



# ISSU

## Independent State Store Union

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*ISSU represents government civil service employees protecting the common good for the Commonwealth*

February 3, 2012

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The Honorable John Pippy, Chairman  
Senate Law and Justice Committee  
Room 281, Main Capitol Building  
Harrisburg, Pennsylvania 17120

The Honorable Jim Ferlo, Minority Chairman  
Senate Law and Justice Committee  
Room 535, Main Capitol Building  
Harrisburg, Pennsylvania 17120

Dear Chairmen Pippy and Ferlo:

During the recent Senate Law and Justice Committee hearing on Senate Bill 1287, the PLCB provided inaccurate testimony relating to Civil Service requirements for a variety of state agencies. Specifically, CEO Joe Conti offered a list of eighteen (18) Commonwealth agencies that were supposedly exempt from the Civil Service hiring requirements.

The PLCB incorrectly identified that the Departments of Agriculture, Community and Economic Development, Corrections, General Services, Labor and Industry, Military and Veterans Affairs, Revenue, State, State Police and Transportation as well as the Fish and Boat Commission, Game Commission, Historical and Museum Commission, Milk Marketing Board, State Tax Equalization Board, Office of the Governor, Office of the Lieutenant Governor and Office of Administration as being exempt from Civil Service in the hiring and employment process.

As indicated by the attached Agency Compliment statistics, published in the 2012 Governor's Annual Work Force Report, each of the above enumerated agencies does in fact have Civil Service positions within their agency compliment. The Office of the Governor, Office of the Lieutenant Governor and the Office of Administration are included under the Executive Offices category in the attachment.

Additionally, the attached Agency Compliment dashboard clearly indicates that, as we stated in our testimony, nearly 70% of the Commonwealth's 74,086 filled salaried positions are in fact Civil Service covered positions.

It is our understanding that CEO Conti has also provided a letter of clarification, dated January 27, 2012, to the Committee Chairs regarding his extemporaneous comments at the recent hearing and the erroneous reference to agencies that were exempt from Civil Service hiring requirements. We appreciate his efforts to correct the record in this matter and respectfully request that his January 27, 2012 letter, as well as this correspondence, is included with the official transcripts of the hearing in order to provide accurate information as to Civil Service requirements for various state agencies.

Also, during the January 24<sup>th</sup> Senate Law and Justice Committee hearing, CEO Conti commented that "this bill" - assuming a reference to the subject matter of Senate Bill 1287 - was amended into House Bill 11 by the House Liquor Control Committee at its meeting of December 13, 2011. That observation is not completely accurate.

Senate Bill 1287 addresses the PLCB modernization initiatives relating to pricing, procurement and personnel. While it is true that the House Liquor Control Committee did adopt an amendment to House Bill 11 that included the PLCB initiatives relating to pricing and procurement, as well as a variety of other PLCB sponsored modernization initiatives, the amendment did not include the proposed changes to personnel requirements.

More specifically, the proposed personnel changes, as contained in Senate Bill 1287, would exempt the PLCB from the provisions of the Administrative Code and Civil Service Act with respect to hiring, classification and compensation of its employees. In its current form, House Bill 11 (PN 2889) does not provide the exemptions requested by the PLCB. The House Liquor Control Committee did not include this initiative in its comprehensive amendment to House Bill 11 when it considered the bill at its December 13<sup>th</sup> meeting. House Bill 11 was reported from committee without the proposed Administrative Code and Civil Service Act exemptions.

We appreciate the opportunity to correct the record in this important matter in order to provide accurate and reliable information to the members of the Senate Law and Justice Committee, and the legislature as a whole, as they consider future actions on the proposed changes to the Liquor Code.

Sincerely,



Dennis Harty, President  
Independent State Store Union

cc: Senate Law and Justice Committee Members

**STATE GOVERNMENT WORKFORCE STATISTICS DASHBOARD - Agency Complement**  
**Employment by Agency**  
**July 2011**

*Civil Service/Non-Civil Service Filled Salaried Positions by Agency*  
*(GAWFR Table 8)*

Agency	Civil Service		Non-Civil Service		Total
	Number	Percent	Number	Percent	
Aging	74	82.2%	16	17.8%	90
Agriculture	257	48.3%	275	51.7%	532
Banking	151	86.8%	23	13.2%	174
Civil Service Commission	120	94.5%	7	5.5%	127
Community and Economic Development	29	10.4%	250	89.6%	279
Conservation and Natural Resources	1,235	97.6%	31	2.4%	1,266
Corrections	12,379	81.8%	2,752	18.2%	15,131
Education	437	91.0%	43	9.0%	480
Emergency Management Agency	135	90.0%	15	10.0%	150
Environmental Protection	2,417	94.7%	134	5.3%	2,551
Executive Offices	1,037	55.2%	841	44.8%	1,878
Fish and Boat Commission	269	69.7%	117	30.3%	386
Game Commission	341	52.3%	311	47.7%	652
General Services	321	31.8%	688	68.2%	1,009
Health	1,252	96.5%	46	3.5%	1,298
Historical and Museum Commission	69	39.0%	108	61.0%	177
Insurance	234	85.7%	39	14.3%	273
Labor and Industry	4,529	90.1%	500	9.9%	5,029
Liquor Control Board	2,931	98.1%	56	1.9%	2,987
Military and Veterans Affairs	572	27.0%	1,548	73.0%	2,120
Milk Marketing Board	14	63.6%	8	36.4%	22
Municipal Retirement Board	23	92.0%	2	8.0%	25
Probation and Parole Board	1,027	96.1%	42	3.9%	1,069
Public School Employees Retirement System	241	85.5%	41	14.5%	282
Public Utility Commission	371	80.5%	90	19.5%	461
Public Welfare	15,229	95.6%	702	4.4%	15,931
Revenue	501	25.6%	1,453	74.4%	1,954
Securities Commission	53	70.7%	22	29.3%	75
State	275	59.8%	185	40.2%	460
State Employees Retirement System	145	81.9%	32	18.1%	177
State Police	304	5.2%	5,507	94.8%	5,811
State Tax Equalization Board	7	46.7%	8	53.3%	15
Transportation	4,012	35.8%	7,203	64.2%	11,215
<b>COMMONWEALTH TOTAL</b>	<b>50,991</b>	<b>68.8%</b>	<b>23,095</b>	<b>31.2%</b>	<b>74,086</b>

SOURCE: Office of Administration, Division of Business Information and Support, IRIS and Microsoft Access.

NOTE: Includes full-time and part-time filled salaried positions. For this table, Executive Offices also includes the Governor's Office, Lieutenant Governor's Office, Infrastructure Investment Authority (PENNVEST), Environmental Hearing Board, Office of Administration, Office of the Budget and the Pennsylvania Human Relations Commission.

COMMENTS: The number of civil service positions decreased by 3% from the previous year and the number of non-civil service positions decreased by 2% from the previous year. The Departments of Public Welfare, Corrections, and Labor and Industry employ nearly two-thirds of all civil service workers. The Departments of Transportation and State Police employ over half of all non-civil service workers.