



ROW OFFICE PROFESSIONALISM
AND ACCOUNTABILITY: A
COMPARATIVE STUDY
RESULTS FOR PHASE III ROW OFFICE STUDY

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KEY FINDINGS AND CONCLUSION

- Allegheny County is in the process of overhauling its employment practices and policies to achieve higher levels of professionalism and accountability. However, debate continues over whether row officers and their employees should, or can, be held to these high standards.
- Of 17 metropolitan counties sampled to compare with Allegheny County, three western counties--Maricopa, AZ; Tarrant, TX; and Salt Lake, UT--exemplify the best practices regarding merit hiring, control over ethical behavior, and work standards for their elected row offices.
- The six counties with the best practices in our 17 county sample elect 5 or fewer row officers, compared to 10 offices in Allegheny County.
- 13 counties in our sample have a countywide merit hiring and promotion system. 6 of these counties also extend this system to the elected row offices.
- 15 counties in our sample, 88 percent, have stringent restrictions against conflict of interest for their row officers. 12 counties prohibit nepotism in their row offices.
- Compared with other representative large counties across the nation, Allegheny County's row offices have an overall record of entrenched and pervasive patronage and resistance to normal standards of professionalism and ethics that is almost certainly detrimental to the County's future.

INTRODUCTION

A the sea change in power and function along with a reinvigorated emphasis on professionalism and accountability has come to Allegheny County through the 1998 adoption of Home Rule. Unfortunately, there is raging debate over the extent to which the county's elected row officers and their employees come under the provisions of hiring according to merit, their need to follow county work standards and rules, and the row officer and employees obligations to follow standards of ethical behavior on hiring, conflicts of interest, and engaging in political activity.

County council has debated accountability and responsiveness in two instances, the proposed Administrative Code and the proposed Ethics Code, and yet has failed to find a common ground. Some members of council believe that the row offices are exempt from any code because the offices are state-mandated and wholly separate from the rest of the county government. Besides, those members argue, the row offices already exemplify the best county government has to offer by hiring according to merit principles and holding employees to a high standard. Meanwhile, other members of council feel that the offices should adhere to a uniform standard that governs the rest of the county employees. Merit hiring standards, prohibitions on certain types of behavior, and work rules should apply to row officers and their employees just as they would apply to an employee in Health and Human Services, Public Works, or General Services.

SUMMARY RESULTS OF PHASE I AND PHASE II

This study is the third in a series of research reports undertaken by the Allegheny Institute on the county row offices. Phase I analyzed the entrenchment of row officers by examining the hiring policies employed in the offices. The results of the study demonstrated an over-representation of Democratic employees in the offices. Of the 791 row office employees for which party registration could be identified through county records, 93 percent (736) were Democrats, 5.4 percent (43) were Republicans, and the remaining 1.5 percent (12) were Independents or listed no party registration. Countywide figures on party registration are 63 percent Democrat, 28 percent Republican, and 9 percent "other." Statistically, the chance of 93 percent of row office employees being Democrats is close to zero. In other words, patronage is rampant.

Phase II of the study attempted to compare the elected/appointed status of Allegheny County's row office functions with those of 17 other large metropolitan counties across the nation. The results showed that Allegheny County was the only county in the sample that elected all ten row offices. Most of the counties either appointed the official or it fell under the direction of another county department. On average, the comparison counties elect 5 row offices.

EXPLANATION OF PHASE III

Phase III of the study builds upon the comparative nature of Phase II by using the same 17 metropolitan counties to assess the degree of control those counties exercise over their row offices. We used a survey questionnaire to assess each county's employment practices and policies on such factors as merit hiring and promotion, the application of county work standards and rules to row officers and row office employees, and the coverage of the county's ethics code on nepotism, conflict of interest, and the degree to which their employees can engage in political activity.

County Questionnaire

1. Does your county have a merit-based hiring and promotion system?
 - 1a. If yes, does the merit-based system apply to all employees, including employees of independently elected row officials (Coroner, Sheriff, District Attorney)?
 - 1b. If no, what system or practices are in place?
2. Does the county ethics code apply in full to employees of independently elected row officials?
3. Are independently elected row officials in your county specifically prohibited from nepotism?
4. Are independently elected row officials in your county specifically prohibited from conflict of interest?
5. Are rules against political activities applied to employees of independently elected officials?
6. Do county work rules (hours per day, hours per week) apply to independently elected row officials?
7. Do county work rules (hours per day, hours per week) apply to their employees?

Survey respondents could answer "yes", "no", or "not sure" to the questions. The results were tabulated and a point was assigned for each. A county that answered "no" to question 1 was assigned a "no" for question 1a for the fact that such a particular county would not have a merit system for their row offices if they did not have a countywide merit system. 8 "yes" responses is indicative of extremely good governance, while 0 "yes" responses suggests the county has ineffective oversight of its row offices.

The data for this phase of the study was collected during the last week of September and the first week of October 2000. Any changes to Allegheny County's ethics code since that time could alter the results slightly.

Phase III of the study surveyed the same counties used in Phase II of the study: Broward, FL; Dekalb, GA; Fulton, GA; Mecklenburg, NC; Montgomery, MD; Fairfax, VA; Cuyahoga, OH; Davidson, TN; Marion, IN; Jackson, MO; Hennepin, MN; Bexar, TX; Tarrant, TX; Maricopa, AZ; Salt Lake, UT; Alameda, CA; and King, WA.

RESULTS OF PHASE III

Overall Results

The overall results of the Phase III study found 16 of our comparison counties outperforming Allegheny County on issues relating to merit hiring and row office behavior. Out of a possible 8 positive ("yes") responses, Dekalb had only 1 positive response, tying it with Allegheny County. Maricopa, Tarrant, and Salt Lake answered yes to all 8 responses. King and Fulton tied for second, and the remaining counties fell in the middle of these extremes. Tabulations for all the counties are at the back of this paper.

It is interesting to note the performance of Cuyahoga and Davidson counties, both of which elect almost as many row offices as Allegheny County, 8 and 7 respectively. Both counties gave 5 "yes" responses to the survey, and exercise control over the row offices on issues of nepotism, conflict of interest, and political activity by row office employees.

Lastly, we correlated our survey results with Forbes "Best Places for Economic Growth" list for the year 2000. Of the sample counties ranked on the list, the two with the greatest number of elected row offices--Cuyahoga and Allegheny--received the lowest scores.

Individual Results

Countywide Merit Hiring and Promotion

Allegheny County's Administrative Code contains a provision for the chief executive, county manager, and human resources director to hire according to merit. Of our sample, 13 counties possess a countywide system of merit hiring and promotion. Only Marion, Mecklenburg, Bexar, and Hennepin do not have a merit system in place. Marion County's human resource department screens applicants; Hennepin and Mecklenburg allow their agency heads latitude in hiring decisions. Bexar has a "quasi-merit" system for law enforcement employees.

Row Office Merit Hiring and Promotion

Allegheny County's merit hiring plan does not apply to row office employees at this time. Of the 13 other counties that possess merit hiring, 6 apply it to their row offices. These are Maricopa, Salt Lake, King, Tarrant, Fulton, and Alameda. The remaining counties, along with Allegheny, do not extend merit hiring to the row offices.

Ethics Code applied to Row Office Employees

Allegheny County is in the process of enacting its proposed ethics code, so at the present time, there is no code of conduct governing the behavior of row office employees. In counties that do have an ethics code, 6 of them choose not to apply it to employees of row officers.

Row Officers Prohibited from Nepotism

Allegheny County has a long history of relatives hiring family members to work in row offices. This will be a thorny issue in the debate over the ethics code. Our sample found that 5 other counties--King, Alameda, Marion, Broward, and Dekalb--do not prohibit this type of hiring practice.

Row Officers Prohibited from Conflict of Interest

Conflict of interest is another issue that will most likely come up in deliberations over ethical behavior of the row offices in Allegheny County. Many of the counties in our sample have state statutes that apply to this issue. Only two--Bexar and Dekalb--do not have any specific rules forbidding conflict of interest behavior.

Rules Against Political Activities on the part of Row Office Employees

Should row office employees be allowed to campaign for their employer or run for office on county time? How about working the voting booth on election day? Allegheny County does not forbid these behaviors presently. Only three other counties--Montgomery, Mecklenburg, and Dekalb--do not prohibit these actions either. 12 other counties do not allow this behavior.

County Work Rules Applied to Row Officers

Allegheny County does not mandate row officers to work for a specific number of hours per day or per week. There is a proposal to have row officers work 35 hours a week, but the issue is not yet resolved. And a majority of the counties in our sample, 11 in total, do not feel that row officers should be held to a countywide standard either.

County Work Rules Applied to Row Office Employees

Lastly, Allegheny County's row office employees are not held to the same standards as the rest of the county's work force. Seven other counties in our sample also do not apply work standards to the employees of row officers. Fulton, Jackson, Alameda, and Marion exempt row officers from county work standards yet applies them to their employees.

CONCLUSION

Phase III of our row office study shows that there are counties that exercise very strict oversight of their independently elected row officers and the employees that carry out county functions. It is important to note how this study, when combined with the two earlier phases, calls to light important implications for Allegheny County policy makers when deliberating the degree of control they ought to exercise. The fact is that since Allegheny County elects so many row offices there are more rewards to be dispensed to loyal voters. These rewards come in the form of jobs. With ten row offices and 1,000 employees, the implications of this patronage are large.

Clearly, Allegheny County needs to reform its row offices through reduction in numbers and extending a strict application of merit hiring and additional standards of professionalism and ethics.

TABULATION OF QUESTIONNAIRE RESULTS--COUNTIES 1-6

	Maricopa	Salt Lake	Tarrant	King	Fulton	Jackson
# of Elected Row Offices	5	5	4	2	4	2
Countywide merit hiring and promotion	Y	Y	Y	Y	Y	Y
Row office merit hiring and promotion	Y	Y	Y	Y	Y	N
System in place of merit hiring						
Ethics code applied to row office employees	Y	Y	Y	Y	Y	Y
Row officers prohibited from nepotism	Y	Y	Y	N	Y	Y
Row officers prohibited from conflict of interest	Y	Y	Y	Y	Y	Y
Rules against political activities applied to row office employees	Y	Y	Y	Y	Y	Y
County work rules applied to row officers	Y	Y	Y	Y	N	N
County work rules applied to row office employees	Y	Y	Y	Y	Y	Y
Total	8 Y 0 N	8 Y 0 N	8 Y 0 N	7 Y 1 N	7 Y 1 N	6 Y 2 N
Ranking on 2000 Forbes list	23	20	15	12	2	40

TABULATION OF QUESTIONNAIRE RESULTS--COUNTIES 7-12

	Alameda	Cuyahoga	Davidson	Marion	Montgomery	Mecklenburg
# of Elected Row Offices	5	8	7	7	4	5
Countywide merit hiring and promotion	Y	Y	Y	N	Y	N
Row office merit hiring and promotion	Y	N	N	N	N	N
System in place of merit hiring				HR screens applicants		Employees hired by agency heads
Ethics code applied to row office employees	N/A	Y	Y	Y	Y	N
Row officers prohibited from nepotism	N	Y	Y	N	Y	Y
Row officers prohibited from conflict of interest	Y	Y	Y	Y	Y	Y
Rules against political activities applied to row office employees	Y	Y	Y	Y	N	N
County work rules applied to row officers	N	N	N	N	N	Y
County work rules applied to row office employees	Y	N	N	Y	N	Y
Total	5 Y 2 N 1 N/A	5 Y 3 N	5 Y 3 N	4 Y 4 N	4 Y 4 N	4 Y 4 N
Ranking On 2000 Forbes List	12	160	54	38	43	12

TABULATION OF QUESTIONNAIRE RESULTS--COUNTIES 13-18

	Fairfax	Bexar	Broward	Hennepin	DeKalb	Allegheny
# of Elected Row Offices	3	5	4	2	5	10
Countywide merit hiring and promotion	Y	N	Y	N	Y	Y
Row office merit hiring and promotion	N	N	N	N	N	N
System in place of merit hiring		Step plan for law enforcement		Interview process		
Ethics code applied to row office employees	N	N	N	N	N	N
Row officers prohibited from nepotism	Y	Y	N	Y	N	N
Row officers prohibited from conflict of interest	Y	N	Y	Y	N	N
Rules against political activities applied to row office employees	Y	N/A	Y	Y	N	N
County work rules applied to row officers	N	Y	N	N	N	N
County work rules applied to row office employees	N	Y	N	N	N	N
Total	4 Y 4 N	3 Y 4 N 1 N/A	3 Y 5 N	3 Y 5 N	1 Y 7 N	1 Y 7 N
Ranking on 2000 Forbes List	No Rank	8	66	44	No Rank	147

Survey Respondents

Phil Rosenberg, Human Resources Director
Broward County, Florida

Bob Derrick, Human Resources Director
King County, Washington

Richard Conley, Personnel Director
DeKalb County, Georgia

Jane Hefley, Dept. of Personnel
Tarrant County, Texas

Paris Brown, Personnel Manager
Fulton County, Georgia

Jerry Fox, County Manager
Mecklenberg County, North Carolina

Michael Long, Senior Assistant County Attorney
Fairfax County, Virginia

Elaine Truman, Senior Human Resources Specialist
Montgomery County, Maryland

Dennis Madden, Director of Human Resources
Cuyahoga County, Ohio

Jamie Birdwell, Human Resources Analyst
Davidson County, Tennessee

Sara Logsdon, Human Resources Administrator
Marion County, Indiana

Rick Perry, Assistant Director of Personnel
Jackson County, Missouri

Marge Christianson, Director of Elections
Hennepin County, Minnesota

Ed Durand, Senior Human Resources Analyst
Bexar County, Texas

Sue Wybraniaec, Organizational Planning and Development
Maricopa County, Arizona

Sharon Bresia, Trainee Manager
Salt Lake County, Utah

Bob Shelton, Labor Relations Analyst
Alameda County, California