



division of
**Human Resource
Management**

HB412: The Support for At-Will

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HB412: The Support for At-Will Employment



At-Will Doesn't Mean No Protection

- DHRM rule ensures fair and consistent employment practices.
- It also allows employees to voice concerns that may be based on
 - discriminatory motive,
 - abusive conduct, and
 - protects employees from retaliation for reporting them
- All supervisors in the state are required to receive annual training on management best practices following the **passing of HB104 in 2022**

State Career Service	Federal Merit Principles	DHRM process & best practice exist regardless of Schedule Code
Recruiting & Selection	Recruiting	✓
Equitable Compensation	Equal Pay with considerations	✓
Training	Training	✓
Retained on adequacy of performance	Retained on adequacy of performance	✓
Fair treatment of applicants and employees (Civil Rights Act)	Equitable Treatment (Civil Rights Act)	✓
Hatch Act(ish)	Free from political coercion	✓
Grievance Procedure <ul style="list-style-type: none"> - Fair - Expeditious - Inexpensive 	High standards of conduct	✓
	Efficient & Effective Use of work force	✓
	Whistleblower protection	✓



At-Will Employment Provides Agility

- Career Service performance improvement plans (pip) often take more than 120 days to complete



Discipline
including 5-day
response period
and any associated
grievance periods



Separation
if still unsuccessful

- Actively disengaged employees are aware of these arduous processes and may be emboldened by them
- At-will allows for supervisors to require performance improvements in a shorter period of time and to address concerning issues more quickly



Career Service Employment Creates Disincentive For Managers

Performance

Item	2019	2020	2021
11. In my work unit poor performers usually:			
Remain in the work unit and improve their performance over time	17	19	18
Remain in the work unit and continue to underperform	56	49	50
Leave the work unit - removed or transferred	8	9	9
Leave the work unit - quit	2	2	2
There are no poor performers in my work unit	17	21	20

Note: The sum of percentages may not add to 100 due to rounding.



Building a Modern Workforce

In the last decade, we have strengthened our relationships with

- Agency management
- DHRM
- Attorney General's office
- Division of Risk

An audit from 2021 showed a drastic reduction in grievances that reached the level of the Career Service Review Office.



Reduction in CSRO Hearings

Since 2018....	Yearly Avg	Total
# of Career Service Employees	15,000	
# of Exits For Cause	159	793
# of CSRO Hearings	2	9
# of CSRO Cases Overturned	0	*1



At-Will Does Not Increase For-cause Terminations



Termination data shows that over the last 5 years, a higher percentage of employees in career service eligible positions have been separated for-cause than have at-will employees.

From **2018-2022**, there were **893** for-cause exits (career service AND at-will) in the executive branch

9.2% of **career service** employee exits were for-cause (this represents **793** career service employees during that time)

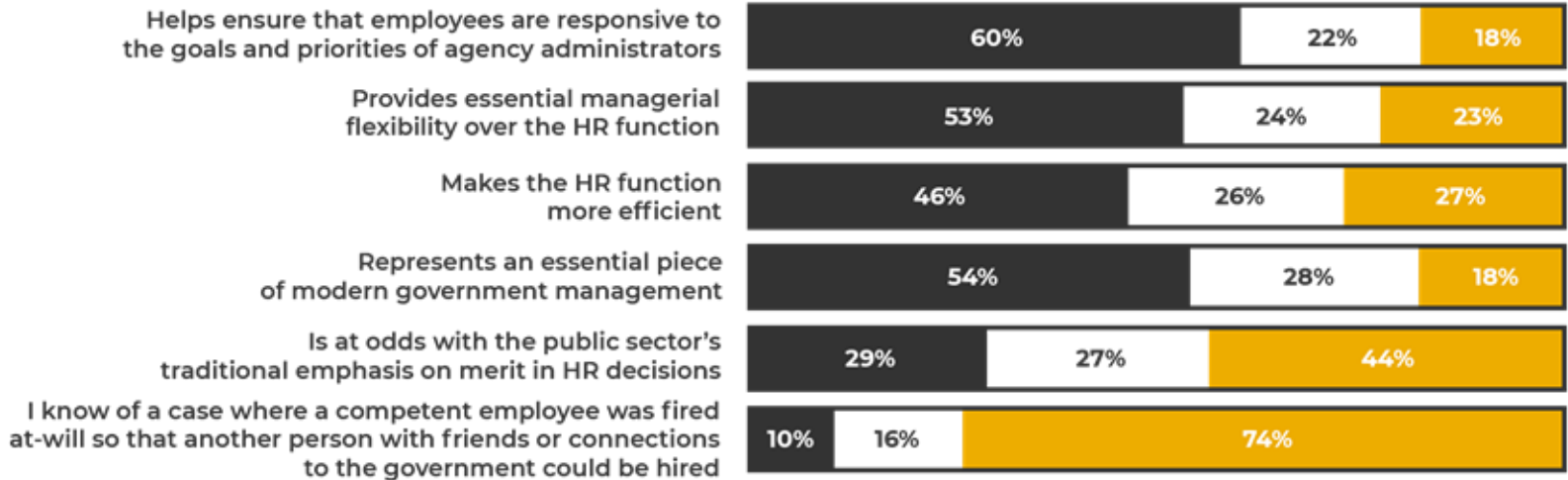
7.1% of **at-will** employee exits were for-cause (this represents **100** at-will employees during that time)



HR Directors' Opinions on the Effects of At-Will Employment in Georgia, Florida, Texas, and Mississippi

QUESTION: In general, at-will employment in government...

Agree
 Neither Agree or Nor Disagree
 Disagree



Source: Cogburn, Jerrell & Battaglio, Jr, R. Paul & Bowman, James & Condre, Stephen & Goodman, Doug & West, Jonathan. (2010). "State Government Human Resource Professionals' Commitment to Employment At Will"

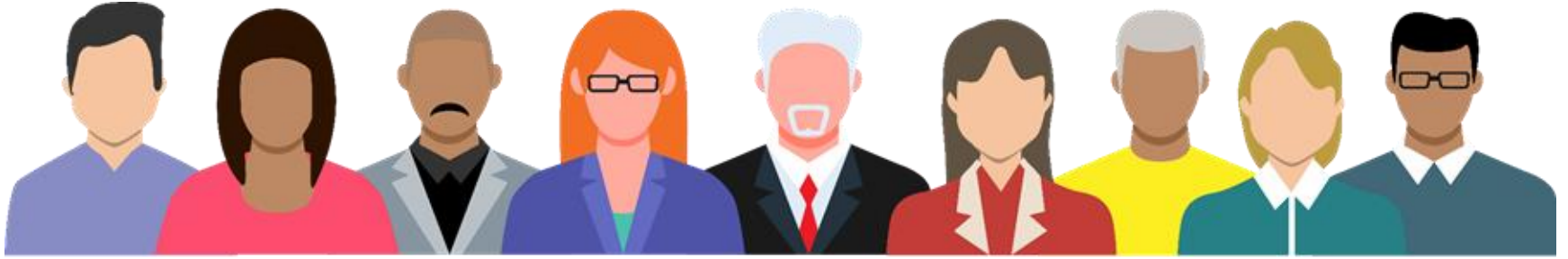


Schedule B Compensation Strategy

Legislative Actions in 2022		Proposed in 2023		Combined Lift	
Avg. Hourly Rate (Schedule B)		Avg. Hourly Rate (Schedule B)		Avg. Hourly Rate (Schedule B)	
Feb. 15, 2022	July 15, 2022	Feb. 5, 2023	July 15, 2023	Feb. 15, 2022	July 15, 2023
% Increase:	11.61%	% Increase:	12.23%	% Increase:	17.62%

**Salary only for Schedule B employees, does not represent total compensation package*





HB412 gives career service employees the opportunity to voluntarily opt-in to at-will status and receive a 5% salary increase.



**Schedule A
Opt-in
Successes:**

DTS 2007:
93%
opted in

Supervisors 2022:
92.6%
opted in* while only
161 have opted out
* as of Feb 20, 2023

Including POST Employees

- Last year 767 supervisors in the Department of Corrections and Department of Public Safety became eligible to convert to at-will as part of HB 104
 - Among the supervisors that have responded, **97%** have chosen to go to at-will
 - Only **21** of the **767** supervisors in these agencies have opted to keep career service status



Attracting & Retaining Employees

Our most valuable resource are our employees

We want to attract and retain good and great employees for years to come

The continuous investment in their

- Salary, benefits, and retirement
- Professional development
- Relationships with manager and leadership
- Personal employee value proposition





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Thank You

Schedule B Compensation Strategy



Legislative Actions in 2022

Through a combination of targeted funding and COLA the average hourly salary rose from \$25.76/hr to \$28.75/hr. An increase of 11.61%. (*Note: 2595 employees had the ability to opt into Schedule AX which made them eligible to receive an additional 5% increase on July 1, 2022)



Proposed in 2023

Through a combination of targeted funding, pay-for-performance, a 5% COLA and an additional 5% opt in for nearly 10,000 Schedule B employees to convert to schedule AY, we are proposing a total combined **12.23%** increase that brings the average schedule B salary to \$30.30 on July 15, 2023.

These proposals would see the average wage of a Schedule B employee raise from \$25.76 in Feb. 2022 to \$30.30 in July 2023. A total lift of 17.62% in just under 18 months. That's an average gross increase of nearly \$10,000/year.

