



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES
HARRISBURG

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JAN 04 2002

STATE CIVIL SERVICE COM.
REFER TO _____

717-787-5996

OFFICE OF THE SECRETARY

Original: 2234

December 31, 2001


The Honorable Katherene Conner Holtzinger, Chairman
State Civil Service Commission
Bowman-Worth Building
P. O. Box 569
Harrisburg, PA 17108-0569

Dear Chairman Holtzinger:

This letter is written in support of the proposed Non-Civil Service to Civil Service rules change under the 4 PA Code, Section 95.7.

The Department of General Services has actively participated with other State agencies in the discussions with the State Civil Service Commission staff regarding the issues which prompted this proposed change. As an agency with both Non-Civil Service and Civil Service employees, we firmly believe this rule change will benefit the employee development objectives of this Department and the Commonwealth while preserving the integrity and mission of the State Civil Service system. We, therefore, strongly support this rule change and request its adoption by the State Civil Service Commission and the Independent Regulatory Review Commission.

Sincerely,


Kelly Powell Logan
Secretary-designate

bcc: Ronald K. Rowe
Gregory A. Green

Original: 2234

34 Mohawk Drive
Greensburg, PA 15601
December 31, 2001

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TESTIMONY FOR PROPOSED AMENDMENT TO STATE CIVIL SERVICE COM.
CODE SECTION 95.7(b), PROMOTION PROCEDURES REFER TO _____

Commonwealth of Pennsylvania
State Civil Service Commission
4th Floor, Bowman Worth Building
320 Market Street
Harrisburg, PA 17120
Attention: Randall C. Breon
Deputy for Operations

Dear Mr. Breon,

The following is my testimony in regard to a proposed amendment to Chapter 95 of Pennsylvania's Civil Service Act, Amendment to Code Section 95.7(b), regarding Promotion Procedures.

I have been a Commonwealth of Pennsylvania non-civil service employee since March of 1978. My non-civil service status has made it next to impossible for me to advance in my career path. My experience, knowledge and skills are valuable assets for the Department, however, on more than one occasion, I have taken Civil Service tests, been on the eligible list for an interview, yet I was never interviewed or considered for these positions. I was told repeatedly that as a non-civil service employee, I was not eligible to be considered for promotion to a civil-service position.

I recently wrote the Civil Service Commission and asked them to explain why the clerical employees of PennDOT were non-civil service, while clerical employees in my AFSCME Union, with the same job classification, doing the same type of work as I, had civil-service status. The Dept. of Public Welfare clerical employees who belong to the same AFSCME Union Council as I do, along with other State Agency clericals, are civil-service employees. I have sat by for years and watched them advance because of this. The answer I received from the Commission regarding the PennDOT clerical issue, was that years ago when the Department of Transportation was formed, the decision was made to make the clerical positions non-civil service and that it would take an act of legislature to change this ruling.

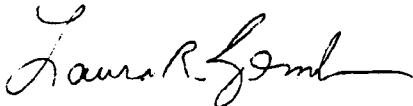
Positions are posted repeatedly at our Agency and none of them ever give the eligible non-civil service, Commonwealth employee the edge to obtain the position over a non-Department employee or an employee currently holding civil service status. I can't help but think that this is an act of discrimination and repression, against the eligible non-civil service employee and has become a blatant flaw in a system that proposes fairness and non-discriminatory practices. To enhance the employment opportunities for *all* Commonwealth employees (not only Civil Service employees and candidates outside the Department), I am sure, is the goal of the Commonwealth.

At the present time, I am once again in the position of being on an eligible list for a Civil Service position which is posted in my Agency at PennDOT. I, however, will not have much of a chance to be considered for this position, even though I know that I have the skill, experience and ability to do the job. I recently requested a desk audit and asked that my position be upgraded to Civil Service status. This request has yet to be answered.

Perhaps passing the proposed amendment will give me the same opportunity as others have had. Your consideration in changing Section 95.7(b), of the Civil Service Code to permit non-civil service employees to be treated in the same fair and equitable manner as applicants who are not Commonwealth employees will allow non-civil service employees the opportunity to develop a career path, that will not only benefit them, but the Commonwealth as well.

Thank you for this opportunity to present my views on the proposed amendment.

Laura R. Zambruno, Clerk Typist III
PA. Department of Transportation
Engineering District 12-0
(724) 439-7235 (Office)
(724) 834-3595 (Home)



Original: 2234

Michael A. Cuff
4047 Rawleigh Street
Harrisburg, PA 17109

(717) 541-1817 (Home)
(717) 787-8127 (Work)

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STATE CIVIL SERVICE COM.
REFER TO _____

Mr. Randall Breon
Deputy Director
Civil Service Commission
Executive Office
4th Floor, 320 Market Street
Harrisburg, PA 17108

Dear Mr. Breon

This letter is concerning the proposed new amendment to the promotion process of the Civil Service Act. I am currently employed in a non-civil service position that I have held for 5 years. I feel that this new proposal will enhance my job opportunities and allow me to be considered for additional promotions. I feel the proposed change will keep dedicated state employees from seeking other employment outside the state government because of the lack of advancement or promotional opportunities. The proposed change will allow me to utilize the training and experience I have gained during my State employment instead of availing myself to employment outside the Commonwealth. I am on several lists with the Civil Service Commission, in an attempt to seek promotional jobs and cannot be reached due to the current promotion practices. Although I have good scores, the fact remains that non-civil employees are treated like outside applicants which I feel is unfair and unjust. I hope you will pass the amendment swiftly and it goes into effect as soon as possible. I would like to have the opportunity to compete with any other Civil Service state employee for a promotion or advancement within the state.

Sincerely,



Michael Cuff
Mcuff@state.pa.us

COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
Secretary's Complex
(717) 975-4918
December 13, 2001

SUBJECT: Non-Civil Service to Civil Service Rule Change

Original: 2234

TO: Honorable Katherine E. Holtzinger-Conner
Chairman
State Civil Service Commission

FROM: 
Jeffrey A. Beard, Ph.D.
Secretary of Corrections

01 DEC 13 PM 1:48

LEGAL SERVICES OFFICE
SCSC

I am writing to you concerning the on-going public hearings to effect a rule change that will enable Non-Civil Service employees in the Department of Corrections and other Commonwealth agencies the opportunity to compete on a more equitable basis for promotion to Civil Service positions.

I very much support the proposed rule change to Section 95.7 Promotion Procedure which will permit Non-Civil Service employees to compete via an appropriate employment list for higher level positions that are Civil Service covered in the Department of Corrections. In many situations, the Non-Civil Service position is the next lower job title for a higher classification series where the remaining positions are Civil Service covered. By making this change a "career ladder" will be established that will allow current Department of Corrections employees with little career progression opportunities now to advance into more challenging roles for which they are trained and very viable candidates.

This is an extremely important issue for our agency to open career Civil Service positions to employees who now are not afforded many promotional opportunities under the current rules. Therefore, I wholeheartedly endorse the State Civil Service Commission's consideration of this change to the Rules.

If you have any additional questions pertaining to this correspondence or if my agency can assist in this effort, please contact Dan Tepsic at 975-4861.

JAB/DRT/JE3/dmb

cc: Ronald Rowe, Executive Director, SCSC
Randall Breon, Deputy for Operations, SCSC
Deputy Secretaries
Ms. Marschik
Mr. Tepsic
Mr. Strohm
Dr. Epoca
C&R Staff
File

Original: 2234

**Meeting of the State Civil Service Commission
December 12, 2001, Noon**

Purpose: To receive public comment on the proposed change to the Rules of the Commission.

The following persons advised us of their intent to speak concerning the rule change:

1. **John Greecher
5265 Deerfield Avenue
Mechanicsburg, PA 17055**

**John Greecher
Human Resource Director
Department of Revenue
11th Floor, Strawberry Square
Harrisburg, PA 17128**

Mr. Greecher advises that he is speaking as an individual and as a representative of the Department of Revenue.

2. **Lane Kelman, Esq.
Representing the Pennsylvania State Correction Officers Association
(215) 351-0674**
3. **Robert Jacoby
Community Corrections Center Monitor (CCCM)
Allentown Community Corrections Center
Steward—Pennsylvania State Corrections Officers Association**

Mr. Jacoby advises that he is speaking on behalf of fellow CCCMs.

Original: 2234



**EXECUTIVE OFFICES
BUREAU OF CLASSIFICATION AND COMPENSATION**

December 11, 2001

**RALPH WINTERS
DIRECTOR**

**817 FINANCE BUILDING
HARRISBURG, PENNSYLVANIA 17120
PHONE: (717) 787-8868
FAX: (717) 783-4429
E-mail: rwinters@state.pa.us**

**Commissioner Katherene Holtzinger Conner
Civil Service Commission
4th Floor, Bowman-Worth Bldg.
Harrisburg, PA 17108**

and

**Commissioner Barbara Krause
Civil Service Commission
4th Floor, Bowman-Worth Bldg.
Harrisburg, PA 17108**

Dear Commissioners Holtzinger Conner and Krause:


This letter comes in support of the proposed amendment to Chapter 95.7 of the Civil Service Rules which would provide a process for a non-civil service employee to compete with classified service employees for a promotion to a classified service position. The Commonwealth's duality of employment has often been a source of employee confusion, an impediment to career mobility, and has had an adverse impact on employee morale. Adoption of the proposed rule change would provide non-civil service employees with the same access to promotional opportunities as classified service employees, within the all important context of a competitive examination process.

The current Civil Service Rules restrict promotional testing to classified service employees, thereby precluding equally or perhaps more qualified non-civil service employees from competing for promotions to civil service jobs. These rules are a serious impediment to career mobility and restrict an appointing authority from considering highly qualified non-civil service employees for civil service positions. Adoption of the proposed rule change will address these two problems, and produce a vibrant candidate pool by an appropriate assessment of merit and fitness through open and competitive examinations.

It is my understanding that such a change is not contrary to the Civil Service Act, and arguably is consistent with its legislative purpose, i.e., "Greater efficiency and economy in the administration of the government by this Commonwealth". Adoption of the proposed rule change will give appointing authorities a variety of options to chose from when filling classified service positions, which will in turn result in better selections and improved efficiencies in agency operations.

Thank you for the opportunity to comment on this very significant and important human resource management initiative.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ralph Winters".

Ralph Winters, Director
Bureau of Classification and Compensation

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LIQUOR CONTROL BOARD

December 10, 2001

SUBJECT: Proposed Amendment to
Civil Service Rules

Original: 2234

TO: Randall C. Breon
Deputy for Operations
State Civil Service Commission

FROM: Larry E. Toth, Director
Bureau of Human Resource Management

I very strongly endorse the proposed amendment to 4 Pa. Code Section 95.7(b), Promotion Procedures which would be a historic step in Commonwealth Human Resource Management. Three significant aspects of human resource management are to utilize human resources as effectively as possible; provide career opportunities for employees, and to assure managers of the broadest possible candidate pool in filling positions.

A very sizeable portion of Commonwealth employees are non-civil service. Commonwealth agencies spend considerable resources in training and developing these employees. However, under the current Civil Service laws and regulations, non-civil service employees are treated as if they were not employed by the Commonwealth. When attempting to advance in careers from non-civil service to civil service positions, their career paths come to an abrupt halt, preventing the Commonwealth from drawing on a valuable human resource pool.

The proposed amendment should have significant, positive impact on allowing non-civil service employees, through merit competitive processes, to be treated as part of a single employer, the Commonwealth; improve the Commonwealth's utilization of human resources, and, provide managers greater flexibility and opportunity to fill positions with the best available candidate.

Even though the Pennsylvania Liquor Control Board is predominantly civil service, I believe the proposed amendment will enhance our ability to recruit for several of our administrative and clerical fields where we have had difficulty in attracting sufficient candidates. On behalf of the Pennsylvania Liquor Control Board, I urge the Commission's favorable consideration of the proposed amendment.

I would appreciate having these comments presented at the public hearing on December 12, 2001. Thank you for your consideration.

LET/cb

cc: Art Duprat, Director

OA Bureau of Human Resource Management

John E. Jones, III, Chairman

Darryl S. Stackhouse, Director of Administration



**COMMONWEALTH OF PENNSYLVANIA
BOARD OF PROBATION AND PAROLE**

*Bureau of Human Resources
1101 South Front Street, Suite 5600
Harrisburg, PA 17104-2522
(717) 783-7026*

**RECEIVED
EXECUTIVE OFFICE**

DEC 13 2001

**STATE CIVIL SERVICE COM.
REFER TO _____**

Original: 2234

December 11, 2001

Mr. Randall C. Breon
Deputy for Operations
State Civil Service Commission
PO Box 569
Harrisburg, PA 17108-0569

Dear Mr. Breon:

As a long-term Commonwealth Human Resource Director, I write this letter in support of the changes to Section 95.7 of the Commission Rules in regards to promotion procedures.

During my career at both the Department of Corrections and the Pennsylvania Board of Probation and Parole, I have had the misfortune of meeting with employees in non-civil service positions who were interested in promotion. Many of these employees were highly qualified and dedicated Commonwealth employees. Unfortunately, due to the existing rules, we were unable to consider them because of their inability to move from non-merit covered classes to merit covered classes or candidates with veterans preference blocked them on the civil service list. As you can imagine this is very frustrating for a long time Commonwealth employee.

Perhaps the best example I can give you dates back to my service with the Pennsylvania Department of Corrections, where a civil service trade instructor worked side by side with a non-civil service maintenance repairman. In many cases the maintenance repairman was quite interested in the trades instructor position when it became vacant. This frequently was an employee with many years of service who knew the job, knew how to deal with inmates and knew the complex security procedures within an institution. Because there were veterans blocking the candidate on the civil service list, the maintenance repairman was unable to move into the civil service covered tradesman classification. You can well imagine the frustration and negative effect this had on morale. This is but one of many examples I can cite to you that will be rectified by the proposed changes to the rules of the Commission.

Mr. Randall C. Breon
December 11, 2001
Page 2

I fully support the proposed changes and commend you and the others at the Commission for your prompt response to the concerns expressed by many of my peers during the Human Resource Directors roundtable. If I can be of any further assistance in this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. Gary Scicchitano".

A. Gary Scicchitano, Director
Bureau of Human Resources

AGS/cab

cc: File

DATE: December 10, 2001

SUBJECT: Public Hearing on Proposed Rulemaking

Original: 2234

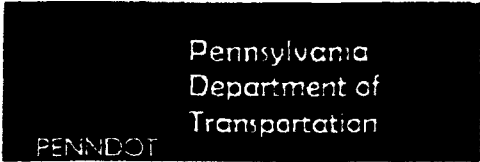
TO: Ronald K. Rowe
Executive Director
State Civil Service Commission

FROM: Linda M. Bonney, Director 
Bureau of Human Resources and Management
Pennsylvania State Police

Please be advised that the Pennsylvania State Police as a Commonwealth agency supports the proposed changes to 4 Pa. Code, Section 95.7 (b), Promotion Procedure in which eligible Non-Civil Service Commonwealth employees would be permitted access to promotional opportunities for classified service positions.

The proposed changes would provide a boost in morale to the employees of this predominantly Non-Civil Service agency. Additionally, our managers would have the benefit of a potentially wider pool of qualified internal candidates to consider when filling classified service vacancies.

We will be following the hearing process with interest and look forward to a positive outcome in which the proposed changes are adopted.



DATE: December 6, 2001

Original: 2234
SUBJECT: Comments on Civil Service Rule Change - Promotion Procedures

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EXECUTIVE OFFICE

DEC 06 2001

TO: State Civil Service Commission
Attention: Commissioners

STATE CIVIL SERVICE COM.

FROM: Bradley L. Mallory
Secretary of Transportation

Handwritten signature: Bradley L. Mallory
REFER TO *RJR*
Brown

As the Secretary for one of the largest Commonwealth agencies with a "mix" of noncivil service and civil service positions, you have our complete and enthusiastic support for this progressive rule change [95.7(3)]. Some of our largest employee groups are in career ladders where they must compete with nonstate employees to be considered for promotion.

A noncivil service employee seeking to be transferred or promoted into a civil service position must take the appropriate civil service exam and then be "reachable" on the list. The Rule of Three and veterans' preference can easily prevent these individuals from being reachable, even though they have proven themselves to be excellent employees. Unfortunately, they are considered equally with candidates from outside state government who may not have relevant agency experience. Thus, for example, a PennDOT maintenance foreman, which is noncivil service, cannot be promoted to an assistant county maintenance manager, a civil service position, without being subject to veterans preference and other hurdles. Similar roadblocks to advancement exist for employees in many other positions and career ladders throughout our agency and the Commonwealth. As my Human Resources Director has stated, "it's a nightmare, it makes no sense".

Unless these changes occur, the career ladders for talented and proven noncivil service employees may continue to be severely limited, to the detriment of both the employee and the Commonwealth. Thank you for allowing us to comment.

VISION: Customer-focused human resources services which lead the way to a world class Department of Transportation.

MISSION: Through the active involvement of employees, partners, and suppliers, provide services to enable PENNDOT's workforce to exceed the expectations of its customers.