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May 22, 2017

Karen Denise Wood, Esq.  
Assistant Counsel  
State Civil Service Commission  
4th Floor, Bowman Worth Building  
P.O. Box 569, Harrisburg, PA 17108-0569

Dear Ms. Wood,

On behalf of Bedford-Somerset Developmental & Behavioral Health Service (DBHS), please accept this letter as a public comment response regarding the Proposed Regulations of Act 69 and Act 167 of 2016. Our agency has concerns and objections regarding the following proposed changes in the Acts:

**1.) Authority to Select Method of Examination (95.20)**

The proposed changes to the Acts should allow appointing authorities and not SCSC to determine the best method for testing applicants to get on civil service hiring lists. The amended Acts state *"If the Director determines that more than one method of examination fairly test the relative capacity and fitness....., the appointing authority shall select the method of examination...."* Again, agencies are in a better position to know the type of "test" needed for its job titles. The majority of SCSC tests are actual examinations that require applicants to take off work to go to a testing center and take a 2 – 4 hour test for potentially just one title (see attachment #1 SCSC Annual Report 14/15 – page 11). The applicant also incurs costs for gas, food, and potential fees for parking and the turnpike which is another major deterrent for job applicants. If the applicant wants to test for other positions, the same time, effort and fees will occur with time and costs continuing to add up for the applicant. Our agency and other agencies across the commonwealth are suffering the loss of potential applicants due to this arduous, archaic process. The direct result of this is causing critical positions to go unfilled in agencies like ours who deal with the commonwealth's most vulnerable residents who are mentally ill and/or intellectually disabled. Rural counties such as ours (Bedford & Somerset) have county residents that live a significant distance from the nearest testing center located in Johnstown, PA. For some residents, it is over 50+ miles to go to the testing center. A better method of recruiting is for SCSC to change to an almost exclusive use of Experience and Training tests with agencies

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having the option of requesting written/oral exams for very specialized positions. Per the 2014-2015 SCSC Annual Report, only 45% of testing is based upon Experience and Training. In this process, applicants complete a SCSC application and supplement application and are given a score based upon a review of this information. By almost exclusively instituting this process and revamping it to be a more streamlined, automated scoring system, it could actually eliminate the need for testing centers which saves time and money for applicants, institutes a streamlined process for recruitment and result in a significant savings to the commonwealth in operating and maintaining some of the buildings to house testing centers across the state. When analyzing the testing examination statistics from the Recruitment Activities Section of the 2014-2015 SCSC Annual Report (see attachment #2), the approximate percentage of examinations scheduled compared to the percentage of examinations actually taken at the four exam centers is as follows: Harrisburg 44%, Philadelphia 20%, Pittsburgh, 51% and Statewide 54%. This exercise demonstrates the extent that applicants are not following through with the testing process and the large number of applicants agencies are losing. Local colleges or high schools could be utilized for testing of exams when they are needed for the select positions that would still require an exam with the use of lap tops or tablets to test from. The Experience and Training testing process should be used for the vast majority of SCSC titles. It is rare that a private industry requires the sort of 2-4 hour examinations that the SCSC requires to get on a list to possibly get an interview. Another issue is that not all job titles are always open. The goal needs to be open testing for all titles because of the delays resulting when no one on the list is available or there are not suitable candidates.

## **2.) Vacancy Based Hiring (98. 1 & 98.2)**

It appears the intent was to allow for an alternative to the current process in which applicants test to get on hiring lists that may or may not have a current opening in the agencies that utilize the lists. If the intent is not to eliminate the current process of requesting a list of eligibles that already had taken the test, and also allow for an alternative method of posting a current vacancy to establish a list of applicants who applied for the specific vacancy, that is acceptable. However, if the intent is eliminate the current process and switch to a purely vacancy based hiring process our agency objects. It will cause delays in filling positions if applicants have to test to get on a list at the time of the vacancy whereas the current system is allowing for ongoing recruitment, so that hopefully a candidate will be on the list when a vacancy occurs. Due to the lengthy testing process this additional delay of waiting for a list to populate will cause a severely negative impact on the hiring of employees not only at our agency but at others across the commonwealth. If we can utilize the current method and the new proposed method, it will allow the most flexibility. An agency would know that the alternative method would require more time to: have the request approved by Civil Service, time for applicants to see the notice for testing for the vacancy, time for the applicant to schedule testing, testing processing time, time for availability forms to be processed, setting up interviews, making a selection and allowing for a 2 week notice to their current employer. The process will take a minimum of 2-3 months at best. In addition, the amended Acts also do not speak to what happens if a candidate is

on the current hiring list, tested 3 months ago and now an agency is advertising for testing through the Vacancy Based Hiring process. Applicants on hiring lists are only permitted to test every 6 months. What happens to this person? Can they test again to get on the Vacancy Based Hiring list even though it has not been 6 months since testing occurred? Another major issue is that not all job titles are always open. The goal needs to be open testing for all titles.

### **3. Alternate Rule of 3 (97.11):**

Our agency, as well as many others, utilizes multiple classifications/series and if we need to request to do the Alternative Rule individually it could cause a burdensome delay if the approval process takes any time at all. Agencies who utilize the Civil Service process for hiring are already behind the "eight ball" compared to private industry when recruiting applicants due to a long, tedious process just to get an interview! Any additional delays in the process will cause an even greater impact on this timeframe. The language is not clear whether more than one classification or classification series can be requested at a time. We are requesting that at the very least an option be available to request a blanket request to use the higher rule process for all titles used. Ideally, as noted in the DHS & DOH comment letter, agencies should be able to utilize the Alternative Rule based upon the agency's needs. Agencies should have the ability to use the Alternative Rule process that makes the most sense based upon the position without a need to request approval. In addition, such requests should not be tied to a 12 month requirement to continue the Alternative Rule. If an agency finds that it negatively impacts them, then they must continue to do the process for an entire year. We also object to the current language which indicates if a test had recently been open and an agency did not make a request to use the Alternative Rule (i.e. because they did not have a vacancy at the time the test was open), the request will not be accepted. The Alternative Rule should not be tied to when the test is being given but solely to whether the agency requested the use of it for the title and/or classification series. The process needs to be the same as listed for examination programs that are open on a continuous basis (97.11, b-5). Keeping the current language will make it difficult to ever use the Alternate Rule if an agency's vacancy did not occur before testing.

It is critical that the Civil Service Commission makes every effort to re-invent its requirements to reflect expedient processes that are the least restrictive and least time consuming for those applying for local and state civil service positions. It is apparent that the SCSC is attempting to do this, however, as noted in this letter and others submitted to the IRRC, additional revisions to the proposals are needed along with other changes. It is also critical that the timeframe from collecting applications, testing, scoring and providing a hiring list be cut down significantly, in addition to an increase in the ability to interview as many candidates as possible. Under the current system our agency and many others will continue to be short staffed because applicants do not want to do the "extra" steps necessary to apply for a civil service job. As a result, this continues to negatively affect the services local and state agencies provide to the citizens of Pennsylvania. It is evident that civil service agencies cannot compete with the ability for private industry to interview, select and hire an employee in a 1-2 week timeframe. It is

incumbent on the Pennsylvania Legislature to work with the Civil Service Commission to make the necessary systematic changes that require legislative approval to establish processes that are modern, efficient and meet industry standards for recruiting and hiring qualified candidates.

DBHS appreciates the Civil Service Commission's efforts to improve the Acts, and the review and consideration of our concerns, questions, and objections to some of the proposed regulations that as written will negatively impact our agency and others across the commonwealth. Please feel free to contact me if you need any additional information on matters addressed in this letter.

Sincerely,

A handwritten signature in cursive script that reads "Pam Humbert".

Pam Humbert  
Human Resources Director  
Bedford-Somerset Developmental & Behavioral Health Services (DBHS)

Attachments

## Specialized Examinations and Certification

When regular civil service examinations are not available or when certification lists are inadequate for a particular geographic area, the Commission uses one of the following procedures to meet client agency hiring needs:

- Accelerated Examination Programs
- Localized Examinations
- Comparable Lists

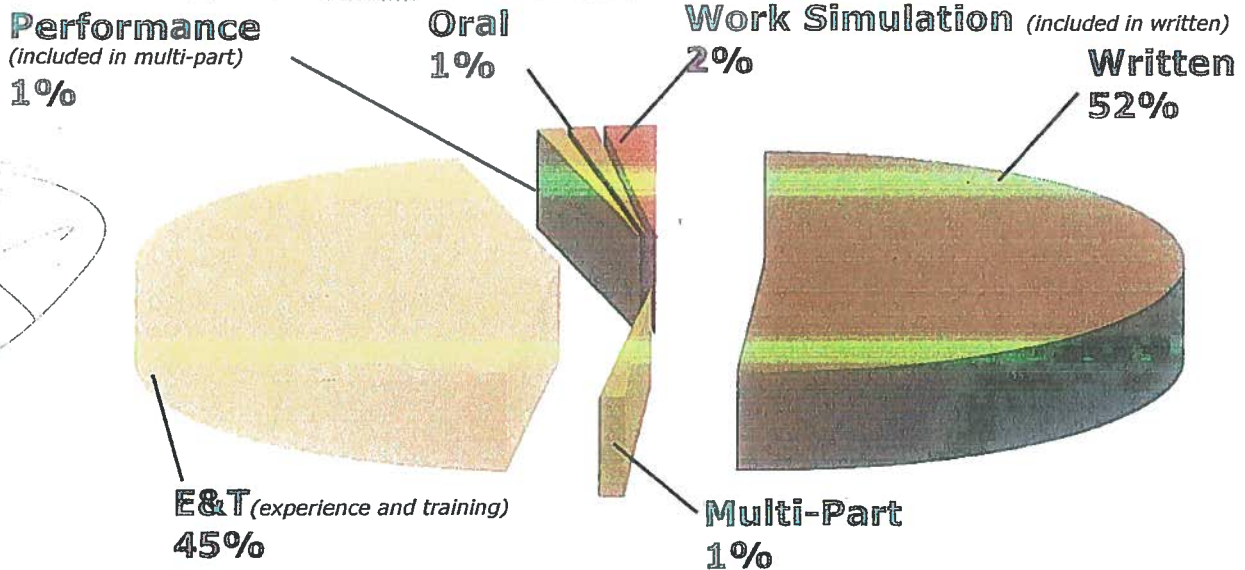
Activity in these areas varies from year-to-year.

See the charts below for the types of examinations administered, as well as activity data for the past three fiscal years.

BPA also develops and administers examinations for agencies on a contractual basis.

During the past fiscal year, the Commission provided specialized services for the following examinations: Health and Sanitary Officer, Environmental Health Specialist, Lead Abatement Certification, Code Enforcement Officer - City of Corry and State Police Cadet & Liquor Enforcement Officer Trainee.

**Types of Civil Service Examinations\***



\*Note: Total may exceed 100 percent because Multi-Part examinations include more than one type of examination.

Activity	FY 14-15	FY 13-14	FY 12-13
Accelerated Examination Programs	1	2	1
Localized Examination Programs	34	13	13
Selective Certifications Requested	104	107	149
Comparable Lists Requested	139	118	119
Accommodations Provided	59	65	50
<b>Specialized Examination Programs</b>			
Lead Abatement Certification <i>(Department of Labor and Industry)</i>	68	83	68
Health and Sanitary Officer	7	5	3
Environmental Health Specialist <i>(Allegheny Department of Health)</i>	23	51	33
PA State Police Cadets/ Liquor Enforcement Officers	5,130	2,551	3,780



*Handwritten notes:* Harrisburg 12

## RECRUITMENT ACTIVITIES

### HARRISBURG (BES)

Recruitment Events/Job Fairs	FY 2014-15
Total	137
College/Internship	56
IT/Nursing/Healthcare	6
Other Types	75

### PHILADELPHIA (ERO)

Recruitment Events/Job Fairs	FY 2014-15
Total	49
College/Internship	22
IT/Nursing/Healthcare	4
Other Types	23

### PITTSBURGH (WRO)

Recruitment Events/Job Fairs	FY 2014-15
Total	69
College/Internship	30
IT/Nursing/Healthcare	2
Other Types	37

## FY 2014-15 Written Examination Statistics

### EXAMINATION CENTERS



*\*Statewide examination centers are: Erie, Johnstown, Lock Haven and Scranton*

