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IRRC



May 23, 2017

Pennsylvania Independent Regulatory Review Commission
333 Market Street
14th Floor
Harrisburg, PA 17101

Re: Pennsylvania State Civil Service Commission
Proposed Regulation #61-6
Implementation of Act 69 of 2016 and Act 167 of 2016
IRRC Identification Number 3167

Dear Commissioners:

We are PA APSE, the state chapter of APSE, the Association of People Supporting Employment First; an organization founded in 1988, and is the only national organization with an exclusive focus on integrated employment and career advancement opportunities for individuals with disabilities.

PA APSE has serious concerns regarding the impact the proposed regulations will have on the ability of people with disabilities to apply for, test, and be hired for Commonwealth employment opportunities.

Last year, Acts 69 and 167 of 2016 were signed into law without updating significantly outdated language related to the hiring of people with disabilities. The laws and regulations also fail to address the need for timely and reasonable accommodations cited within the Americans With Disabilities Act of 1990, As Amended (ADAA). The ADAA recognizes that “that physical and mental disabilities in no way diminish a person's right to fully participate in all aspects of society, but that people with physical or mental disabilities are frequently precluded from doing so because of prejudice, antiquated attitudes, or the failure to remove societal and institutional barriers” and that “ individuals with disabilities continually encounter various forms of discrimination, including outright intentional exclusion, the discriminatory effects of architectural, transportation, and communication barriers, overprotective rules and policies, failure to make modifications to

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existing facilities and practices, exclusionary qualification standards and criteria, segregation, and relegation to lesser services, programs, activities, benefits, jobs, or other opportunities.” Thus, it is imperative that the PA State Civil Service Commission immediately develop effective and alternative pathways to employment for people with disabilities.

The PA Civil Service Commission has also failed to develop an alternative hiring path for people with disabilities who may not be able to benefit from traditional testing and interview processes, but are otherwise qualified for positions. Making accommodations in the hiring process only benefits the organization and the diversity of employees within that organization. PA APSE requests that the PA Civil Service Commission immediately create a program similar to the Federal Schedule A hiring program that has been successfully employment people with disabilities for many years now. We also request that additional alternative paths for hiring be implemented that allow people with disabilities who are otherwise qualified for a position to complete internships to demonstrate their skills without the need for testing. This model has been successful at international organizations like SAP and can ensure that candidates are a good fit for a position who may otherwise be screened out by a test or interview process. If the Commonwealth wants to become a leader in diversity and disability hiring as indicated in Governor Wolf’s Employment First Executive Order, then the time to implement these innovate strategies is now.

PA APSE would be more than willing to discuss and consult on changes to policy and practice that will ensure that people with disabilities can fully engage with the Commonwealth Civil Service process. It is unacceptable that in 2017 people with disabilities are still unable to easily, effectively, and reasonably participate in the application, testing, and hiring process.

Thank you for considering our comments and we look forward to seeing these necessary changes to an antiquated and ineffective system.

Sincerely,



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