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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON LABOR AND CIVIL SERVICE

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Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, February 20, 2008
12:00 p.m.

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PRESENT:

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COUNCILMAN BILL GREEN, CHAIR
COUNCILMAN W. WILSON GOODE, JR.

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COUNCILMAN WILLIAM GREENLEE
COUNCILMAN CURTIS JONES, JR.

12

COUNCILMAN JAMES F. KENNEY
COUNCILWOMAN MARIA QUINONES-SANCHEZ
COUNCILWOMAN JANNIE BLACKWELL

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BILL 080003 - An ordinance amending Section
20-101 of The Philadelphia Code, entitled
"Residence Requirements," by providing that
certain employees in the civil service need
not be a bona fide resident of the City...

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COUNCILMAN GREEN: A quorum is present for the Committee on Labor and Civil Service. Committee members Curtis Jones, Maria Quinones-Sanchez, Bill Greenlee, Bill Green, Wilson Goode and Jim Kenney are present.

Ms. Vidas will please read the bills and resolutions into the record.

THE CLERK: Bill No. 080003, an ordinance amending Section 20-101 of The Philadelphia Code, entitled "Residence Requirements," by providing that certain employees in the civil service need not be a bona fide resident of the City when appointed, but must establish and maintain bona fide residence in the City within six months after appointment.

COUNCILMAN GREEN: Thank you.

Before we call the witnesses, I'm going to recognize Councilman Kenney for some comments.

COUNCILMAN KENNEY: Thank you, Mr. Chairman. Thanks for the opportunity to give some opening remarks. They'll be

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2 very short.

3 The bill before us today is
4 familiar to many of us. It would remove
5 the pre-employment residency requirement
6 for civil service jobs and instead
7 require workers to establish residency in
8 Philadelphia within six months of being
9 hired. In turn, this change would
10 provide a uniform residency policy for
11 all City employees. Furthermore, it
12 would allow the City to recruit locally,
13 including from our colleges and
14 universities, regionally and nationally
15 for the most qualified candidates for
16 municipal employment.

17 On February 11th, Mayor Nutter
18 announced that the Civil Service
19 Commission exempted Philadelphia police
20 officers from the pre-residency
21 requirement in a recruiting campaign to
22 hire 150 officers by April 4th. The
23 Police Department has only received 50
24 applications from Philadelphians.
25 Eliminating the residency requirement

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2 will allow the City to recruit the best
3 police officers to fill all 150 positions
4 and enhance safety for Philadelphians.

5 As I have contended since 2001
6 when I first introduced this bill, the
7 City must make this change for civil
8 service positions to achieve the most
9 capable and experienced municipal
10 government for the residents of the City.
11 The only exemption in this bill currently
12 is for the labor classification, which
13 would constitute 766 routine manual work
14 positions. The reason for exempting this
15 classification is that the City does not
16 have problems filling these positions.

17 I'd like to make it clear.
18 This bill is not intended to dismiss the
19 talent and skills right here in
20 Philadelphia. I'm proud of
21 Philadelphians and expect them to
22 continue to be part of our City's
23 municipal workforce. The folks we hire
24 from outside the City will become City
25 residents within six months. These new

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2 residents will be diverse, capable and
3 will help refill our depleted
4 neighborhoods. This bill is, however,
5 intended to ensure that municipal
6 positions are fully filled with the most
7 qualified individuals to improve the
8 City's effectiveness and ability to
9 provide the best service for the
10 residents of the City of Philadelphia.

11 Thank you, Mr. Chairman.

12 COUNCILMAN GREEN: Thank you,
13 Councilman Kenney.

14 I'd like to call Clarence
15 Armbrister, Chief of Staff to Mayor
16 Michael Nutter.

17 MR. ARMBRISTER: Good morning,
18 Councilman Green, members of the
19 Committee on Labor and Civil Service. My
20 name is Clarence D. Armbrister, Chief of
21 Staff to Mayor Nutter, and I am pleased
22 to appear before you today in support of
23 Bill No. 080003.

24 This measure introduced by
25 Councilman Kenney and co-sponsored by

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2 Councilmembers Greenlee, Sanchez, Tasco,
3 Jones and Green amends Section 20-101 of
4 The Philadelphia Code, entitled
5 "Residence Requirements," by eliminating
6 the one-year residency requirement for
7 taking the civil service exam.

8 The bill before you today is
9 not a new issue for this Council. As
10 Councilman Kenney said, in 2001 the
11 Philadelphia City Council passed Bill No.
12 010493, which eliminated this residency
13 requirement. That bill passed
14 unanimously, and Mayor Nutter, who was
15 then serving in City Council, voted in
16 favor of the bill. However, the 2001
17 bill was vetoed by former Mayor John
18 Street. Councilman Kenney reintroduced
19 this bill in May 2006, but that measure
20 was not voted on before the end of the
21 session.

22 I would like to take this
23 opportunity to commend Councilman Kenney
24 for his strong and steadfast leadership
25 on this issue and the bill's co-sponsors

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2 for once again introducing this measure.

3 Under current law, Section
4 20-101 of The Philadelphia Code states
5 that no person shall be appointed as an
6 employee in the civil service of the City
7 unless he has been a bona fide resident
8 of the City for at least one year prior
9 to his appointment. This provision
10 imposes a one-year residency requirement
11 in order to be able to take the civil
12 service exam to see if you may qualify
13 for a job.

14 While there are many City
15 residents who need jobs and certainly
16 qualified for civil service positions, a
17 residency requirement to take the civil
18 service exam limits the pool of possible
19 applicants. Removing this residency
20 requirement would expand the number of
21 potential applicants and increase the
22 competition for job openings, thereby
23 improving the quality of the job
24 applicants and enhancing the diversity of
25 our workforce.

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2 Removing the residency
3 requirement for job applicants would also
4 greatly enhance the City's ability to
5 quickly staff up and fill critical
6 positions, such as in the Philadelphia
7 Police Department. In order to fulfill a
8 commitment to citizens of Philadelphia to
9 get more police officers on the street to
10 respond to the crime emergency, Mayor
11 Nutter and Police Commissioner Ramsey
12 announced a change in the one-year
13 pre-academy residency requirement,
14 lifting a major barrier to recruiting
15 qualified applicants from across the
16 region and nation to our Police
17 Department. This residency waiver was
18 granted by the Personnel Department and
19 was announced on February 11, 2008.

20 It is also important to note
21 with respect to the Police Department,
22 Philadelphia and Boston are the only two
23 major U.S. cities that impose a residency
24 requirement in order to take an entry
25 exam for the Police Department. In

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2 addition, removing this residency
3 requirement would create parity among
4 civil service employees and exempt
5 employees. As you know, appointed
6 officials who are exempt from civil
7 service do not need to be residents when
8 hired and they have six months to move
9 into the City. This bill, if approved,
10 would allow non-residents to take the
11 civil service exam and apply for a job,
12 and if hired, the new employees would
13 have six months to establish residency.

14 Let me clearly state for the
15 record that Mayor Nutter strongly
16 believes that City jobs should be for
17 City residents, but he also believes that
18 the opportunity to take a civil service
19 test and apply for a job should not be
20 limited to residents only. We need to
21 grow the City, and local government needs
22 to renew itself. We need to attract more
23 young people to public sector jobs. We
24 need their energy, we need their ideas,
25 we need their technical skills.

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2 With over 80 universities and
3 colleges in our region, the City is eager
4 to retain college graduates. However,
5 many students do not change their
6 residency from their parents' home until
7 they graduate and find a job. This
8 residency requirement is in direct
9 conflict with our desire to attract and
10 retain college graduates.

11 In conclusion, in order to be
12 competitive, to attract the best and the
13 brightest to our workforce and to ensure
14 that the taxpayers receive the quality
15 performance and customer service they
16 deserve, the residency requirement for
17 taking the civil service exam should be
18 eliminated.

19 I respectfully request that
20 Bill No. 080003 be reported out of this
21 Committee with a favorable recommendation
22 and I further request a suspension of the
23 rules in order to allow for first reading
24 at the next Council session.

25 This concludes my testimony.

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2 I'd be happy to answer any questions.

3 COUNCILMAN GREEN: Thank you
4 very much.

5 I'd like to note for the record
6 that Councilwoman Blackwell is in
7 attendance.

8 Just for the record, other than
9 Police and Fire and EMS emergencies and
10 the need to get skilled technicians in
11 specific jobs quickly because we have a
12 need, what problem are we trying to solve
13 as a city by adopting this change?

14 MR. ARMBRISTER: I think the
15 problem, as you characterize it, is to
16 expand the pool of applicants for our
17 jobs and to make sure that among those
18 who are applying for jobs here in the
19 City, that we get an opportunity to
20 attract those who are really qualified
21 but who have not yet established
22 residency in the City.

23 COUNCILMAN GREEN: Thank you.

24 Councilman Kenney, do you have
25 any questions?

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2 COUNCILMAN KENNEY: No.

3 Councilman Goode.

4 COUNCILMAN GOODE: Thank you,
5 Mr. Chairman.

6 COUNCILMAN GREEN: Councilman
7 Goode.

8 COUNCILMAN GOODE: Good
9 afternoon, Mr. Armbrister.

10 MR. ARMBRISTER: Good
11 afternoon, Councilman.

12 COUNCILMAN GOODE: I have a
13 series of questions. Let me first state
14 for the record that I still have an open
15 mind about this bill. When it was
16 originally proposed, I was a sponsor of
17 the legislation, and changed my mind, and
18 I am proud of my ability to change my
19 mind. To be perfectly honest, I think
20 that no one should always think that
21 they're right all the time, and that type
22 of flexibility and careful thought and
23 deliberation sometimes leads us to change
24 our mind.

25 The second time around I asked

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2 a series of questions, which I believe
3 were never answered, and today I have
4 even new questions, and I hope at the end
5 of this, if I should be for this bill, I
6 can be for this bill.

7 The first question is, what do
8 you believe the original purpose for the
9 residency requirement was?

10 MR. ARMBRISTER: What do I
11 believe as -- you mean in terms of the
12 1951 Charter?

13 COUNCILMAN GOODE: Why would
14 anyone have a residency requirement?

15 MR. ARMBRISTER: Well, there
16 are a number -- there may be a number of
17 reasons to have a residency requirement.
18 One could be that for the jobs that are
19 being applied for, people might need to
20 know something about the City before
21 getting those jobs. That could be a
22 particular reason. But probably the
23 reason generally stated is to make sure
24 that the residents get the opportunity
25 first to apply for those jobs.

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2 COUNCILMAN GOODE: So it is to
3 maintain a preference for residents?

4 MR. ARMBRISTER: Well, I'm not
5 sure that there's to maintain a
6 preference, but it might be connected
7 with a job that it's important that the
8 employee know something about the City,
9 clearly.

10 COUNCILMAN GOODE: Do you
11 believe that whether there is a
12 requirement or not there should be a
13 preference for City residents?

14 MR. ARMBRISTER: I'm not sure
15 it's important what I believe. I'm not
16 sure that a preference for City
17 residents, particularly in light of some
18 of the legal issues that have been raised
19 about preferences, would be legal or not,
20 but I don't see a problem in having
21 preferences -- this is my personal
22 opinion -- for City residents for jobs.
23 However, I think the City must note that
24 in giving preferences for jobs, that if
25 you do that with respect to the

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2 application process, you are limiting
3 your pool. I mean, obviously the way
4 this bill is written, that if people were
5 to apply, they have to become City
6 residents, and I certainly believe
7 that residents should be given the jobs.

8 COUNCILMAN GOODE: My question
9 is from a public policy standpoint, not
10 necessarily from a legal standpoint.
11 Does the Nutter Administration,
12 regardless of what it's done in terms of
13 requirement one way or another, does the
14 Nutter Administration want to maintain a
15 preference for hiring City residents?

16 MR. ARMBRISTER: I think the
17 Nutter Administration wants to maintain
18 the fact that residents, bona fide
19 residents, get City jobs, and that is the
20 requirement of this provision, that bona
21 fide residents would have to -- that
22 anyone applying would ultimately have to
23 become a bona fide resident of the City
24 of Philadelphia to take the jobs.

25 COUNCILMAN GOODE: I guess I

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2 might be a bit more specific. Does the
3 Nutter Administration want to maintain a
4 preference for hiring existing
5 Philadelphia residents?

6 MR. ARMBRISTER: The intent of
7 this bill, which we obviously support, is
8 to open up the opportunities for all
9 applicants to get jobs. We believe very
10 clearly, as the legislation states, that
11 once you get a job, you do have to become
12 a resident of the City.

13 COUNCILMAN GOODE: My question
14 is whether the Administration wants to
15 maintain a preference for hiring existing
16 residents. Residents who may have paid
17 taxes for many years but are unemployed,
18 should they be in equal competition with
19 someone who has never paid taxes in the
20 City of Philadelphia?

21 MR. ARMBRISTER: For applying
22 for a job?

23 COUNCILMAN GOODE: Yes.

24 MR. ARMBRISTER: I'm not sure
25 that I've given any thought with respect

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2 to whether or not they should have a
3 preference, but what we are trying to do
4 is to make sure that the pool is open and
5 whether or not they get a preference or
6 not --

7 COUNCILMAN GOODE: I'm going to
8 get there. I would rather just get past
9 this point, and to some extent, it can be
10 a personal opinion, it can be an opinion
11 of the Administration, if you feel
12 qualified to do that, but the question is
13 whether, quite simply, you want to
14 maintain a preference for existing
15 Philadelphia residents, and it really is
16 sort of a yes or no question.

17 MR. ARMBRISTER: Well, not in
18 contravention of the bill that we're
19 proposing. So my answer would be that
20 the public policy of the bill --

21 COUNCILMAN GOODE: I'm not
22 asking the question strictly -- I'm not
23 asking a legal question. To some extent
24 while we are considering a piece of
25 legislation, I'm not even asking a

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2 question that is purely in the context of
3 legislation. I'm asking from a public
4 policy standpoint, does the Nutter
5 Administration want to maintain a
6 preference for hiring existing residents?

7 MR. ARMBRISTER: And I think my
8 answer would be particular and it has to
9 be related in the context of this bill,
10 would be that, no, we want to maintain --
11 we want to expand the opportunities for
12 all applicants to apply for jobs in the
13 City of Philadelphia.

14 COUNCILMAN GOODE: So the
15 Administration does not want to maintain
16 a preference for hiring existing
17 residents? I think you said no. I just
18 wanted to be clear.

19 MR. ARMBRISTER: That is
20 consistent with this bill, that is
21 correct.

22 COUNCILMAN KENNEY: Point of
23 information, though. I just want to make
24 sure that it's clear that the bill still
25 contains a 766 slot preference for

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2 Philadelphians only in entry-level
3 positions. So it's not just all the --

4 MR. ARMBRISTER: That's true.

5 COUNCILMAN KENNEY: There was a
6 carve-out at the request of, I think,
7 Councilman Clarke at the time.

8 COUNCILMAN GOODE: I'm getting
9 there, too.

10 I really needed that "no" for
11 the record.

12 The next question is, are there
13 recruitment problems across the board in
14 City government?

15 MR. ARMBRISTER: I'm personally
16 not aware of recruitment problems across
17 the board. We certainly identified the
18 one area in which we've gotten an
19 exemption in the Philadelphia Police
20 Department. I know that there are
21 probably other areas within the
22 government where there may be recruitment
23 problems.

24 COUNCILMAN GOODE: Do we know
25 where there are recruitment problems?

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2 MR. ARMBRISTER: I don't have
3 that information here, Councilman.

4 COUNCILMAN GOODE: How are
5 recruitment problems dealt with now?

6 COUNCILMAN KENNEY: Can I just
7 do one more point of information? I
8 apologize for interrupting.

9 In your packet of information
10 is a list of currently existing
11 pre-employment residency waiver
12 positions, which is about four pages long
13 and lists the specific jobs that the
14 residency requirement was removed because
15 of --

16 COUNCILMAN GOODE: I'm getting
17 there.

18 COUNCILMAN KENNEY: Well, I
19 just want to make sure the packet was
20 understood.

21 Thank you.

22 MR. ARMBRISTER: Thank you.

23 COUNCILMAN GOODE: How are
24 recruitment problems dealt with now?

25 MR. ARMBRISTER: Often times

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2 they are dealt with by vacancies and/or
3 people aren't able to recruit, the
4 existing problems. The one that we dealt
5 with with the Police Department is that
6 we got a waiver of that particular rule
7 with respect to that issue.

8 COUNCILMAN GOODE: So why not
9 just utilize the waiver process?

10 MR. ARMBRISTER: Because we
11 think it unnecessarily limits the
12 opportunities available for the general
13 employment pool to apply for jobs and we
14 think it's unduly restrictive.

15 COUNCILMAN GOODE: So the
16 waiver process would not work or --

17 MR. ARMBRISTER: No, I didn't
18 say that. What I said is that it unduly
19 restricts the opportunities given to the
20 employment pool, and what we would like
21 to do is to expand that opportunity so
22 that, for example, the example that we
23 cited in my testimony for college
24 students who have not yet made residency
25 here to be retained, things like that.

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2 COUNCILMAN GOODE: Is there a
3 talent deficit in the City workforce?

4 MR. ARMBRISTER: Excuse me?
5 I'm sorry. I didn't hear you.

6 COUNCILMAN GOODE: Is there a
7 talent deficit in the City workforce?

8 MR. ARMBRISTER: No. I think
9 the people that I've met are extremely
10 talented.

11 COUNCILMAN GOODE: But they
12 were all Philadelphia residents before
13 they --

14 MR. ARMBRISTER: Some of them
15 may not have been. Many of -- in my
16 short period of time here -- and, again,
17 not on the civil service side, but
18 dealing with mostly exempt employees --
19 many of them we went outside of the City,
20 but that was because they were drawn
21 here. And if people want to be drawn to
22 this particular City for whatever reason,
23 be it because they like the Mayor, they
24 like working with you as Councilmembers,
25 we don't think that they should be duly

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2 restricted.

3 COUNCILMAN GOODE: So there's
4 no talent deficit in the City workforce?

5 MR. ARMBRISTER: I'm not aware
6 of a talent deficit, but you can always
7 enhance the talent by enhancing the pool
8 of applicants. I think that that would
9 be a fair characterization.

10 COUNCILMAN GOODE: How many
11 positions will this legislation impact
12 over the next ten years?

13 MR. ARMBRISTER: How many --
14 I'm not sure I understand your question.

15 COUNCILMAN GOODE: How many
16 positions will this impact over the next
17 ten years? In other words, how many new
18 hires will there be if people leave and
19 you are replacing them? How many
20 positions will this actually impact over
21 the next ten years?

22 MR. ARMBRISTER: I'm not sure I
23 have that information, Councilman. I'd
24 have to get an analysis of the turnover,
25 the typical turnover in the workforce,

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2 and how often those folks are replaced.

3 COUNCILMAN GOODE: Just in
4 terms of new hires, will the workforce
5 grow over the next ten years, City
6 workforce?

7 MR. ARMBRISTER: I don't know,
8 Councilman. I can't predict that. I
9 mean...

10 COUNCILMAN GOODE: So you have
11 no idea what percentage of the workforce
12 this will impact?

13 MR. ARMBRISTER: No. I can't
14 predict the turnover of the workforce in
15 any particular year. I mean, we could
16 certainly get you statistics that shows
17 historically how the workforce has turned
18 over over the last several years and make
19 some reasonable estimate of what that is
20 certainly.

21 COUNCILMAN GOODE: Let me pick
22 a number. Say roughly 20,000 employees.
23 That number does not change in terms of
24 the aggregate amount regardless of how
25 many new hires, how many people leave.

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2 Let's say this bill affects 2,000
3 employees.

4 MR. ARMBRISTER: Two thousand
5 positions?

6 COUNCILMAN GOODE: Two thousand
7 positions. Is that ten percent of the
8 workforce considered to be the best and
9 the brightest? Is that ten percent of
10 the workforce considered the best and the
11 brightest?

12 MR. ARMBRISTER: I'm not sure I
13 understand your question.

14 COUNCILMAN GOODE: Those 2,000
15 people who work for the City ten years
16 from now who came from a wider pool of
17 applicants that was not restricted to
18 Philadelphia residents, because they came
19 through under that new process, is that
20 ten percent of the workforce to be
21 considered the best and the brightest?

22 MR. ARMBRISTER: I'm really
23 struggling to understand your question.
24 I mean, if what you're saying have we
25 improved the potential quality of the

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2 pool because of the increased numbers, I
3 think most of us would agree that
4 competition is a good thing and the
5 extent to which you could enhance the
6 pool in which you're competing, I think
7 most people would say that that might
8 enhance the pool.

9 COUNCILMAN GOODE: "The best
10 and the brightest" are the words used
11 within the Administration's testimony,
12 used within articles and editorials
13 written about this. I'm sure it's
14 probably used in other testimony on this
15 matter. I didn't create the term "best
16 and brightest." My question is, if the
17 goal of this bill is to have the best and
18 the brightest and that applies to ten
19 percent of the workforce ten years from
20 now, is that a fair characterization
21 that --

22 MR. ARMBRISTER: I don't think
23 it is.

24 COUNCILMAN GOODE: -- that ten
25 percent of the workforce is the best and

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2 the brightest and the other 90 percent is
3 not?

4 MR. ARMBRISTER: No, I
5 certainly wouldn't characterize that that
6 way at all.

7 COUNCILMAN GOODE: Let me give
8 you two terms: Best qualified and
9 qualified enough. What's the difference
10 between those two terms?

11 MR. ARMBRISTER: The difference
12 between best qualified and qualified
13 enough?

14 COUNCILMAN GOODE: Yes.

15 MR. ARMBRISTER: I'm not sure I
16 understand the question. I mean,
17 qualified enough, I would think, means
18 that you've met some minimum
19 qualifications, as would the best
20 qualified would say that you've met some
21 minimum qualifications.

22 COUNCILMAN GOODE: What about
23 best qualified versus more qualified?

24 MR. ARMBRISTER: I'm not sure
25 that that's a distinction with a

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2 difference.

3 COUNCILMAN GOODE: Well, do we
4 ever know that we have the best qualified
5 or do we just know that we have someone
6 who is more qualified?

7 MR. ARMBRISTER: I think what
8 we know is that we have a group of
9 people, the extent to which, again, going
10 back to the kind of competitive forces,
11 that the extent to which you can enhance
12 the number of people competing for a job,
13 that you generally enhance the pool of
14 people and generally enhance the number
15 of people who are qualified for a
16 particular position.

17 COUNCILMAN GOODE: In your
18 testimony you say, Let me clearly state
19 for the record that Mayor Nutter strongly
20 believes that City jobs should be for
21 City residents, but he also believes that
22 the opportunity to take a civil service
23 test and apply for a job should not be
24 limited to residents only.

25 Couldn't we simply allow

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2 non-residents to take the test without
3 removing the residency requirement?

4 MR. ARMBRISTER: Essentially,
5 that's what this bill does. You allow
6 non-residents to take the test and then
7 once they -- if they're accepted or
8 offered a position, then they are
9 required to become residents.

10 COUNCILMAN GOODE: I'm not sure
11 that's what this bill does. I'll defer
12 to the sponsor. I think this bill deals
13 with the appointment of employees and the
14 residency requirement as related to the
15 appointment of employees.

16 MR. ARMBRISTER: I don't think
17 so. I mean, I think the intent -- and
18 I'll let the sponsor of the bill --

19 COUNCILMAN KENNEY: If I may.
20 I mean, my intent, whether it's
21 articulated clearly in the bill or not,
22 is a couple issues. Number one, I think
23 that we need to send a message to the
24 rest of the country that the City is open
25 and available for people to come in and

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2 become residents, and as one of the
3 opportunities to become a resident, if
4 the enticement is the potential of a
5 position in the government, I think that
6 that's a resource that we should use to
7 try to bring new residents to our city.

8 Secondly, I think it's
9 important that we make this city known
10 around the country as a place that seeks
11 out the best and brightest talent, and
12 best and brightest is an appropriate
13 word, and the way we determine that is
14 through a civil service test. There may
15 be other ways of doing it, but the way we
16 do it here is, you take a test and
17 whoever does best based on other
18 preferences for veterans and other things
19 is offered the position.

20 I don't think that anyone in
21 their right mind would want to come to
22 Philadelphia, establish residency, either
23 buy a house or rent an apartment for a
24 year, with the chance that they would be
25 getting an employment opportunity with

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2 the City. I think that Philadelphians
3 are bright and best also and can compete
4 with anybody in the country. I just
5 thought that part of the benefit of this
6 bill was the ability to attract people to
7 become new residents in our city through
8 the enticement of a potential position.
9 Now, they can take the test and not do as
10 well and not be hired, but it is -- I
11 think it's partly policy, but it's also
12 partly the way the City looks to the rest
13 of the country, that somehow this city is
14 not open to people from outside the City,
15 and I think that that's part of the other
16 subjective issue that I was motivated by
17 to introduce the bill.

18 COUNCILMAN GREEN: May for a
19 second?

20 COUNCILMAN GOODE: My question
21 was actually to the witness in terms of
22 whether his testimony that says that
23 Mayor Nutter believes that City jobs
24 should be for City residents, but that
25 the test should be open to everyone,

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2 whether there's another way of achieving
3 this by allowing people to take the test,
4 allowing outsiders to take the test. And
5 it's a simple question, whether --

6 MR. ARMBRISTER: And I think my
7 response was that I think that that's
8 what this bill does. It allows
9 non-residents to sit for civil service
10 exams without first becoming residents.

11 COUNCILMAN GOODE: I'm not --

12 COUNCILMAN GREEN: Excuse me,
13 Councilman. Can I just ask --

14 COUNCILMAN GOODE: Absolutely.
15 You're Chair.

16 COUNCILMAN GREEN: Okay.

17 So there's two questions that
18 are different. One is, can non-residents
19 take the test. Do you know the answer to
20 that question?

21 MR. ARMBRISTER: You mean
22 currently?

23 COUNCILMAN GREEN: Yes.

24 MR. ARMBRISTER: I don't think
25 they can.

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2 COUNCILMAN GOODE: I'm not sure
3 whether that's true.

4 COUNCILMAN GREEN: Does anybody
5 know the answer to that question, can
6 non-residents take the test?

7 They can?

8 UNIDENTIFIED SPEAKER: It's one
9 year from appointment.

10 COUNCILMAN GREEN: Okay.

11 MR. ARMBRISTER: One year from
12 appointment.

13 COUNCILMAN GOODE: The
14 Administration's testimony says, Let me
15 clearly state for the record that Mayor
16 Nutter strongly believes that City jobs
17 should be for City residents.

18 MR. ARMBRISTER: Right.

19 COUNCILMAN GOODE: He also
20 believes that the opportunity to take a
21 civil service test and apply for a job
22 should not be limited to residents only.

23 If that's the goal of the
24 Administration, to maintain a preference
25 of hiring existing residents, but the

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2 Administration simply wants to be able to
3 test everyone, I'm not sure that's not
4 already the case and/or it can't be the
5 case without waiving the residency
6 requirement.

7 COUNCILMAN KENNEY: If I might
8 add, the problem I believe in that regard
9 is the length of the list. Once you get
10 on the list, it may last for a year,
11 which would give you a day or two to move
12 into the City to make an appointment
13 number, to make the appointment deadline.
14 So you could be on a firefighter list, a
15 Police Department list -- well, I guess
16 not Police Department, but firefighter or
17 some other position list and by the time
18 that year is up, the list may be gone and
19 then you're not eligible for appointment.
20 If this bill is passed, you're eligible
21 for appointment through the whole course
22 of the list and then you have the six
23 months to move in. You could expire on
24 the list before you are appointed.

25 COUNCILMAN GOODE: I understand

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2 that. Walk me through the list and the
3 purpose of the list.

4 COUNCILMAN KENNEY: The purpose
5 of the list is to help people come out of
6 the test, and then they are ranked based
7 on various factors. Some of it is
8 minority aspirational, some of it is
9 veterans preference points, and the list
10 becomes what it is.

11 COUNCILMAN GOODE: But if you
12 are ranked the highest on the test,
13 you're at the top of the list?

14 MR. ARMBRISTER: Yeah.

15 COUNCILMAN KENNEY: Not
16 necessarily, unless the person that ties
17 you on the test is a veteran and gets ten
18 points, would be above you.

19 COUNCILMAN GOODE: Okay.

20 COUNCILMAN KENNEY: If you're a
21 non-veteran.

22 COUNCILMAN GOODE: So whoever
23 is on the top of the list should get
24 appointed?

25 COUNCILMAN KENNEY: Not if

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2 they're not eligible to be appointed
3 because they're not a resident for a
4 year. So if they came in the top five,
5 it wouldn't matter because they couldn't
6 appoint them, because they don't have the
7 pre-employment residency requirement.

8 COUNCILMAN GOODE: Well, at the
9 end of the day, my point is you can craft
10 legislation that says that people -- I
11 mean, simply the same as there's a
12 Charter requirement for the lowest
13 responsible bidder in terms of
14 contracting, you can craft legislation
15 that actually says that we're selecting
16 the best and the brightest, if that's
17 what we're doing. I'm still not
18 convinced that that's what we're doing.
19 What this dialogue and discussion has
20 turned into and from the sponsor's own
21 responses to my questions is that this
22 bill is also to attract residents.

23 COUNCILMAN KENNEY: From my
24 perspective, yes.

25 COUNCILMAN GOODE: Is that the

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2 Administration's position?

3 MR. ARMBRISTER: I think it's
4 both to do that and also to expand the
5 opportunities for people who want to take
6 jobs in the City, that is correct.
7 Particularly the example that we use was
8 the college students who are here who
9 could theoretically take a test and then
10 have to establish residency before they
11 could get the appointment. So within the
12 time frame before they get appointed.

13 COUNCILMAN GOODE: We literally
14 could continue to allow anyone to take
15 the test, promise to appoint them and
16 shorten the period of time if the one
17 year is an issue. But if the purpose of
18 this in the end is what it is, to have
19 the best and brightest, then you can
20 achieve that differently. If the purpose
21 of this bill is to attract City
22 residents, then it probably should remain
23 as it is.

24 So I guess my last question is,
25 if the purpose is to attract City

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2 residents, is it still true that the
3 Administration strongly believes that
4 City jobs should be for City residents?

5 MR. ARMBRISTER: We clearly
6 still clearly hold that jobs should be
7 for City residents and that's why they're
8 required to become City residents after
9 they get the appointment.

10 COUNCILMAN GOODE: But not for
11 existing City residents; City jobs should
12 not be for existing City residents?

13 MR. ARMBRISTER: No, no. We
14 don't disagree with that either. They
15 should be for City residents as well.

16 COUNCILMAN GOODE: Okay. Thank
17 you, Mr. Armbrister.

18 MR. ARMBRISTER: Thank you.

19 COUNCILMAN GREEN: Councilman
20 Jones.

21 COUNCILMAN JONES: I know there
22 is talent in the City of Philadelphia,
23 because you live in the 4th Councilmanic
24 District and you're the Chief of Staff.
25 So I know there is qualified talent.

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2 MR. ARMBRISTER: Thank you,
3 Councilman. I appreciate that
4 endorsement. Thank you.

5 COUNCILMAN JONES: I have a
6 couple of questions. I'm looking at the
7 residency waiver here and if I
8 understand, the purpose of this waiver is
9 that we are having some degree of
10 difficulty attracting this type of talent
11 in these specific categories?

12 MR. ARMBRISTER: Yes.

13 COUNCILMAN JONES: Is that
14 correct?

15 MR. ARMBRISTER: That's
16 correct.

17 COUNCILMAN JONES: And if that
18 is indeed true, I have a couple of
19 questions on that. I understand why we
20 might have a problem attracting an
21 aquatic biologist maybe in the 4th
22 Councilmanic District or an architectural
23 project coordinator, but why is the
24 sanitation engineer and the lifeguard and
25 the librarian trainee also on this exempt

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2 list? I am finding that hard to
3 understand why those kinds of skill sets
4 can't be found and --

5 MR. ARMBRISTER: Councilman, I
6 can't vouch for every one of these, but
7 obviously these have gone through a
8 process through the Civil Service
9 Commission, the Personnel Department, and
10 they were able to make the case that
11 these were very difficult positions to
12 fill and they were granted the waiver.

13 COUNCILMAN JONES: Sanitation
14 engineer, do I understand sanitation
15 engineer to mean someone to put the trash
16 on the truck?

17 MR. ARMBRISTER: I am not sure
18 what that classification is, but I could
19 find that out. I think it's something
20 more than that.

21 COUNCILMAN KENNEY: It's my
22 understanding, excuse me, that sanitation
23 engineer is more of a sanitarian dealing
24 with health issues relative to
25 restaurants and those kinds of things.

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2 It's not a sanitation worker.

3 COUNCILMAN JONES: So is there
4 a new definition for lifeguard, too?

5 COUNCILMAN KENNEY: No, no, no.
6 You asked me about the sanitation
7 engineer.

8 COUNCILMAN JONES: Okay.
9 Because there was several of them.

10 MR. ARMBRISTER: I saw those as
11 well.

12 COUNCILMAN JONES: Maybe I'm
13 getting it wrong, that lifeguard means
14 something else.

15 My point to you is, second, is
16 that by what process do we recruit these
17 skill sets, these individuals for these
18 jobs?

19 MR. ARMBRISTER: Well, I think
20 you'd have to talk to the individual
21 departments, but my guess is that they go
22 to whatever journals and newspapers that
23 put out whatever ads that they can, but
24 the qualification, particularly with
25 respect to a civil service job, is that

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2 they give the residency requirement
3 limitation, and that might be one of the
4 reasons why they don't get as many
5 applicants as they would otherwise get.

6 COUNCILMAN JONES: My concern
7 here is that when I go to the barber
8 shops and beauty salons and different
9 places in the 4th Councilmanic District,
10 the first thing, not the second thing,
11 not the third thing, that I hear is,
12 Where are the jobs and how can I apply?
13 So my question sincerely -- and I'm not
14 being sarcastic -- is, are we doing
15 enough to recruit within the talent pool
16 that we have in the City of Philadelphia
17 to find the brightest, the best in these
18 categories, and what is our relationship
19 to our universities and even high schools
20 to try to train and recruit homegrown
21 talent for these spots?

22 Because if we look at this kind
23 of legislation -- and I, like Councilman
24 Goode, am going to keep an open mind to
25 this process, but this question is near

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2 and dear to people in my district. And
3 the second part of that is, if we are
4 requiring or at least examining under the
5 trade unions the residency and the lack
6 thereof of Philadelphians, then kind of
7 sort of we need to really try hard to
8 understand what the recruitment process
9 is first before we kind of make a move on
10 this piece of legislation.

11 MR. ARMBRISTER: Councilman, I
12 would say that you can always -- we can
13 always work harder to employ people. It
14 is often very difficult to find people.
15 But in terms of the Personnel Department,
16 we will work with them to find out
17 exactly what their efforts are, but my
18 guess is that they have worked very hard
19 and the fact that these waivers have been
20 granted, someone came in and produced
21 evidence to show the difficulty with
22 which they've had in getting people to
23 fill these particular jobs.

24 COUNCILMAN GREEN: Councilman
25 Kenney has some questions, then we'll

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2 have Councilwoman Blackwell.

3 COUNCILMAN KENNEY: As the
4 long-suffering sponsor of this bill for
5 seven years now, let me just say from my
6 perspective -- and I'm going to make it
7 very clear -- I think Philadelphians are
8 talented people and can compete with
9 anybody. So that's why I don't
10 understand why we'd be hesitant to allow
11 them to compete with anyone.

12 The issue for me is that
13 there's one city in the country that does
14 this. I don't know what their
15 legislative history on why they do it,
16 but I also know that there is not one
17 other city in the country that requires a
18 year pre-employment residency anywhere in
19 the nation, and there are cities that we
20 compete with all the time, like
21 Washington and Chicago and New York and
22 the Sunbelt and the West Coast.

23 There is also not one single
24 corporation that I am aware of that would
25 restrict their ability to go after talent

19 What I envision is the ability
20 to maintain our diversity, to maintain
21 our diversity aspirational goals when it
22 comes to minorities and women throughout
23 our government and throughout employment
24 in our government, but I see no reason in
25 the world why I can't do those goals and

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2 accomplish those goals by going to an
3 Army base in South Carolina and
4 attracting a female African-American
5 captain who is getting ready to retire,
6 who has a family and who is willing to
7 move that family up into Philadelphia and
8 live in South Philadelphia and Overbrook
9 or Mount Airy --

10 COUNCILMAN GOODE: Point of
11 information.

12 COUNCILMAN KENNEY: Let me
13 finish.

14 And that person is trained and
15 that person has a skill, and we can take
16 advantage of that skill, at the same time
17 gaining three, four, five new residents
18 in our city. I really think this is what
19 we should be about. I just think we
20 should be open, competitive and willing
21 to show this world and this country that
22 we're as good as anybody else.

23 COUNCILMAN GOODE: Point of
24 information.

25 The sponsor mentioning those

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2 other cities across the country that
3 don't have this requirement, do they have
4 lower unemployment and poverty rates?
5 COUNCILMAN KENNEY: I'm not
6 sure.
7 COUNCILMAN GOODE: Every single
8 one does.
9 COUNCILMAN KENNEY: Every city
10 is different.
11 COUNCILMAN GOODE: This city is
12 very different in terms of its
13 unemployment rate and poverty rate.
14 COUNCILMAN KENNEY: I know for
15 sure that there's one entity that thinks
16 Philadelphians are as competitive as
17 anyone else in the country, and that's
18 the New York Police Department, because
19 every time --
20 COUNCILMAN GOODE: This is not
21 a police issue.
22 COUNCILMAN KENNEY: No, no, no.
23 I'm just going to tell you about --
24 COUNCILMAN GOODE: This is not
25 a police issue, because we've already

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2 dealt with the police issue.

3 COUNCILMAN KENNEY: I'm not
4 talking about the Police Department. Let
5 me make my point and you'll see where I'm
6 going.

7 We're talking about the ability
8 for Philadelphians to compete with people
9 throughout the country. Obviously the
10 NYPD think we're very competitive,
11 because they park their recruiting van on
12 the sidewalk at Citizens Bank Park just
13 about every game to recruit
14 Philadelphians and people in the region
15 to come to New York to be police
16 officers. So they think we're qualified
17 and capable to compete, and I think we
18 are, too. And that's just an example of
19 how we wind up losing people of good,
20 high quality to other cities because we
21 have this restriction.

22 COUNCILMAN JONES: If I may.
23 First, I agree with you that
24 Philadelphians are as good as any other
25 city in the free world. So we agree on

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2 that. My question isn't that. It isn't
3 even whether we go to South Carolina and
4 find a minority recruit off of a naval or
5 Army base. My question is and remains,
6 how well do we go to the barber shops,
7 beauty salons, colleges, universities to
8 find that talent pool? And my only
9 question and why I have an open mind in
10 this is, I may agree with you to some
11 degree. But I will not move off of this
12 until I find whether we are doing all
13 that we can, all that we can to find a
14 Philadelphia resident first, because
15 they've suffered through the bad times,
16 as we have a good vision for this city as
17 it raises in the world view, that I also
18 want the people that live here now to
19 benefit from that new opportunity. And I
20 question, because I don't have an answer
21 before me, how we recruit that talent.

22 MR. ARMBRISTER: I can't speak
23 historically, but I can say this,
24 Councilman Jones, is that under this
25 Administration, we'll be very active in

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2 trying to recruit City residents of
3 Philadelphia. This bill is not intended
4 to their exclusion, but to enhance the
5 pool of talent with which we can recruit.
6 We're not going to sit here and talk
7 about what happened before, but I will
8 tell you going forward that there will be
9 very aggressive recruiting efforts,
10 because we need people. We need people
11 to carry out the vision that we're trying
12 to conduct for the City of Philadelphia
13 and for all of our residents.

14 So I want to say that this
15 isn't being offered or we're not
16 supporting this to the exclusion of
17 Philadelphia residents, that we will do
18 everything we can, and we will get a
19 report to you from the Personnel
20 Department about what their recruiting
21 efforts are. But going forward, I can
22 assure you they will be very aggressive
23 efforts to do that.

24 COUNCILMAN JONES: Could you
25 make sure you give me the definition of a

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2 sanitation engineer, please?

3 MR. ARMBRISTER: Sure.

4 COUNCILWOMAN BLACKWELL:

5 Mr. Chairman, can I be recognized?

6 COUNCILMAN GREEN: Yes.

7 Councilwoman Blackwell.

8 COUNCILWOMAN BLACKWELL: Thank
9 you.

10 I specifically came to this
11 hearing because I know my colleague has
12 been fighting for years for this, and
13 every time he fights for it, I fight
14 against it. If you need people who want
15 jobs, you can go into 408 and we can give
16 you people.

17 Every day I have one staff
18 person who just deals with jobs. It's
19 insulting. I told the Mayor that you
20 could take maybe 4,000 applications for
21 labor and maybe hire ten and make people
22 pay \$30. I don't even know where we are
23 on the job fee.

24 It is unfair that you could
25 have here that we need a waiver for a

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2 tell Philadelphians who are unemployed,
3 Oh, yes, we want to reduce by half, 50
4 percent, the number of people who drop
5 out of high school. We just won't have a
6 job for you when you do it.

7 I mean, we can't speak with
8 forked tongue. Our people have a right
9 to get every job that we have. People
10 who want to do jobs other places, that's
11 their right. I'm not elected by those
12 people. I'm elected by the people of the
13 City to try to protect them and their
14 interest in working for this city.

15 Anything we have in government,
16 any jobs we have, they have a right to
17 apply, not people -- I don't owe those
18 people -- I make no apologies about being
19 close-minded about this issue,
20 Councilman. We don't have to be
21 open-minded about giving people someplace
22 else the right to the jobs in our City
23 and in our government. And as Councilman
24 Goode just said, look at the poverty
25 rates, look at the other rates of those

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2 people. I worry about people who sleep
3 on grates, about people who have DNA
4 problems, about people who have mental
5 health problems. What happens if they
6 get straightened out? No. We're busy
7 giving people outside the City, people
8 who come from the suburbs where they have
9 a higher quality of life, higher
10 income -- we go through it all the time
11 when we talk about utility rates. They
12 have the money, but we have the people.

13 Let us protect the rights of
14 the people who live, who are born in this
15 city so that we don't have to turn on TV
16 and see that crime rates increase, see
17 that people have so many problems and
18 they lose it and they go and they kill
19 other people, not just for domestic
20 reasons, but because they don't have
21 jobs. Let us protect the rights of the
22 people who sent us here to represent
23 them.

24 Thank you very much.

25 COUNCILMAN GREEN: Thank you,

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2 Councilwoman.

3 Go ahead, Councilman.

4 COUNCILMAN KENNEY: Thank you
5 very much. After an unofficial poll of
6 this particular committee, it seems that
7 this bill will not get out today. So I'm
8 going to save everybody a lot of time and
9 hold the bill. If people want to stay
10 and give testimony, that will be fine so
11 it's on the record, but there's no sense
12 in torturing everybody if it's not
13 getting out. So I'll continue trying my
14 best, but apparently it's not happening
15 today.

16 COUNCILMAN GREEN: I'm going to
17 continue to have everybody testify who is
18 here so we get the testimony on the
19 record, and the Councilpeople who want to
20 stay and ask questions can.

21 We do have the Director of
22 Procurement coming over in about ten or
23 15 minutes -- sorry; Director of
24 Personnel coming over in about ten or 15
25 minutes, and I think many of the

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2 questions that Councilman Goode asked can
3 probably be answered by the Director of
4 Personnel, for the record, and so we'll
5 have a record for this hearing.

6 Any further questions for the
7 Chief of Staff?

8 COUNCILWOMAN SANCHEZ: Can I be
9 recognized?

10 COUNCILMAN GREEN: Yes.
11 Councilwoman Sanchez.

12 COUNCILWOMAN SANCHEZ: I have
13 to go, but I wanted to go on the record.

14 I actually don't have a problem
15 with us opening up the process, because I
16 understand the cumbersome administrative
17 nightmare of the waivers and all those
18 other things, but I cannot do that unless
19 this Administration commits to giving us
20 a ten point residency preference, and
21 that would be my only condition on this.
22 But I think the administrative nightmare
23 of the waivers and the application piece
24 and the pool, I understand there's some
25 technical positions, but only if the

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2 Administration would support that.

3 MR. ARMBRISTER: And just to
4 make it clear, ten points for residency
5 on the exams?

6 COUNCILWOMAN SANCHEZ: On the
7 exam when people are on the list.

8 COUNCILMAN GREEN: I do want to
9 state for the record that there's
10 currently a case against the City of
11 Philadelphia, Joseph P. McCool versus
12 City of Philadelphia. The case survived
13 the 12(b)(6) motion. The judge appeared
14 to have some issues with our residency
15 requirement. So we can either deal with
16 the residency issue or I think the
17 federal courts may do it for us.

18 Thank you.

19 Oh, I'm sorry. Councilman
20 Goode has one more question.

21 COUNCILMAN GOODE:
22 Mr. Armbrister, do you believe that there
23 is a level playing field for employment
24 in the private sector?

25 MR. ARMBRISTER: Level in what

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2 sense, sir?

3 COUNCILMAN GOODE: In terms of
4 racial and gender discrimination.

5 MR. ARMBRISTER: I think that
6 many people have obstacles to overcome
7 that -- I think there are differences in
8 obstacles that various people have to
9 overcome, whether it's racial or gender
10 or maybe just opportunity.

11 COUNCILMAN GOODE: The question
12 is, do you believe there's a level
13 playing field for employment in the
14 private sector?

15 MR. ARMBRISTER: I don't think
16 everyone has an equal opportunity at
17 every particular job, if that's what
18 you're asking me.

19 COUNCILMAN GOODE: That's what
20 I'm asking you. So you do not believe
21 there's a level playing field in the
22 private sector?

23 MR. ARMBRISTER: Not 100
24 percent, no, sir.

25 COUNCILMAN GOODE: Thank you.

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2 COUNCILMAN GREEN: Thank you.

3 Next we're going to call Gene

4 Blagmond.

5 (Witness approached witness

6 table.)

7 MR. BLAGMOND: Eugene Blagmond.

8 I'm Political Coordinator for the

9 Fraternal Order of Police, Lodge No. 5

10 here in Philadelphia.

11 We are in support of this bill,

12 and I think couple of things I'd like to

13 point out as far as my personal history

14 to explain why.

15 In 1971, I took the police

16 test. Back then they gave the police

17 test every day. Anybody who showed up at

18 the MSB, whatever building it was, at 8

19 o'clock any morning could take the police

20 test every day. I think since then, the

21 number of people applying to the Police

22 Department has declined. I think you

23 could see is graph that the number of

24 people who actually want to be police

25 officers has declined.

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2 We used to have a list even as
3 late as 1982 of about 4,000 people
4 applying to be police officers. That
5 list now is -- it might be under 1,000
6 for the first time since I've been alive.
7 It's slimmed down quite a bit. So the
8 pool of people we have to pick from has
9 gone down, and I think that this bill
10 would only help.

11 A friend of mine took the test
12 before I did. His father was a police
13 officer. Now, they called me first, but
14 he did get hired. So I think if you are
15 qualified and you pass, you will get
16 hired. You may not be hired first or
17 second, but you will come onto the job, I
18 think, if you're qualified. So I don't
19 think that people in the City are afraid
20 of competing with people from outside the
21 City. I don't think it should be a major
22 factor. I don't think that many people
23 will actually apply to be police officers
24 from out of town, but I think those that
25 do and are qualified should be allowed

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2 to.

3 COUNCILMAN GREEN: Any

4 questions?

5 COUNCILMAN GOODE: Just one

6 question and/or comment.

7 The issue with regard to the

8 Police Department has been resolved; has

9 it not?

10 MR. BLAGMOND: The question?

11 COUNCILMAN GOODE: The issue

12 related to the Police Department in terms

13 of recruitment has been resolved; has it

14 not?

15 MR. BLAGMOND: I would hope.

16 COUNCILMAN GOODE: I'm saying

17 through the action that was taken last

18 week, the issue regarding the Police

19 Department has already been resolved?

20 MR. BLAGMOND: Yes.

21 COUNCILMAN GOODE: Thank you.

22 COUNCILMAN GREEN: Councilman

23 Greenlee.

24 COUNCILMAN GREENLEE: Just a

25 question. I don't know if Mr. Blagmond

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2 knows.

3 Was this a permanent waiver or
4 was this just a waiver for this class for
5 the Police Department? Do we know?

6 MR. BLAGMOND: I don't have
7 that information.

8 COUNCILMAN GREENLEE: I think
9 it might just be for this class. I'm not
10 sure. That's what I'm just wondering.

11 MR. BLAGMOND: I believe it
12 has, but I couldn't say 100 percent.

13 COUNCILMAN GREENLEE: You
14 believe it has been just for this class,
15 you mean?

16 MR. BLAGMOND: Pardon me?

17 COUNCILMAN GREENLEE: Was this
18 waiver, was this just for this particular
19 class coming up, do you know, or was
20 it --

21 MR. BLAGMOND: I'm not sure if
22 it's continuous or not.

23 COUNCILMAN GREENLEE: Maybe
24 does Mr. Armbrister know? I was just
25 wondering, or somebody.

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2 COUNCILMAN GREEN: We can maybe
3 ask the Personnel Director. He's coming
4 up in ten minutes.

5 COUNCILMAN GREENLEE: Oh, the
6 Personnel Director is coming up? Okay.
7 He's probably the best one.

8 Thank you. Thank you for your
9 testimony.

10 MR. BLAGMOND: Thanks.

11 COUNCILMAN GREEN: I'd like to
12 call the Committee of Seventy.

13 MS. MATTLEMAN-KAPLAN: I'm
14 Ellen Mattleman-Kaplan. I'm
15 Vice-President and Policy Director of the
16 Committee of Seventy and I am here with
17 the Assistant Policy Director, Sarah
18 Stevenson, and I understand that a number
19 of you were at yesterday's hearing where
20 the President and CEO of the Committee of
21 Seventy, Zach Stalberg, testified on
22 proposed amendments to the Home Rule
23 Charter, so you probably heard a number
24 of the issues that are raised in our
25 testimony, so I'm not going to reiterate

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2 those.

3 You know the history of the
4 Committee of Seventy, having presented a
5 package of proposals that dealt with the
6 Police Department because of our concern
7 about the crime emergency, and one of
8 those proposals did have to do with
9 eliminating the one-year pre-hiring
10 residency requirement, and this bill, if
11 passed, would make that permanent, and we
12 do support that.

13 I'm also not going to go into
14 the reasons why we support the bill.
15 Again, that's in our testimony. Again,
16 our concern is just simply that it's very
17 difficult sometimes for people to uproot
18 their whole families when there is no
19 guarantee of a job. It's our presumption
20 that serious candidates will not apply in
21 the first place if they're not very
22 committed to moving within the City
23 limits after they are hired. And as
24 Councilman Kenney did testify a few
25 minutes ago, I think it's important to

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2 understand that we are requiring people
3 to move into the City of Philadelphia to
4 become Philadelphia taxpayers six months
5 after they are hired, so they will be
6 Philadelphians.

7 So this is not a situation like
8 they have in Los Angeles or Baltimore
9 where there are no residency requirements
10 even after you are hired. So we're
11 certainly not going that far and we would
12 say at the Committee of Seventy we
13 certainly should not go that far. We
14 think people should become residents of
15 the City of Philadelphia.

16 Now, one technical point that I
17 did want to raise has to do with the
18 Philadelphia civil service regulation
19 that states that all new civil service
20 employees are subject to a six-month
21 probationary period after their
22 appointment, unless otherwise provided in
23 the civil service regulations, and
24 permanent employee status is not approved
25 until the successful completion of the

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2 probationary period.

3 Now, there's another provision
4 in the civil service regulation that
5 references a waiver that can apply to a
6 designated class of positions whereby
7 people within that class may be permitted
8 to live outside the City for the period
9 of their provisional appointment during
10 the probationary period and then don't
11 have to move in for another six months,
12 and our concern would be that there might
13 be some misunderstanding. So we would
14 say to Council, to this Committee, just
15 to clarify any misunderstanding, the
16 residency requirement is triggered at the
17 date of the appointment. The fact that
18 you then have a probationary period of
19 six months does not mean that you don't
20 have to move into the City until that
21 probationary period is over and you are a
22 permanent employee, because if
23 interpreted that way, effectively that
24 would give new hires a year to move into
25 the City. In other words, you have your

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2 initial appointment. You have the six
3 months probationary period and then an
4 additional six months that -- the shorter
5 period of time is what I believe is
6 intended in this proposed legislation,
7 and I would just suggest that it is
8 clarified so that there is no
9 misunderstanding about the fact that the
10 residency requirement is triggered at the
11 time of the initial hiring.

12 And I just wanted to, again,
13 just talk about some other cities. You
14 may have heard some of this yesterday
15 from Zach, but Pittsburgh's city code
16 requires all city employees and
17 officials, including police officers and
18 firemen, to live in the city at the time
19 of their initial appointment and, of
20 course, throughout the term of their
21 employment. With very, very limited
22 exceptions, New York's administrative
23 code requires employees to establish
24 residence within that city's five
25 boroughs only after being hired, and they

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2 have to do that within 90 days after
3 their initial hiring.

4 We talked a little bit about
5 Boston, because Boston is the only major
6 city that the Committee of Seventy found
7 that still requires its police department
8 recruits to live in the city for one year
9 before joining in the police force, and
10 that would have been consistent with the
11 pre-Civil Service Commission waiver of
12 February. However, that is applicable
13 only to police officers, because in
14 Boston other members of its workforce
15 have to live in the city at the time they
16 are hired.

17 Again, I want to say, as I said
18 a few minutes ago, that we found it very
19 interesting that neither Baltimore nor
20 Los Angeles required job applicants or
21 city employees to live within their
22 respective cities, and we're certainly
23 not saying that Philadelphia should
24 follow suit. We think it shouldn't. But
25 it is interesting, and I think that

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2 speaks to the fact that other cities do
3 recognize that residency requirements can
4 be a barrier to the recruitment and
5 retention of employees.

6 So, again, I'm not going to go
7 into everything else that's in my
8 testimony, but I'll certainly take any
9 questions.

10 COUNCILMAN GREEN: Thank you.

11 I do have a question. Can you
12 clarify the residency requirement
13 distinction that you were making, six
14 months probationary period? How do you
15 think this legislation should be
16 corrected to make something clearer?

17 MS. MATTLEMAN-KAPLAN: I think
18 that the legislation could be clarified
19 to say that it is six months after their
20 initial appointment. The point that I
21 was making -- and I apologize if I didn't
22 make myself clear -- that in the civil
23 service regulations, once you are
24 appointed by the City, you are on
25 probation for six months, so you can be

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2 discharged. So it's only after that
3 six-month period that you become a
4 permanent employee, and I guess our
5 concern is that there could be a
6 misunderstanding maybe by somebody who
7 would say, Wait a minute, I'm not really
8 a permanent member of Philadelphia's
9 workforce because I'm still on probation;
10 therefore, I'm going to apply for a
11 waiver because I'm not going to move my
12 family in if there's a possibility that
13 after that probationary period I may not
14 have a permanent position.

15 So we are just simply
16 suggesting that there might be some
17 clarification just to make it as clear as
18 possible that the residency requirement
19 is triggered at the date of the initial
20 hire, that it does not have to do with a
21 probationary period.

22 COUNCILMAN GREEN: Are you
23 saying clarification in this legislation
24 or just clarification in general?

25 MS. MATTLEMAN-KAPLAN: I think

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2 it could be clarified in the legislation
3 and obviously in the civil service
4 regulations. And as a matter of fact, I
5 think this was an issue that came up with
6 the Police Department waiver, because as
7 I understand it, there are two
8 probationary periods in the Police
9 Department. And the City people in the
10 room could correct me if I'm wrong. One
11 has to do with when you're in the Police
12 Academy and the second one has to do with
13 after you graduate from the Police
14 Academy.

15 Now, my understanding of the
16 present waiver is that you need to move
17 into the City after this first
18 probationary period, within six months of
19 this first probationary period. In other
20 words, after you graduate from the Police
21 Academy, you don't get another six months
22 after you are finished your probationary
23 period.

24 COUNCILMAN GREEN: That's also
25 my understanding of how -- it currently

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2 works the way I think you're asking for
3 it to be clarified. So are you aware of
4 any problem with that? Have you seen
5 anybody take a different position?

6 MS. MATTLEMAN-KAPLAN:
7 Councilman, I don't work for the
8 Personnel Department. I don't know, but
9 I can see that there may be a problem if
10 it is not settled, when the actual date
11 is.

12 COUNCILMAN GREEN: But you're
13 not aware of any problem that exists?

14 MS. MATTLEMAN-KAPLAN: No, but
15 the reason actually that I brought it up
16 was simply because on the Police
17 Department's website, they do talk about
18 moving in six months after the
19 probationary period, without indicating
20 what the probationary period is. So that
21 if somebody is looking at that and sees
22 that --

23 COUNCILMAN GREEN: I
24 understand.

25 MS. MATTLEMAN-KAPLAN: Okay.

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2 COUNCILMAN GREEN: Any other
3 questions?

4 Councilman Goode.

5 COUNCILMAN GOODE: Good
6 afternoon. Please give your family my
7 regards and let them know that the
8 question I'm about to ask you was also
9 directed to the last person from the
10 Committee of Seventy that came before us
11 on this issue, and the reason I ask the
12 question is because you work in the
13 private sector as opposed to the public
14 sector and a viewpoint from the private
15 sector I think adds to the discussion
16 here.

17 Are you the best qualified
18 person for your job?

19 MS. MATTLEMAN-KAPLAN: To do my
20 job?

21 COUNCILMAN GOODE: Are you the
22 best qualified person for your job?

23 MS. MATTLEMAN-KAPLAN: If you
24 know my father well enough -- and I think
25 you do -- I will tell you that my father

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2 would say I'm the best qualified person
3 to do anything.

4 COUNCILMAN GOODE: But the
5 question for the record is --

6 MS. MATTLEMAN-KAPLAN: Am I
7 best qualified to do my job?

8 COUNCILMAN GOODE: In the City,
9 in the state, in the nation, are you the
10 best qualified person for your job?

11 MS. MATTLEMAN-KAPLAN:
12 Councilman, I think that there are
13 probably other people that could do my
14 job equally, do my job as well as I do.
15 I hope they don't apply for my job
16 because I'd like to keep it, but...

17 COUNCILMAN GOODE: I'll leave
18 it there. Thank you.

19 COUNCILMAN JONES: Out of
20 curiosity, where do you live?

21 MS. MATTLEMAN-KAPLAN:
22 Philadelphia.

23 COUNCILMAN JONES: And how
24 about you?

25 MS. STEVENSON: I live in

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2 Wyncote. I'm buying a house in
3 Fairmount, though.

4 COUNCILMAN JONES: So 50
5 percent of the workforce right here is
6 from Philly, right?

7 MS. STEVENSON: Technically.

8 COUNCILMAN JONES: Okay. I say
9 that because I respect the Committee of
10 Seventy. My history goes back to the
11 Committee of Seventy to Fred Voigt when
12 we co-authored, along with Congressman
13 Fattah, Governor Rendell, the electoral
14 review of the election process in the
15 City of Philadelphia. And I understand
16 the Mayor's need to kind of regionalize
17 Philadelphia. In fact, I want to work
18 with elected officials in the county so
19 that this region becomes a great region.

20 My concern is that we -- and I
21 don't know if you can answer this, and I
22 understand the Personnel Director is
23 coming here.

24 We don't do enough to recruit
25 talent within the City of Philadelphia,

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2 in my opinion. Yes, we may advertise a
3 job in the three daily papers, but I'm
4 telling you, I traveled the width and
5 breadth of my district and in
6 particularly low-income areas. The
7 number one question was, Where are the
8 jobs. And I have people of varying
9 degrees of education, skill levels that
10 cannot find jobs, and until I'm satisfied
11 that we've exhausted that pool, I don't
12 know if I'm comfortable at all going
13 outside of it.

14 So I believe in the City. I'm
15 not moving. I'm going to haunt this city
16 when I leave this planet. But I've got
17 to believe that we have to do a better
18 job of looking at homegrown talent.

19 And I'm going to recruit you
20 back into the 4th Councilmanic District.
21 I want to make it such a great place to
22 work, live and play.

23 But one of the incentives is
24 that we kind of recognize our own talent
25 pool and that we kind of grow that talent

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2 pool, and we recruit it from the high
3 schools to the colleges to the barber
4 shops and beauty salons. And I don't
5 know yet if we've marketed to that group
6 as well as we should before we go out to
7 a more expansive pool, and that's my
8 reservation at this point.

9 I just wanted to let you know I
10 respect the organization. I think the
11 world of the work that you do, but I am
12 concerned that we have to look at
13 Philadelphians, because if we do not,
14 we'll pass over opportunities of great,
15 talented people that have suffered
16 through some of the bad times and now
17 look optimistically to this
18 Administration and going forward saying
19 that this is for me as well.

20 MS. MATTLEMAN-KAPLAN: I would
21 just answer that by saying that I think
22 perhaps that there are two different
23 issues here. One is, do we do enough to
24 let people who currently live in the City
25 know about job opportunities and make

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2 sure that they are eligible to get those
3 jobs, that they can do well on the test,
4 that they can get the benefits and so
5 forth. Not just the City jobs but of all
6 jobs. We're talking here obviously about
7 City jobs, but all jobs. And I would
8 agree with you that making City jobs
9 better known to the communities and
10 having more aggressive recruitment
11 efforts would be a positive thing, and
12 certainly we would support that, but I
13 think this bill doesn't mean that we
14 can't do that while at the same time
15 saying to people who live in other places
16 right now, We want you to become
17 Philadelphians, we want you to come live
18 here, we want you to pay taxes here, and
19 we're going to let you take the test and
20 we're going to let you be hired by the
21 City of Philadelphia, but you still have
22 to live in the City. So I don't think
23 that those things are mutually exclusive.

24 And another comment I just
25 wanted to make, because you talked

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2 earlier in the previous hearing about a
3 feeling of welcome. Well, I think, with
4 all due respect, that we should extend
5 that feeling of welcome not just to the
6 people who live here but to people who
7 want to come here and live. And I think
8 there are a lot of people who are
9 included in that group, including my own
10 son, who I've told he'd better come back
11 here after he graduates from college in
12 June.

13 And so I think that there are a
14 lot of efforts going on around the City
15 to attract and retain residents and jobs,
16 and I think it's difficult to say to
17 people, Well, we want you here, on the
18 one hand, but we're really not going to
19 let you have a City job because it's not
20 going to be available to you. I think --

21 COUNCILMAN GOODE: Point of
22 information.

23 MS. MATTLEMAN-KAPLAN: -- we
24 just need to say to them, We want you and
25 come here.

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2 COUNCILMAN GREEN: Thank you.

3 I just have a quick question about that,
4 and actually probably a question for the
5 Personnel Director, but don't we
6 basically hire everybody we want when we
7 can show that there's not a person who
8 can have that -- who has applied for the
9 test, who is available for that position
10 in the City of Philadelphia as it is? I
11 mean, what problem are we trying to solve
12 here?

13 MS. MATTLEMAN-KAPLAN: What
14 problem are we trying to solve? Well,
15 it's interesting, I had a question about
16 that, too. Is the question are we trying
17 to solve a problem about certain
18 positions where there might be job
19 shortages? I don't think that that's the
20 case, because I don't know that the
21 Council would want to parse through every
22 single job category and say, Okay, we
23 have enough people to fill this, we don't
24 have enough people to fill that. And,
25 frankly, that was really why I mention in

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2 the testimony that I found it a little
3 odd that laborers were exempted here.
4 Not because I object to it or feel that
5 it should be fatal, but simply because if
6 we say, well, there's no problem filling
7 these positions in 2008, well, what if
8 there's a problem filling those positions
9 in 2010? And sometimes it is cleaner to
10 make this uniform, and I believe the 2006
11 bill did do that.

12 But I think it is difficult to
13 go position by position and make that
14 kind of analysis. I think what we're
15 trying to say is, we want people to come
16 to Philadelphia. We want to open City
17 jobs to non-residents, but you got to
18 live here, you got to be a resident.

19 COUNCILMAN GREEN: I think it's
20 only fair to point out in that context
21 we're having the exact opposite
22 discussion with respect to other jobs in
23 the City of Philadelphia and whether or
24 not they should be residents or
25 non-residents.

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2 But Councilman Goode, and then
3 I'm going to recognize Councilwoman
4 Blackwell for a question.

5 COUNCILMAN GOODE: Mrs. Kaplan,
6 how many people do you actually believe
7 we can attract to the City through this
8 legislation?

9 MS. MATTLEMAN-KAPLAN: I don't
10 know how many people we can attract until
11 we make it so that they can apply and
12 actually be hired.

13 COUNCILMAN GOODE: How many new
14 jobs do you believe would be available
15 over the next ten years?

16 MS. MATTLEMAN-KAPLAN: I would
17 not be qualified to answer that question.

18 COUNCILMAN GOODE: And how many
19 unemployed people are there in the City
20 of Philadelphia?

21 MS. MATTLEMAN-KAPLAN: Pardon
22 me?

23 COUNCILMAN GOODE: How many
24 unemployed people are there in the City
25 of Philadelphia?

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2 MS. MATTLEMAN-KAPLAN: I don't
3 know the answer to that question.

4 COUNCILMAN GOODE: Thank you.

5 COUNCILWOMAN BLACKWELL: Mr.
6 Chairman, I only have one question, and
7 that is with regard to the mission of the
8 Committee of Seventy.

9 Is your mission to service the
10 region, the country or Philadelphia, or
11 all of the above?

12 MS. MATTLEMAN-KAPLAN: The
13 mission of the Committee of Seventy is
14 primarily focused on the City of
15 Philadelphia, but it is also --

16 COUNCILWOMAN BLACKWELL: It is
17 or it is not? Is it the City of
18 Philadelphia or is it not the City, or is
19 it other areas?

20 MS. MATTLEMAN-KAPLAN: Just
21 Philadelphia.

22 COUNCILWOMAN BLACKWELL: Well,
23 I think that speaks for itself.

24 Thank you, Mr. Chairman.

25 COUNCILMAN GREEN: Thank you,

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2 Councilwoman Blackwell.

3 If there are no further
4 questions, thank you for your testimony
5 today.

6 MS. MATTLEMAN-KAPLAN: Thank
7 you.

8 COUNCILMAN GREEN: I'd like to
9 thank Celia O'Leary, the Deputy Personnel
10 Director, and Mark O'Connor, the Hiring
11 Services Manager, for coming over here
12 today. They had no notice that they'd be
13 called, but we had some questions that I
14 thought they might be able to help us
15 with.

16 So recognizing that you came
17 completely unprepared, I thank you, and
18 if you can't answer the questions today,
19 perhaps you can get back to us with the
20 information. Thank you very much.

21 (Witnesses approached witness
22 table.)

23 COUNCILMAN GREEN: Could you
24 state your names for the record. I'm
25 sorry.

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2 MS. O'LEARY: I'm Celia
3 O'Leary, the Deputy Personnel Director
4 for the Personnel Department.

5 MR. O'CONNOR: Mark O'Connor,
6 Hiring Services Manager for the Personnel
7 Department.

8 COUNCILMAN GREEN: Has someone
9 given you a copy of the legislation we're
10 talking about today? Are you familiar
11 with it?

12 MS. O'LEARY: Yes.

13 MR. O'CONNOR: As we walked in
14 the door.

15 COUNCILMAN GREEN: Great.

16 So there was a question asked
17 earlier and, that is, can people outside
18 the City of Philadelphia take the civil
19 service exam? Do you have to be a
20 resident to take it?

21 MS. O'LEARY: There are a
22 limited number of classes that have what
23 we call a class residence waiver on file.
24 It's roughly 100. I haven't counted
25 them. Medical doctors, for example,

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2 where you do not have to be a resident
3 before you take the examination.

4 COUNCILMAN GREEN: But in
5 general, you do?

6 MS. O'LEARY: Yes.

7 MR. O'CONNOR: If I may, in
8 general, you can take an examination if
9 you are a non-resident, but you cannot be
10 appointed to the position until you move
11 into the City and establish residency for
12 one year. Most eligibility lists are
13 good for two years. So technically
14 anyone can take the examination. You
15 just can't be appointed.

16 COUNCILMAN GREEN: Okay. Do
17 you have general thoughts about this or
18 would you like to get back to us about
19 your -- is there a problem that we're
20 solving here? Do we need to increase the
21 talent pool in the City of Philadelphia?

22 MR. O'CONNOR: Well, I think
23 for certain positions there really is a
24 need to kind of widen the net. I do
25 believe that. My area of expertise is

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2 uniform hiring. I hire police, fire,
3 corrections, those types of positions and
4 do the promotions, too, for those areas,
5 and over the last several years, we have
6 had an increasingly difficult time
7 finding the numbers that we need. It's a
8 volume issue. I mean, we give an
9 examination for police officer recruit.
10 We have several thousand applications.
11 By the time we get to the end point where
12 we're ready for appointment, many of
13 those thousands have been winnowed
14 away --

15 COUNCILMAN GOODE: Point of
16 information.

17 MR. O'CONNOR: -- through
18 various background screens.

19 COUNCILMAN GOODE: Point of
20 information.

21 MR. O'CONNOR: Excuse me?

22 COUNCILMAN GREEN: Councilman
23 Goode.

24 COUNCILMAN GOODE: The issue of
25 police recruitment has been resolved. I

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2 guess the question that was asked earlier
3 of the Administration was, are there
4 recruitment problems across the board?

5 MS. O'LEARY: Not across the
6 board, no.

7 COUNCILMAN GOODE: And in what
8 areas are there recruitment problems
9 other than police?

10 MR. O'CONNOR: Paramedic is a
11 significant one.

12 MS. O'LEARY: Skilled
13 craftspeople, electrician, for example,
14 nursing, medical fields in general.

15 COUNCILMAN GOODE: And how do
16 you deal with those recruitment problems
17 now?

18 MS. O'LEARY: Well, departments
19 having trouble filling their positions
20 appeal to the Civil Service Commission to
21 issue a class residence waiver, which is
22 what I was describing where you waive the
23 pre-employment requirement. And if there
24 are sufficient documentation provided to
25 support that we have to widen the net, as

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2 are positions in the City where they're
3 in excess of qualified candidates.

4 COUNCILMAN GOODE: Over the
5 next ten years, how many positions do you
6 think would be impacted by this
7 legislation?

8 MR. O'CONNOR: I don't have an
9 answer to that question.

10 MS. O'LEARY: We typically hire
11 and promote into permanent jobs in the
12 civil service 2,000 or so people a year.
13 Those are hires and promotions. So
14 through open competitive testing, it's a
15 smaller number.

16 COUNCILMAN GOODE: How many
17 hires over the next ten years?

18 MS. O'LEARY: I could give a
19 projection based on what we've done in
20 the past for you, sir, but I don't have
21 it in my head, so I'd have to follow up
22 with that.

23 COUNCILMAN GOODE: What
24 percentage of the workforce do you
25 believe will be new hires over the next

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2 ten years?

3 MS. O'LEARY: It will be a
4 higher number than we have been, because
5 right now we have pretty much an older
6 workforce. The majority of our workers
7 are in their 40's, so we will be
8 experiencing more retirements in the next
9 ten years and so we will be backfilling
10 with new hires obviously.

11 COUNCILMAN GOODE: I'll leave
12 it there.

13 Thank you.

14 COUNCILMAN GREEN: Councilman
15 Jones.

16 COUNCILMAN JONES: Good
17 afternoon.

18 How do you currently market for
19 civil service jobs? How do you recruit?
20 How do you market?

21 MS. O'LEARY: There's a variety
22 of ways we do this.

23 MR. O'CONNOR: Well, the basic
24 avenue is to publish job announcements,
25 which we do on our website, and the

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2 actual hard copy announcements go out to
3 City departments. So it kind of spreads
4 through that venue.

5 There's advertising done.

6 There's also efforts --

7 COUNCILMAN JONES: Can you
8 specifically tell me the advertising that
9 you do?

10 MR. O'CONNOR: Well, for
11 police, for example, we advertise in
12 local newspapers. We go out into
13 community organizations and do that kind
14 of outreach. Most of that is not handled
15 by the central agency. Most of that kind
16 of recruitment and outreach is actually
17 handled by the individual departments.
18 So, for example, if we have a push-on for
19 correctional officers, for example, the
20 Prisons Department brings together a unit
21 and they staff that unit internally, and
22 those people go out to job fairs, as I
23 said, to local organizations and they do
24 that kind of outreach. Police Department
25 has a recruitment unit in place year

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2 round.

3 COUNCILMAN JONES: So if we
4 look at the departments, there are two
5 that actually have recruitment year
6 round?

7 MR. O'CONNOR: There are at
8 least two. I know the Water Department
9 also is involved in recruitment.

10 COUNCILMAN JONES: How many
11 departments are there within the City of
12 Philadelphia?

13 MR. O'CONNOR: Do you know the
14 exact number?

15 MS. O'LEARY: I believe it's 38
16 largest ones. The boards and commissions
17 don't have HR staff assigned to them full
18 time.

19 COUNCILMAN JONES: Say that
20 again.

21 MS. O'LEARY: About 38.

22 COUNCILMAN JONES: No; the HR
23 staff part.

24 MS. O'LEARY: The small boards
25 and commissions don't have a dedicated

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2 human resources staff.

3 COUNCILMAN JONES: So they go
4 through you?

5 MS. O'LEARY: Mm-hmm.

6 COUNCILMAN JONES: My thinking
7 and line of questioning is and my concern
8 is, have we exhausted the marketing
9 recruitment techniques that could be
10 utilized to solve some of the problems
11 that we have? Because the list of exempt
12 categories far exceeds the three
13 departments that have their own hiring,
14 HR and recruitment techniques.

15 My issue to you is that when we
16 find it difficult to recruit, attract a
17 skill set that is needed by the City of
18 Philadelphia, what marketing techniques
19 do automatically kick in to try to
20 satisfy that and is there a way to do
21 just that and more narrowly tailor, more
22 narrowly tailor from time to time, from
23 year to year, from class to class those
24 specific deficits by way of talent pool?

25 It seems to me when the

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2 hospitals find a --

3 COUNCILMAN GREEN: Can they
4 answer that question before we --

5 COUNCILMAN JONES: No. I just
6 want -- yes, Mr. Chairman. I'm sorry. I
7 just want to put one other thing on as a
8 question.

9 When the hospitals find it hard
10 to recruit nurses per se, they have a
11 specific recruitment process in a
12 targeted market they go after. It seems
13 to me they don't go out and say, I also
14 need to just exempt janitors, because
15 they don't have a glut there. So when
16 the private sector does it, they go after
17 recruiting a specific class of workers.
18 So that's my question.

19 MR. O'CONNOR: Well, there is
20 an effort made to, as you said, recruit
21 specific classes. I mean, that does
22 happen. Unfortunately, we don't always
23 have the resources available to us to do
24 that in any large-scale way. It's as
25 simple as that.

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2 COUNCILMAN JONES: That's a
3 fair answer.

4 COUNCILMAN GREEN: Let me ask
5 you this: It sounds like the departments
6 are doing their own recruitment. In your
7 experience in the public sector, is
8 recruitment centralized? I mean, I don't
9 know if you go to other cities and see
10 what they do or look at -- is recruitment
11 centralized generally or is it done by
12 department?

13 MS. O'LEARY: There should be
14 partnerships, because they are the ones
15 who are maintaining membership in
16 professional organizations, for example,
17 to give us access to mailing lists. The
18 Health Department does this to try and
19 recruit pharmacists, and they worked with
20 us. We have a graphic designer who is
21 very talented on our staff. She did a
22 postcard to try and attract them, because
23 what's good about our jobs is, it's not
24 shift work. You could reliably go home
25 at the end of the day. For someone

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2 perhaps in a second career, that might be
3 attractive.

4 Similarly, your question about
5 nursing, we want to talk about what's
6 attractive about working for us, steady
7 hours, access to public transportation
8 and so on.

9 COUNCILMAN GREEN: Councilman
10 Greenlee.

11 COUNCILMAN GREENLEE: Thank
12 you, Mr. Chairman.

13 On the residency waiver issue,
14 is there a trigger that each department
15 or each job sort of has to generate the
16 request to have a waiver? Am I making
17 sense? I just confused myself.

18 MR. O'CONNOR: I understand
19 what you're saying. Yeah. Is there a
20 certain threshold or something?

21 COUNCILMAN GREENLEE: Right.

22 MR. O'CONNOR: I understand
23 your question.

24 COUNCILMAN GREENLEE: I'm glad
25 you do.

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2 MR. O'CONNOR: I don't think
3 there is anything specific in place.
4 Typically what happens is it's our track
5 record on finding people to fill those
6 positions. For example, if we announce a
7 job open and we have fewer number of
8 candidates than we have vacancies or
9 those kinds of issues seem to surface
10 over multiple times that we announce
11 that, then we say, Hey, we'd better look
12 at this. We'd better do some -- broaden
13 our recruitment efforts. The departments
14 and us, as Celia said, will partner to
15 come up with some strategies to address
16 that. But a specific trigger? No.

17 COUNCILMAN GREENLEE: Is it
18 usual that the Civil Service Commission
19 will approve a request? I mean, are
20 there times they turn them down? Do you
21 have any idea?

22 MS. O'LEARY: They consider it
23 very carefully, but we vet it out first.
24 We don't take it to the Commission unless
25 we're convinced that we've made every

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2 effort to recruit Philadelphians and
3 there's a genuine need to widen the net.

4 COUNCILMAN GREENLEE: Just one
5 last question on another point that I
6 brought up earlier and people weren't
7 sure. On the police waiver, is that
8 something -- some people thought it was
9 just for this class and other people
10 thought it was more of a permanent. Do
11 you know?

12 MR. O'CONNOR: No. That's
13 moving forward, that once that is in
14 place, that is not for a specific class.

15 COUNCILMAN GREENLEE: Not just
16 for this class?

17 MR. O'CONNOR: It's not just
18 for this class, no.

19 COUNCILMAN GREENLEE: Okay. I
20 just wanted to be clear on that. Thank
21 you.

22 Thank you, Mr. Chairman.

23 COUNCILMAN GREEN: Thank you.

24 So what would be the public
25 policy rationale, if you can answer this

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2 today -- and if you need to consult with
3 the Administration, I certainly
4 understand. But what would be the public
5 policy rationale for excluding people who
6 are not residents of the City of
7 Philadelphia rather than encouraging
8 people to take the test from everywhere,
9 including the City of Philadelphia, to
10 take the test? Is there a good reason
11 for this residency requirement in today's
12 environment, in today's economy?

13 MR. O'CONNOR: I don't know
14 that there's ever a good reason for
15 excluding people. What you are always
16 looking for is the best person for the
17 job, and I think that may be the goal of
18 the Administration. I don't want to
19 speak for the Administration, but I think
20 that may in fact be the goal here.

21 COUNCILMAN GREEN: Okay. Do
22 you have any comment on that?

23 MS. O'LEARY: Not at this
24 point.

25 COUNCILMAN GREEN: Okay. So

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2 what would be your reaction to a point
3 differential? If we were to pass this
4 bill and then provide an advantage to
5 City residents, like we have for
6 veterans, what would be your thought on
7 that and how much -- well, answer that
8 question first.

9 MS. O'LEARY: We could readily
10 accommodate that with our computer
11 software. So that would not be an
12 operational issue for us.

13 COUNCILMAN GREEN: And how
14 often does that come into play where,
15 say, a veteran gets an advantage over a
16 non-veteran because of their veteran
17 status?

18 MR. O'CONNOR: That's very
19 class dependent. I could give you a
20 couple examples. For firefighter, for
21 example, it's very important. It's
22 critical. Individuals who get those ten
23 additional points are invariably at the
24 top of the list, and since not a ton of
25 firefighters are appointed from that list

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2 based on the number that's actually on
3 the list, veterans preference is
4 paramount to getting appointed.

5 Police officer recruit list,
6 not so important, because on that list we
7 tend to use the whole eligibility list.
8 Since there's always a shortage, we run
9 through that list in about a year, and
10 it's a list that lasts for two years. So
11 having a veterans preference on a list
12 like that might move you up a little bit,
13 you might get hired a little bit more
14 quickly, but everybody who meets all the
15 qualifying standards on that list will
16 get hired. So it has zero impact on
17 whether you're going to get hired or not.

18 COUNCILMAN GREEN: What about
19 sort of the non-police, fire type jobs,
20 clerks, middle managers, other people
21 that take civil service exams? Does it
22 have much of an impact there?

23 MR. O'CONNOR: Veterans
24 preference has a huge impact if the
25 veteran is reached on the eligible list,

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2 because with the rule too in the City of
3 Philadelphia, if you pair a veteran with
4 a non-veteran, the City of Philadelphia
5 is required to choose the veteran.

6 COUNCILMAN GREEN: Okay.

7 MR. O'CONNOR: So it does have
8 quite an impact.

9 COUNCILMAN GREEN: So what
10 impact would you predict giving
11 additional points to a resident versus
12 non-resident would have in hiring?

13 MR. O'CONNOR: Well, without
14 knowing specifically the lists, I mean,
15 it could have a tremendous impact. I
16 mean, because there are positions that
17 are very competitive, where five points
18 or however many points you want to assign
19 for being a City resident would have a
20 tremendous impact. There are other
21 lists -- again, I keep referring to
22 police officer -- where it would have no
23 impact.

24 COUNCILMAN GREEN: Okay. But,
25 remember, we're only -- everybody will be

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2 a resident after they take their first
3 exam, so exams to move up, it will have
4 zero impact.

5 MR. O'CONNOR: Correct.

6 Correct.

7 MS. O'LEARY: And we wouldn't
8 advise that you assign points in
9 promotional testing, because as you said,
10 it's a moot point.

11 COUNCILMAN GREEN: Well,
12 everybody lives in the City. Right.

13 MR. O'CONNOR: That's right.

14 COUNCILMAN GREEN: So it would
15 have a huge impact, you're saying,
16 though, at the initial hiring level?

17 MR. O'CONNOR: It may,
18 depending on the list.

19 MS. O'LEARY: And as Mark said,
20 again, the high demand classes, it will
21 have less impact because we'll reach
22 everyone, because we've got to have
23 social workers, we've got to have skilled
24 trade workers. It's like clerk typists,
25 however, where there are more people than

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2 we need that the residents would come to
3 the top of the eligible list and we'd
4 hire them first.

5 COUNCILMAN GREEN: And to what
6 extent is providing a preference for City
7 residents a deterrent or to prevent
8 people from taking jobs? Do you have any
9 sort of information on that?

10 MS. O'LEARY: No.

11 MR. O'CONNOR: No, I don't.

12 COUNCILMAN GREEN: In terms of
13 recruitment efforts, getting people to
14 take the test in the first place?

15 MR. O'CONNOR: Right. I am not
16 aware of any data on other jurisdictions
17 actually having that kind of preference,
18 so it's hard to predict what kind of
19 impact that might have.

20 COUNCILMAN GREEN: If you can
21 find data on that, would you share it
22 with us?

23 Councilman Goode.

24 COUNCILMAN GOODE: Thank you.

25 Good afternoon. You said you

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2 believe the purpose of the legislation is
3 to find the best and hire the best. How
4 do you know if someone is the best hire?

5 MS. O'LEARY: Well, we're in
6 the permit selection system in the City
7 government, so people are taking an
8 examination which is supposed to, if it
9 does what it's supposed to do, ferret out
10 the better qualified folks from the
11 lesser qualified and rank them. So
12 that's the tool we use to determine who
13 is the best.

14 COUNCILMAN GOODE: So you give
15 them a test?

16 MS. O'LEARY: Yes.

17 MR. O'CONNOR: We give them a
18 test and then the department also
19 interviews them.

20 COUNCILMAN GOODE: And the test
21 has a score?

22 MR. O'CONNOR: The test has a
23 score.

24 COUNCILMAN GOODE: And you know
25 who scored better and you know who scored

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2 best?

3 MS. O'LEARY: Yes.

4 COUNCILMAN GOODE: And you can
5 hire them if you want?

6 MS. O'LEARY: Yes.

7 COUNCILMAN GOODE: Okay.

8 COUNCILMAN GREEN: Councilman
9 Jones.

10 COUNCILMAN JONES: Again, good
11 afternoon, and on such short notice, I
12 applaud you for coming over so promptly.

13 I'm aware of the Mayor's
14 interest in establishing a better
15 curriculum, better homegrown talent. His
16 commitment to the Community College is
17 one such example, of that funding
18 increase.

19 To what degree does the City of
20 Philadelphia's Personnel Department work
21 with course design, course curriculum for
22 local universities and high schools for
23 jobs that are available?

24 MS. O'LEARY: It's job
25 specific. We've recently worked to

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2 change the clerk typist requirements to
3 take advantage of the Philadelphia School
4 District's interest in the ICDL. What is
5 that? The International Computer
6 Driver's License. So we want to find
7 ways to write our job descriptions and
8 the training and experience requirements
9 to allow folks to come into the civil
10 service if they go through specific
11 programs sponsored by the School
12 District, for example.

13 COUNCILMAN JONES: So clerk
14 typist is one. Any others?

15 MS. O'LEARY: Apprenticeship
16 jobs.

17 MR. O'CONNOR: Yeah. I think
18 there are some apprenticeship kinds of
19 programs out there where the City
20 partners with various organizations.

21 MS. O'LEARY: I believe Fleet
22 Management does that.

23 COUNCILMAN JONES: So you don't
24 work with maybe Drexel to look at
25 engineers that might fill these lists?

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2 MS. O'LEARY: I don't believe
3 we dictate curriculum, but we participate
4 in the work study program where --

5 COUNCILMAN JONES: So the
6 Randolph Skills Trade Center, which is in
7 the 4th Councilmanic District, doesn't
8 work with the City's Personnel Department
9 to look at some of the skill trades that
10 you're talking about to kind of design
11 curriculums so that by the time a young
12 person out of 12th grade in public school
13 is eligible, prepared, prepped to take a
14 civil service test for the City?

15 MR. O'CONNOR: I think what
16 happens is kind of the opposite of that,
17 and give me a second to explain. We're
18 not in the business of dictating to
19 organizations or to universities what
20 their curriculum should be, but what we
21 have been looking at recently is our
22 testing process to make sure that our
23 tests are more in line with what's being
24 taught out there.

25 COUNCILMAN JONES: I applaud

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2 that effort, but an additional step might
3 be if you are the chief HR department for
4 the City of Philadelphia, there are job
5 descriptions that are being written all
6 over the world called "green jobs." I
7 defy anybody to show me at this Council
8 what those job descriptions are, what the
9 prerequisite skill sets are and whether
10 or not they're connected to the
11 educational process in the City of
12 Philadelphia. And if the answer to that
13 is it does not exist, it should exist.

14 So I think we should be
15 proactive. If we're trying to really
16 satisfy the labor question here in the
17 City of Philadelphia, then it begins in
18 the public education process, and that
19 design for jobs that are needed in the
20 Water Department, which I understand has
21 a world-renowned reputation for its skill
22 level, should be designed into high
23 schools that are career-track driven,
24 that can go to universities, that can go
25 and then apply for mentorship

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2 opportunities within the various
3 departments that we are having a problem
4 finding workforce.

5 I am sure that Cheyney
6 University or Lincoln University's
7 Department for Law Enforcement would be
8 tickled pink to help you satisfy your
9 problem of finding correctional officers
10 within the City of Philadelphia, but we
11 have to take a step towards that in our
12 design of those curriculums so that we
13 don't have a problem with young people
14 not being able to take a civil service
15 exam and they should then pass.

16 COUNCILMAN GREEN: I didn't
17 hear a question in there, so if you have
18 no comment, does anybody on the Committee
19 have any additional questions relevant to
20 Councilman Kenney's bill?

21 (No response.)

22 COUNCILMAN GREEN: Thank you
23 very much for coming over today.

24 MS. O'LEARY: You're welcome.

25 MR. O'CONNOR: You're welcome.

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2 COUNCILMAN GREEN: I really
3 appreciate it.

4 That will conclude the hearing.

5 Oh, I'm sorry. I'm told
6 District Council -- we're not going to
7 act on this matter today. I'm told you
8 want to testify in the future. So if I
9 just recognize you and you can testify,
10 we'll make sure we notify you the next
11 time there's a hearing on this bill.

12 Oh, is there a Kenneth Green
13 here?

14 Would it be okay to call you
15 the next time we -- I'm going to close
16 this hearing and we'll provide public
17 notice the next time that there is a
18 hearing on this matter. So I'm going
19 to --

20 (Witness speaking without
21 microphone.)

22 COUNCILMAN GREEN: Do you have
23 it in writing?

24 MR. GREEN: Yes.

25 COUNCILMAN GREEN: Yes. We

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2 will accept your testimony for the record
3 in writing. You are Kenneth Green from
4 Club Valiance, Inc., for the record?

5 (Witness speaking without
6 microphone.)

7 COUNCILMAN GREEN: Thank you
8 very much.

9 (Witness speaking without
10 microphone.)

11 COUNCILMAN GREEN: Hold on a
12 second. Come to the microphone and go
13 ahead and get your statement on the
14 record.

15 (Witness approached witness
16 table.)

17 COUNCILMAN GREEN: Please state
18 your name.

19 MR. GREEN: My name is Kenneth
20 W. Green. I'm the President of Club
21 Valiance, Incorporated, the International
22 Association of Black Professional
23 Firefighters.

24 COUNCILMAN GREEN: Okay. Why
25 don't you go ahead and read your

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2 to the lack of knowledge of the City.
3 African-Americans are
4 traditionally underrepresented in the
5 City of Philadelphia Fire Department.
6 The benefits have not been proved or
7 justified how this will be helpful to the
8 Philadelphia Fire Department. There is
9 no hard data on this subject. It also
10 destroys potential work that the Fire
11 Leadership Academy is performing in the
12 Philadelphia high schools.

13 There is also a shortage of
14 paramedics nationwide. It's not just a
15 Philadelphia problem.

16 COUNCILMAN GREEN: Any
17 questions?

18 (No response.)

19 COUNCILMAN GREEN: Thank you
20 very much for your testimony.

21 MR. GREEN: Thank you, sir.

22 COUNCILMAN GREEN: This
23 concludes the hearing.

24 (Committee on Labor and Civil
25 Service adjourned at 1:40 p.m.)

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