
Defense Report

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The Case of the Commissary Baggers —Common Sense Triumphs over the Bureaucracy

For many years the bagging of groceries purchased at military commissaries has been done by people who are not on the Federal payroll, who work for tips alone. Frequently they are young people in need of part time employment. Commissary patrons are mostly generous with their tips and the baggers speed the patrons through the typically long lines of customers waiting to check out of the store with their groceries.

But last year the Civil Service Commission decided that this arrangement was illegal and announced that the Defense Department would be forced to put the baggers on the payroll at the minimum wage of \$2.30 an hour—far less than the baggers were earning in tips. Faced with having to absorb the additional salary costs, the Department had two basic choices: To do away with the baggers altogether and let the commissary waiting lines stack up while the customers bagged their own groceries, or; levy a surcharge on the customers to pay the baggers' salaries.

The Civil Service Commission proposal would have taken a good situation that got a job done at no expense to the taxpayers and turned it into a bad one for everyone. The situation was so ridiculous that Congressman Les Aspin of Wisconsin, an outspoken advocate of economy in the defense budget, introduced legislation to override the Civil Service Commission. Unfortunately, the legislation got nowhere in the legislative process.

But concerned members of the House and Senate Armed Services Committees would not let the matter die. With the order already out to begin charging commissary patrons an extra fee for having their groceries bagged and with most of the baggers refusing to work for the minimum hourly scale, the committees found a solution. They simply wrote language into the Defense Authorization Bill for the Fiscal Year beginning on October 1, 1978 that exempts baggers from the clutches of the civil service system. This was within the committees' power because they are authorized to set the level and nature of civilian employment within the Defense Department. The Department has followed up by acceding to a congressional request to delay execution of the civil service directive until it becomes non-operative on October 1.

The pitfalls in the arbitrary civil service action should have been apparent to the commissioners before they issued their edict. The baggers saw it shrinking their income. Service people saw it as still another threat to a valuable benefit associated with military life. In the end reason prevailed but it took extraordinary action to overcome bureaucratic bullheadedness.