Interview: Unrealized Potential*

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