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May 19, 2017

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

RE: PA State Civil Service Commission
Proposed Regulations 61-6
IRRC #3167

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Dear Commissioners:

My name is Randall Breon and I am providing comments on the SCSC's proposed regulations implementing Acts 69 & 167. I am a retired state employee of over 35 years. During that 35+ years I worked exclusively in the Human Resources field in 5 state agencies: Revenue, Environmental Resources, Education, Health and Civil Service. I served as a professional staffer (Personnel Analyst), a supervisor of personnel staff, a Human Resource division chief, a Human Resource Director and as Deputy for Operations in the SCSC. I worked in agencies that were primarily non-civil service and agencies that were primarily civil service. I was employed in positions that required me to work with the Civil Service Commission to fill vacancies; many vacancies—thousands of vacancies.

I also worked as the Deputy for Operations in the SCSC. During that period, I worked on changes to the Civil Service Act that required me to meet with members of the House of Representatives and submit the regulations implementing that Act's amendments to the IRRC. During that period, I also met frequently with agency Human Resource Directors to explain the Act and Regulation changes.

I believe my experience makes my comments worthy of your attention.

I support the regulations proposed by the SCSC. I believe the regulations offer a reasonable and measured attempt to implement the Act.

By proposing both a 12-month period between changes and a classification limitation the regulations prevent what I will term a "gaming" of the system by state agency managers. The regulations also will preserve the veteran's

preference provisions that the State Legislature has inserted and repeatedly strengthened in our civil service system. Without these regulations, the veteran's preferences guaranteed by the law will be easily worked around by state agency managers intent on hiring a friend, relative, political supporter. As an agency Human Resource officer, I have seen and have had to prevent just this kind of "gaming" of the system by hiring managers to select a desired candidate. By desired candidate, I do not mean the best qualified candidate or a qualified veteran candidate, I mean the person the hiring manager knows and wants to "take care of". It was difficult to prevent in a time of much more stringent regulations than now exist.

Example of "gaming" that would be permissible without the regulations proposed by the SCSC:

Filling of an Administrative Officer today. Agency announces it will follow a "rule of 11". Friend of hiring manager is #11. Appointment of #11 is permissible.

Filling of an Administrative Officer next week. Agency announces it will follow a "rule of 9". Relative of hiring manager is #9. Appointment of #9 is permissible. Available veteran is #10. Veteran is excluded from consideration. If the agency had followed the rule it applied the previous week for the same title, the available veteran would likely have been selected.

Without these proposed regulations, attempts to preserve a merit based system would become impossible. Without these proposed regulations, I believe the hiring of veterans will decrease.

Thank you for allowing the opportunity to comment.

Sincerely,

Randall Breon

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