

Surviving Silly Season: Running the Election Year Gauntlet

By Scott J. Cameron, IPMA-CP

The year 2012 will not only see a presidential election, but also numerous gubernatorial and local government elections. While elections are an indispensable part of the normal civic cycle in a democracy, they are typically at least somewhat disruptive to the lives of civil servants, particularly when there is an incumbent running for reelection.



Early in my federal career I heard grizzled veterans of the civil service refer to election years as “Silly Season,” and I soon learned why. The year is full of surprises, and political appointees often exhibit unpredictable and sometimes mystifying behavior. Election years also pose certain risks for career civil servants—especially those with human resource management responsibilities. The prudent career public sector HR manager would be well-advised to learn how to navigate through these political shoals without running aground and thereby jeopardizing an otherwise distinguished government career. In this column, I propose to identify some of these risks, and suggest strategies for avoiding or mitigating them. I will focus on some of the issues the HR manager may encounter before the election. In a later column I will explore the challenges that may follow after the election.

The first thing to realize is that the appointed political leadership of your agency, whether it be in federal, state or local government, is going to be undergoing an inexorable and ever intensifying state of stress throughout the election year, gradually building to a crescendo by election night. There are several reasons for this. First, your agency’s political leadership, depending on the civil service laws and regulations that apply to your level of government, will itself be under more pressure from the White House,

governor’s office, mayor’s office, or elected head of county government. That chief executive, facing a reelection race, will demand faster turnaround on information requests from the bureaucracy, more travel and after-hours activity of a political or non-political nature from agency leaders, and exhibit less tolerance for mistakes or errors in judgment in the administration of your agency.

Being Responsive Without Being Inappropriate

As elected officials strive to respond to attacks from challengers without losing out on the “news cycle,” or work hard to get out their own positive message, they will insist on promptly obtaining relevant program-oriented information from your agency. The challenge for the career civil servant is to be responsive to legitimate information requests without becoming politicized and allowing government labor and funds to be spent for political purposes. Examples of legitimate information requests would include inquiries such as “how many jobs did the mayor’s programs create in Ward 3 last year,” “how much transportation money did the governor’s policies steer to a particular county,” or “how did a state benefit economically from the president’s trade policy.” Examples of problematic information requests would be a request for an analysis of how a political opponent’s voting record affected Ward 3, creation of a white paper describing how a political opponent’s transportation policy would affect county transportation funding across the state, and development of talking points that itemize the flaws in an opponent’s trade policy platform.

The best way to deal with problematic work assignments is to avoid them in the first place. To do this, at the beginning of the election year work with your agency’s political leadership to arrange a joint briefing for political appointees and the agency’s career civil servant leaders from the appropriate public ethics or

legal official on what is appropriate and what is inappropriate behavior. The way to raise this with the political leadership is to express that you want to protect them, protect their elected superior, and protect the career civil servants in your agency from experiencing any unpleasant or damaging journalistic, legal, or political exposure during an election year. No official running for reelection wants to have to deal with an apparent scandal that gets them “off-message” and simultaneously provides ammunition for their opponent, so this approach should receive a grateful reaction. Arranging this briefing early in the year ensures that everyone is on the same conceptual page when all are still relatively relaxed, before the election year adrenaline really starts flowing. Develop agreed upon procedures in advance that you and your political leadership will follow if a questionable situation should arise during the course of the year so you can promptly and confidently resolve any concerns.

Challenges in Decision-Making

There are two forms of risk associated with the longer hours and heavier travel schedule that political appointees typically experience during an election year. First, they may simply be less available to you as a career civil servant due to the higher-than-usual demands on their time. This may make it difficult to get your political leadership to make decisions, and to get their policy input on decisions you are generally empowered to make. The best mitigation for this risk is good planning, well-structured decision-making processes, and effective scheduling, so you and your political appointee boss can make the most of the time that you do have together.

One thing to be aware of as a sensitive civil servant leader is that certain decisions that would normally be routine can assume unusual significance during an election year. Being non-political and



objective does not mean you have an excuse for being politically obtuse. A decision or opportunity arises in your agency that you know from experience, or from simply being alert to your professional environment, may involve an unusual level of sensitivity due to the election year. When you sense such a situation, pause before taking action. It is perfectly legitimate to offer your boss the opportunity to make that particular decision. Your responsibility is to ensure that agency actions are fair and consistent with applicable policy, regulations and law. Affording your boss the opportunity to exercise appropriate discretion or publicly take credit for a decision should not pose an ethical problem. The most benign example of this sort of situation might be providing your boss with the opportunity to issue a press release announcing an agency action that would normally be considered routine, but might have some political value in an election year.

Appropriate Expenditure of Government Funds

The second risk associated with longer hours and more complex travel schedules is the possibility that it may become difficult to distinguish between your political boss' official duties and his or her political activities. The taxpayers appropriately bear the expense for the former, but generally not for the latter. The classic example of this type of dilemma is deciding who pays for what portion of an out of town trip where your political boss is clearly on official business attending a meeting in the early afternoon, but is the keynote speaker at a political fundraiser in that city that evening. Does the agency pay for the airfare but the campaign pay for the overnight hotel accommodations? These situations can be very complicated and have a tendency to arise spontaneously during an election year. It is best to establish the rules of engagement in advance in close consultation with the agency ethics, legal, and finance offices.

Less Margin for Error in Agency Administration

From the perspective of the head of an agency, the stakes are never as high as

they are in an election year. The press and the incumbent's opponent are both looking for any sign of incompetence, malfeasance or simply bad judgment or bad luck in the conduct of the government's business. An innocent error in a non-election year might be looked upon by your elected leadership as merely an annoying misstep by an agency. In an election year, however, that same error may take on the appearance of an ominous threat to an elected official's political survival.

Any such unfortunate error discovered by either the press or the opponent will immediately be picked up and amplified by the other, much to the distress of the candidate running for reelection. In response to any public criticism, negative feedback your agency receives from the "front office" can therefore be predicted to be shriller and more intense as the election year progresses. An explanation that suggests the agency made the right decision, but simply was unlucky enough to experience the wrong outcome is unlikely to be viewed sympathetically.

Under these conditions, the prudent civil servant will take special care to ensure that appropriate processes and procedures are followed in the routine conduct of agency business. This is not the time to get creative or allow oneself to be perceived as playing fast and loose with the rules. The wise civil servant will also ensure that agency political leaders are appropriately involved in key decisions, and that their involvement is documented to the maximum extent reasonable, in order to avoid the risk of the "bureaucrat" becoming a scapegoat if something unfortunate happens.

Time to be at the Top of Your Game

Silly season is a time when it is especially important to take care in speaking to the press or in making public presentations to interest groups. One has to assume the campaign organization of the incumbent's opponent, or an interest group associated with the opponent, will be constantly listening. More than that, the truth is they will be looking for any opening to mischaracterize anything you say, and then broadcast their misinterpretation for public consumption in order to politically damage your boss.

The next nine months of silly season, until the November elections are history, do pose risks. However, they also provide a great opportunity to sharpen your skills as a career civil servant. By taking advantage of this challenge, you will not only advance your own professional skills to the next level, you will also position yourself well to deal with the aftermath of the election. But that is the subject of a future column.

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