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COUNCIL OF THE CITY OF PHILADELPHIA

3

PUBLIC HEARING AND HEARING

4

BEFORE THE COUNCIL COMMITTEE ON RULES

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Room 400, City Hall

6

Philadelphia, Pennsylvania

Wednesday, 11/28/01

7

10:25 a.m.

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10 BILL 010493 Amending section of Philadelphia Code on
11 residence requirements by providing that an employee
in civil service need not be bona fide resident of
City when appointed...

12 BILL 010509 Amending section of Philadelphia Code on
13 Residence Requirements by providing that active law
enforcement officers from elsewhere in the US
14 entering into civil service positions in Philadelphia
Police Department need not be bona fide residents of
City when appointed...

15

16 BILL 010526 Amending Philadelphia Zoning Maps by
17 changing zoning designations of certain areas of land
located within area generally bounded by Parkside
Avenue, 50th Street, a railroad ROW, and 51st Street.

18

19 PRESENT: COUNCIL PRESIDENT VERNA, Chair
COUNCILMAN JAMES F. KENNEY, Vice Chair
20 COUNCILMAN DARRELL L. CLARKE
COUNCILMAN FRANK DICICCO
21 COUNCILMAN MICHAEL A. NUTTER
COUNCILMAN BRIAN J. O'NEILL
22 COUNCIL PRESIDENT ANNA C. VERNA

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1	11/28/01 RULES COMMITTEE MEETING - INDEX	
2		
3		
4		
5	WITNESS	PAGE
6	BILL 010526	
7	Thomas Chapman, City Planning Commission.....	3
8	BILLS 010493, 010509	
9	Linda Seyda, Personnel Director.....	6
10	Denise Earley, Phila. Chamber of Commerce.....	27
11	Fred Voigt, Committee of 70.....	27
12	Joseph C. Vignola, PICA.....	27
13	Lorraine Brill, Retired Civil Service Employee	61
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 11/28/01 RULES - BILL 010526

2 COUNCILMAN KENNEY: Good morning, ladies
3 and gentlemen. Thank you for your patience today.
4 The Rules Committee now has a quorum with the
5 attendance of Council President Verna, Councilman
6 DiCicco, Councilman Nutter, and Councilman Clarke.

7 Could I see just a show of hands of who's
8 on Bill 010526. Just one? We'll dispense with
9 that quickly then.

10 Bill No. 010526 is an ordinance to amend
11 the Philadelphia Zoning Maps by changing the zoning
12 designations of certain areas of land located
13 within an area generally bounded by Parkside
14 Avenue, 50th Street, a railroad ROW, and 51st
15 Street.

16 Please identify yourself for the record.

17 MR. CHAPMAN: Good morning, Madam
18 President and members of the Rules Committee. My
19 name is Thomas Chapman. I am the Director of
20 Development and Planning for the City Planning
21 Commission. I'm here today to testify on Bill No.
22 010526.

23 Councilmember Nutter introduced this bill
24 on September 6, 2001. This bill amends the
25 Philadelphia Zoning Maps by changing the

1 11/28/01 RULES - BILL 010526
2 designation of a parcel of land located within the
3 area bounded by Parkside Avenue, 50th Street, a
4 railroad right-of-way, and 51st Street from the
5 existing L3 limited industrial to L5 limited
6 industrial. The purpose of this rezoning is that
7 the L3 classification does not permit commercial
8 uses as matter of right, while L5 does permit
9 commercial uses. The Philadelphia Business and
10 Technology Center is currently a mixed-use
11 containing both commercial and industrial uses.
12 This rezoning will allow the center to replace
13 commercial tenants when necessary, without having
14 to obtain zoning variances.

15 The Planning Commission, at its meeting of
16 October 18, 2001, recommended that Bill No. 010526
17 be approved.

18 I'd be happy to answer any questions of
19 the committee.

20 COUNCILMAN KENNEY: Thank you very much.

21 Any questions of this witness?

22 (No questions.)

23 COUNCILMAN KENNEY: Anyone else to testify
24 on this bill?

25 (No response.)

1 11/28/01 RULES - BILLS 010493, 010509

2 COUNCILMAN KENNEY: Thank you.

3 The next two bills I would read both
4 together because I believe that the witnesses here
5 are here to testify on both bills and they can
6 condense their testimony.

7 Bill No. 010493 is an ordinance amending
8 Section 20-101 of the Philadelphia Code, entitled
9 "Residence Requirements," by providing that an
10 employee in the civil service need not be a bona
11 fide resident of the City when appointed but must
12 establish and maintain bona fide residence in the
13 City within six months after appointment.

14 Bill No. 010509 is an ordinance amending
15 Section 20-101 of the Philadelphia Code, entitled
16 "Residence Requirements," by providing that active
17 law enforcement officers from elsewhere in the
18 United States entering into civil service positions
19 in the Philadelphia Police Department need not be
20 bona fide residents of the City when appointed but
21 must establish and maintain bona fide residence in
22 the City within six months after appointment.

23 The first witness scheduled is Linda
24 Seyda.

25 (Witness comes forward.)

1 11/28/01 RULES - BILLS 010493, 010509

2 COUNCILMAN KENNEY: Good morning.

3 MS. SEYDA: Good morning.

4 COUNCILMAN KENNEY: Sorry to hear about

5 the news. We're going to miss you.

6 MS. SEYDA: Thank you very much.

7 COUNCILMAN KENNEY: Councilman DiCicco

8 wants to know if you'll miss us. That's the

9 problem.

10 MS. SEYDA: Well, 33 years is a long time.

11 COUNCILMAN KENNEY: Yes, it is. It

12 doesn't seem that long though, does it?

13 MS. SEYDA: No, it really doesn't. And

14 actually -- I actually came to work for the City of

15 Philadelphia under a residence waiver.

16 COUNCILMAN KENNEY: Oh. Well, it's

17 appropriate for you to testify. Please identify

18 yourself for the record and proceed.

19 MS. SEYDA: Good morning.

20 COUNCILMAN KENNEY: Good morning.

21 MS. SEYDA: My name is Linda Seyda, I am

22 the personnel director for the City of Philadelphia

23 and will be for the next approximately six weeks.

24 I am pleased to be here this morning to present

25 testimony on Bill No.'s 010493 and 010509. Both of

1 11/28/01 RULES - BILLS 010493, 010509

2 these bills, as you are aware, pertain to the
3 residency requirements for City of Philadelphia
4 employees.

5 Currently, the City requires residency for
6 one year prior to appointment, unless a waiver is
7 granted by the Civil Service Commission upon the
8 recommendation of the Personnel Director. It
9 should be noted that pre-employment waivers do
10 exist at this time for approximately 90 different
11 job classes for which there are recruitment
12 difficulties. These waivers give new hires one
13 year to move into the City of Philadelphia.
14 Therefore, it is important to note that there
15 already is a mechanism in place to grant residency
16 waivers when the need is demonstrated.

17 In the case of the Police Department, it
18 is quite possible that a recruitment waiver will be
19 necessary, but we believe that it is premature to
20 make a final judgment at this time until we know
21 the outcome of our current recruitment drive. As
22 you may know, we are just completing a very
23 ambitious program for police officer recruit, and
24 that recruitment program actually ends this week.

25 Another important factor in making a

1 11/28/01 RULES - BILLS 010493, 010509

2 determination concerning the Police Department will
3 be the need of that department to maintain
4 appropriate staffing levels when the City
5 experiences the first impact of the DROP Program.

6 In the case of the Fire Department, it is
7 unlikely that a residency waiver will be needed in
8 the near future. The City recently received 9,075
9 applications for firefighter. Of this number, 37
10 percent, or 3300 applicants, took the examination.
11 The number of candidates on the eligible list has
12 not been determined, as we are still in the process
13 of scoring that test, but we are confident that it
14 will enable the Fire Department to meet its hiring
15 needs as currently projected.

16 Recently, the City received approximately
17 25,000 applications for laborer. For
18 entrance-level clerical positions, we received 2800
19 applications and had 50 percent of the applicant
20 pool take the examination. The number of passers
21 in both of these tests will be determined at the
22 end of the month.

23 Given the applicant pool for titles such
24 as these, the necessity for a general residency
25 waiver for all civil service titles is questionable

1 11/28/01 RULES - BILLS 010493, 010509

2 at this time.

3 Currently, it is possible to address the
4 City's recruitment needs under the current law and
5 regulations. However, should the proposed bill
6 become law, the City may wish to consider giving
7 City residents a preference in hiring; such
8 capability already exists under the current civil
9 service regulations but has never been applied.

10 Bill No. 010509 is a proposed amendment
11 also to the code concerning the residence
12 requirements, and that proposed amendment would
13 allow nonresident active law enforcement officers
14 from elsewhere in the United States to enter into
15 civil service positions in the Philadelphia Police
16 Department and have six months to establish and
17 maintain bona fide residency in the City of
18 Philadelphia.

19 Although the Personnel Department does
20 encourage experienced law enforcement officers
21 joining our force, we do not believe that the
22 proposed amendment will have a significant impact,
23 and this is based upon our recent experience in
24 recruiting military personnel for City employment
25 under a similar waiver.

1 11/28/01 RULES - BILLS 010493, 010509

2 Additionally, as I noted in my testimony,
3 the Police Department is currently conducting a
4 recruitment effort, and the Personnel Department
5 believes at this point that it's premature to make
6 any changes until we know the outcome of our
7 current program.

8 This concludes my testimony. Thank you
9 for the opportunity to appear before the Committee
10 on Rules, and I will be happy to answer any
11 questions that the committee may have.

12 COUNCILMAN KENNEY: Thank you very much

13 And this question may be appropriate due
14 to the fact that you'll be leaving public service
15 and going into the private sector. If you, in your
16 next life, were to become a human resources person,
17 manager, vice president for a company in
18 Philadelphia or in the region, do you think it
19 would be appropriate to limit the pool of
20 applicants that you as a private-sector recruiter
21 could use in an effort to find the best and
22 brightest to work for your company?

23 (No immediate response.)

24 COUNCILMAN KENNEY: I mean, if you owned a
25 company in Philadelphia, would you limit your

1 11/28/01 RULES - BILLS 010493, 010509

2 ability to hire people who only lived on Broad
3 Street or only lived on Venango Street? I mean, I
4 know it's being simplistic, but I think in some
5 ways, that's what the City's doing; it's limiting
6 its ability to attract the best and brightest from
7 around the country and also pick up new residents
8 to boot in a time when we're losing 70,000 people
9 in the last 10 years.

10 How would you feel if you were in the
11 private sector?

12 MS. SEYDA: I think you have to
13 differentiate between the public sector and the
14 private sector.

15 COUNCILMAN KENNEY: And what reason would
16 that be, or what reasons? Aren't we looking for
17 the best and brightest and most competent people,
18 whether it's private or public sector?

19 MS. SEYDA: I think that we're definitely
20 looking for the best and the brightest people, and
21 I think that that goes without question.

22 COUNCILMAN KENNEY: Okay.

23 MS. SEYDA: And I think that the City has
24 been successful in recruiting a very competent
25 workforce among the citizens of our city.

1 11/28/01 RULES - BILLS 010493, 010509

2 COUNCILMAN KENNEY: But going back to the
3 original question, I guess, from a private-sector
4 standpoint, do you think that it would be prudent
5 to limit your private company's ability to recruit
6 from anywhere outside of the City, or anywhere in
7 the country, for that matter? I mean, this is just
8 a private-sector question.

9 MS. SEYDA: I really don't feel that I'm
10 prepared to answer that question.

11 COUNCILMAN KENNEY: I understand. Thank
12 you.

13 Any other questions for this witness?

14 Councilmember DiCicco.

15 COUNCILMAN DICICCO: Thank you,
16 Mr. Chairman.

17 Good morning. In your testimony, you talk
18 about a recruitment program that the Police
19 Department is now going through.

20 MS. SEYDA: That's true, yes.

21 COUNCILMAN DICICCO: For how many
22 positions is that; do you know?

23 MS. SEYDA: Currently, the Police
24 Department projects that it will be putting on two
25 additional classes this fiscal year: One this

1 11/28/01 RULES - BILLS 010493, 010509

2 winter and one in June at the end of the -- at the
3 end of the fiscal year. And I believe that
4 currently -- of course that number is subject to
5 change. Currently, I believe that they're
6 projecting to hire approximately 160 officers.

7 COUNCILMAN DICICCO: Do you know the
8 number of applicants for those two classes? 'cause
9 you testified to something in the area of about
10 9500 or 9600 folks applied for the firefighters?

11 MS. SEYDA: That's correct.

12 COUNCILMAN DICICCO: What's the police?

13 MS. SEYDA: The recruitment program that's
14 underway now will be used for the class that's
15 hired in June, and that's because that simply will
16 not be available for processing, you know, prior to
17 the spring.

18 We anticipate that we'll have
19 approximately 15,000 to 16,000 applications for
20 police officer recruit. However, of that number,
21 it's likely that only 30 percent will actually
22 appear to take the test, and then of that 30
23 percent, that perhaps 70 percent will pass the
24 test. And then from the eligible list that's
25 established, we would estimate that approximately

1 11/28/01 RULES - BILLS 010493, 010509

2 15 percent would actually be hired.

3 Now, these are just estimates, but given
4 those numbers, we believe that this time next year,
5 we'll be back out recruiting for police officers.
6 And that's why in my testimony, I stated that while
7 it's premature to make a final decision now, we do
8 believe that a residency waiver most likely will be
9 required for the next police officer recruitment
10 program.

11 COUNCILMAN DICICCO: I was trying to
12 follow your number. I think at the end, you said
13 15 percent of the 70 percent that are left over
14 from the first round would be hired or would be in
15 the final pool --

16 MS. SEYDA: Right.

17 COUNCILMAN DICICCO: -- for consideration.

18 MS. SEYDA: That's correct.

19 COUNCILMAN DICICCO: Is that a typical
20 round of employment or recruiting?

21 MS. SEYDA: For police officers?

22 COUNCILMAN DICICCO: For police. I'm
23 speaking for police only.

24 MS. SEYDA: Yes, yes. I mean, it varies
25 from one job to another, but those estimates that I

1 11/28/01 RULES - BILLS 010493, 010509

2 gave you are based upon our experience.

3 COUNCILMAN DICICCO: And what does that 15
4 percent represent? Do you have like a ballpark
5 number?

6 MS. SEYDA: I don't have a calculator out
7 right now, but I think we will get perhaps 500
8 hires off the next list.

9 COUNCILMAN DICICCO: When we do the
10 recruitment, is it in anticipation of the number of
11 vacancies that they expect in the Police
12 Department, or is it because of a certain number?
13 I mean, I'm assuming that number's fluid. I mean,
14 there's some years you may need more than others.

15 So when you do the recruitment, is it
16 based on what you expect the vacancies to be in the
17 not-too-distant future? And, again, I'm speaking
18 about the Police Department only.

19 MS. SEYDA: Well, for the Police
20 Department, we are interested in recruiting any and
21 all individuals who are interested in a career in
22 law enforcement. I mean, what happens is --

23 COUNCILMAN DICICCO: There's a limit to
24 the number of personnel based on the budget, I
25 would assume, that they can hire.

1 11/28/01 RULES - BILLS 010493, 010509

2 MS. SEYDA: Absolutely.

3 COUNCILMAN DICICCO: So I guess what I'm
4 saying is if -- and I'm just using a number. If
5 the budget allows for 7,000 police officers, would
6 these next two classes that are coming up that
7 would hire 160, does that bring us to the 7,000, or
8 are we still anticipating it being lower?

9 MS. SEYDA: In terms of the staffing level
10 for the Police Department?

11 COUNCILMAN DICICCO: Yes.

12 MS. SEYDA: Well, that question is
13 actually more appropriately addressed to the Police
14 Department, and I don't believe that they're here
15 today.

16 COUNCILMAN DICICCO: No.

17 MS. SEYDA: But I know that beyond this
18 fiscal year, they are looking very seriously at the
19 impact of the DROP Program on their hiring needs
20 because there are over 600 police officers --
21 police personnel who are in the DROP Program, and
22 that in, mm, I believe it's October of 2003, there
23 will be a large number of police officers who will
24 be required to leave City service.

25 And so looking at the next fiscal year and

1 11/28/01 RULES - BILLS 010493, 010509

2 the year after, they're looking very seriously at
3 what their needs are going to be. And so that's
4 one of the reasons that recruitment is important
5 right now and the reason that a recruitment waiver
6 most likely will be necessary for the Police
7 Department next time we test.

8 COUNCILMAN DICICCO: Well, that's my
9 point. And If those -- if I'm hearing you
10 correctly, with the DROP Program and some of the
11 things that are occurring, that final number of 4
12 or 500, whatever that number is from the 70 percent
13 to the 30 percent to the 15 percent --

14 MS. SEYDA: It will not be adequate.

15 COUNCILMAN DICICCO: It won't be adequate.
16 So why wouldn't we want to have legislation in
17 place now to address what we anticipate what will
18 happen over the next year or two? What is the
19 downside of doing it now? Why do we need to wait
20 until the crisis is there, then do the legislation
21 and have to go through the whole process? And
22 hopefully we have, you know, the support to pass
23 the legislation, but why wait? Wouldn't it be
24 prudent on our part to have legislation in place
25 that could address that before the crisis occurs?

1 11/28/01 RULES - BILLS 010493, 010509

2 MS. SEYDA: I think that we will have the
3 ability to do that before the crisis occurs because
4 in terms of -- in terms of our planning, as soon as
5 we see what the numbers look like for the next
6 test, we will immediately be planning for the next
7 recruitment drive, and if the recruitment waiver is
8 necessary --

9 COUNCILMAN DICICCO: If it's done in a
10 typical way, you may not -- and, again, I don't
11 think anyone could identify a specific number, but
12 if it's done in a typical way based on what your
13 testimony is with the DROP Program, we still may
14 not have enough recruits to fill the requirements
15 for the Department.

16 So why wouldn't we just at least -- and I
17 would agree with you that maybe we should give
18 additional consideration to City residents first,
19 but if we don't have enough to complete the quota
20 or fill the quota, we'll at least be in a position
21 to recruit nonresidents under this legislation to
22 fill our quota.

23 MS. SEYDA: I mean, believe that we will
24 be ready and prepared to do that, whether it's
25 under the legislation or if it's, you know, under a

1 11/28/01 RULES - BILLS 010493, 010509

2 waiver, because we're working very closely with the
3 Police Department in order to anticipate their
4 needs in the coming next couple of years.

5 COUNCILMAN DICICCO: Well, I just think
6 that we should be prepared for some of these things
7 that we already know are about to occur. Maybe we
8 should do things differently in Philadelphia than
9 we've done for the last 200 years, you know, think
10 outside of the box and get ahead of the curb
11 instead of behind the curb.

12 Thank you for your testimony.

13 COUNCILMAN KENNEY: Thank you very much.
14 Councilmember Clarke.

15 COUNCILMAN CLARKE: Thank you,
16 Mr. Chairman.

17 Good morning Ms. Seyda.

18 MS. SEYDA: Good morning.

19 COUNCILMAN CLARKE: I wanted to ask you a
20 couple of questions about the laborer's position
21 and some of the, I guess, what you would call the
22 blue-collar worker's position.

23 MS. SEYDA: Mm-hmm.

24 COUNCILMAN CLARKE: Explain to me the
25 laborer's position in terms of the testing, the

1 11/28/01 RULES - BILLS 010493, 010509

2 recruitment. Talk to me about -- what exactly is
3 that? How does an individual get listed as a
4 laborer? Because as I travel throughout my
5 district, I find individuals coming up to me and
6 they say they want me to help them get a City job,
7 and I explain to them that it's civil service and
8 that we politicians can't touch that. And when I
9 ask them what category, they tell me laborers.

10 Can you tell me what that's all about?

11 MS. SEYDA: Mm-hmm. Most of the -- most,
12 but not all, of the laborers who are employed by
13 the City of Philadelphia are sanitation workers in
14 the Streets Department. And as you indicated,
15 there is a considerable interest in those
16 positions, interest that is much greater, you know,
17 than the City's need for new hires in that
18 category.

19 And what we do each year -- well, every
20 other year, because eligible lists by law can last
21 for up to two years. Every two years, we publish
22 an announcement and we accept applications for
23 laborer positions. There is no formal test.
24 Applicants are ranked on an eligible list in random
25 order so that everybody has an equal chance to be

1 11/28/01 RULES - BILLS 010493, 010509

2 number one or number two or number three on the
3 list.

4 The last several times that we have
5 established an eligible list for laborer, we have
6 limited the number of people that we have to put on
7 that list, and the reason for that is because to
8 put 20,000 people on an eligible list when you know
9 that you're only going to hire 300 or 400 or 500,
10 you're raising people's expectations, and we found
11 that really there's a greater fairness in terms of
12 limiting the number of people that you put on an
13 eligible list, because otherwise, we have many,
14 many people who have an expectation that they're
15 going to have an opportunity for a City job, and
16 it's just not realistic and it's just not fair to
17 those people.

18 This time for the current laborer list, we
19 will put a thousand names on the list that will be
20 established very shortly.

21 COUNCILMAN CLARKE: So, this is lottery
22 basically.

23 MS. SEYDA: Yes, basically.

24 COUNCILMAN CLARKE: It's the roll of the
25 dice.

1 11/28/01 RULES - BILLS 010493, 010509

2 MS. SEYDA: Yes, it is, mm-hmm.

3 COUNCILMAN CLARKE: So essentially
4 increasing the pool by allowing individuals to
5 apply for these positions outside of the City
6 decreases the likelihood of a resident because it's
7 a lottery -- of a resident being selected simply by
8 virtue of the numbers.

9 MS. SEYDA: That is true, that's very
10 true.

11 COUNCILMAN CLARKE: Okay. As it relates
12 to other positions throughout the City workforce,
13 such as the Recreation Department or any other of
14 the ten departments, has there been any difficulty
15 in recruiting or getting applicants? And in the
16 applicants that we've gotten in those particular
17 departments, have we found that those people are
18 not qualified for those positions? Or we have
19 difficulty in recruiting qualified individuals in
20 those positions?

21 MS. SEYDA: Well, I think, as I indicated
22 in my testimony, where we have had difficulty
23 recruiting a sufficient number of individuals to
24 meet the minimum requirements for the position, we
25 routinely will grant a residence waiver. And we

1 11/28/01 RULES - BILLS 010493, 010509

2 have residence waivers, as I indicated, for
3 approximately 90 different job classes.

4 COUNCILMAN CLARKE: All right, but the
5 question I'm asking more specifically, and I just
6 wanted this to be for the record. As an example,
7 the Recreation Department, a Rec Leader I, right,
8 which is an individual that essentially runs the
9 recreation center, have we had difficulty
10 recruiting those individuals or applicants for that
11 particular job?

12 MS. SEYDA: Not to the best of my
13 knowledge, but I'm answering that question, you
14 know, off the top of my head. I can get more
15 information for you, but I am not aware of
16 recruitment difficulties in the Recreation
17 Department.

18 COUNCILMAN CLARKE: All right. I guess
19 the information -- and you may have to provide this
20 at a later date to the Chair and subsequently to
21 the members of the committee --

22 MS. SEYDA: And I'd be happy to do that.

23 COUNCILMAN CLARKE: I guess basically I'm
24 trying to get a sense of how many people we
25 actually have on a waiting list, because as I've

1 11/28/01 RULES - BILLS 010493, 010509

2 traveled throughout the City of Philadelphia, I get
3 bombarded with individuals who want to get this
4 City job, this great job. And, again, I explain to
5 them that politicians can't touch it.

6 And I guess I'm trying to get a sense of
7 how many people are actually on the waiting list,
8 and you've told me specifically in terms of the
9 laborers, but I guess I want to -- if you can
10 categorize the waiting list for all of the various
11 jobs and departments as best you can, if you can
12 summarize that. I know that's a lot of information
13 to pull together.

14 MS. SEYDA: I would be more comfortable
15 providing that information to Council after I've
16 had an opportunity to look at that data. That data
17 is certainly available.

18 The number is in the thousands because we
19 have, as you know, many, many different job
20 categories in the City. That information is
21 readily available and I can easily provide it to
22 you.

23 COUNCILMAN CLARKE: All right, that would
24 be helpful. Thank you.

25 Thank you, Mr. Chair.

1 11/28/01 RULES - BILLS 010493, 010509

2 COUNCILMAN KENNEY: Thank you very much.

3 Any other questions for Ms. Seyda?

4 (No further questions.)

5 COUNCILMAN KENNEY: Thank you very much.

6 I'd like to bring up a panel now of Joe
7 Vignola, Denise Earley, and Fred Voigt. And while
8 they're coming to the table, I'd like to offer for
9 the record a couple of written testimonies, one
10 from a gentleman by the name of Steve Novak from
11 Fort Lauderdale, Florida -- I'll just read you one
12 paragraph in his letter.

13 "I've been a police officer over six
14 years. I spent the first four years working in
15 Wilkes Barre, Pennsylvania, and still maintain a
16 valid certification from Pennsylvania. With this
17 certification already in place, I could save the
18 City almost nine months that would spent in the
19 Academy and could start on the road right away.
20 I've spent the last two and a half years as a
21 police officer here in Fort Lauderdale. In the six
22 years, I have attended numerous training classes
23 and gained valuable on-the-job experience which I
24 know would make me an added asset to the
25 Philadelphia Police Department. I'm also an army

1 11/28/01 RULES - BILLS 010493, 010509

2 veteran of the Gulf War and an Eagle Scout from my
3 youth.

4 The other letter is from Jonathon Saidel;
5 I'll read one paragraph.

6 "While the Philadelphia residency
7 provision was enacted to ensure that City residents
8 fill City jobs, it dramatically shrinks the talent
9 pool and clearly limits the City's ability to use
10 civil service employment as a magnet to attract new
11 residents. To enlarge the potential pool of
12 candidates for City jobs, the City should alter its
13 residency requirement to permit non-Philadelphians
14 to apply and be hired for City employment."

15 And third, I have a memo from the William
16 R. Thompson, the Acting City Solicitor, which in
17 short reads: "You requested my opinion regarding
18 legal issues raised for Bill No. 010493. Bill 493
19 would amend the portion of the Philadelphia Code
20 addressing the residence requirements of the civil
21 service employees. In my opinion, the bill would
22 be lawful if adopted by City Council. If passed
23 into law, however, the change in the residency
24 requirement will likely be considered a change in
25 terms and conditions of civil service employees'

1 11/28/01 RULES - BILLS 010493, 010509

2 employment that will require the City to bargain
3 with employees' union representatives before the
4 change can be put into effect."

5 (Copies of above
6 communications attached hereto.)

7 (Witnesses come forward.)

8 COUNCILMAN KENNEY: Thank you very much
9 for your patience and attendance and please
10 identify yourself for the record in any order you'd
11 like to go.

12 MS. EARLEY: I'm Denise Earley, Director
13 of Public Policy for the Philadelphia Chamber of
14 Commerce.

15 MR. VOIGT: I'm Fred Voigt, Executive
16 Director of the Committee of 70.

17 MR. VIGNOLA: I'm Joseph C. Vignola, the
18 Executive Director of the Pennsylvania
19 Intergovernmental Cooperation Authority, known as
20 PICA.

21 COUNCILMAN KENNEY: Whoever wants to go
22 first, it would be fine.

23 MR. VOIGT: I'd just like to add my voice
24 to yours with regard to the Personnel Director.
25 Linda Seyda has really been a treasure and will be

1 11/28/01 RULES - BILLS 010493, 010509

2 sorely missed by not only people in government but
3 certainly people like myself who watch government.
4 She has been an absolute gem. Anytime that I've
5 needed information relative to anything within her
6 domain, she's been more than forthcoming and more
7 than helpful and always cheerful. And we'll miss
8 her.

9 COUNCILMAN KENNEY: We agree. Thank you.
10 Whoever wants to start, it will be fine.

11 MS. EARLEY: I'll start.

12 COUNCILMAN KENNEY: Thank you.

13 MS. EARLEY: Good morning, members of the
14 Rules Committee.

15 COUNCILMAN KENNEY: Good morning.

16 MS. EARLEY: I'm Denise Earley, Director
17 of Public Policy for the Greater Philadelphia
18 Chamber of Commerce, and I'm delighted to come
19 before you today in support of Bill No. 010493 and
20 010509, eliminating the pre-employment residency
21 requirements for all civil service employees.

22 From an equity perspective, the Chamber
23 concurs that one uniform residency policy is in the
24 best interests of City employees. But beyond that,
25 giving people a reasonable amount of time to become

1 11/28/01 RULES - BILLS 010493, 010509

2 residents is more in tune with running the City
3 like a business.

4 The Chamber represents over 6,000 members,
5 none of whom require an employee to live in a
6 certain area for a certain of time as a
7 precondition for employment. Whether it is by
8 modifying the residency requirements, adjusting age
9 requirements, or requiring college credits, every
10 measure should be taken to ensure the recruitment
11 of the highest caliber City employee.

12 As you know, the Chamber has always
13 supported measures that encourage people to move
14 into the City, and this bill would do just that.
15 In these economically distressed times, it is even
16 more incumbent upon the City to create incentives
17 to not only move into the City but to stay in the
18 City, and I can't think of a better incentive to
19 stay in the City than a job. As we persuade people
20 to move into the City, the need for more housing
21 will spur job growth and economic development.
22 This will benefit all Philadelphians.

23 Another reason why it is so important to
24 enlarge the City's potential talent pool is the
25 baby boom syndrome. As the City's civil service

1 11/28/01 RULES - BILLS 010493, 010509

2 and file ages, many will, or already have, signed
3 up for the City's DROP Program, and consequently,
4 the City will need to draw from a skilled base to
5 fill these critically needed positions,
6 particularly in the Police and Fire Departments.

7 We feel certain that this bill, if passed,
8 will have a great impact on the decisions of
9 potential City employees/residents who, absent this
10 bill, would be deterred from even considering
11 moving into the city. Again, from business a
12 perspective, this bill makes sense. The Chamber
13 applauds the sponsors of the bill and hopes that
14 the Rules Committee will vote it out with a
15 favorable recommendation.

16 Thank you for this opportunity.

17 COUNCILMAN KENNEY: Thank you very much
18 for your testimony.

19 Mr. Voigt?

20 MR. VOIGT: In 1998 -- actually, in 1997,
21 we undertook a governance study that focused on the
22 Police Department of the City of Philadelphia. We
23 also, as we engaged in that process, examined how
24 other departments in other major cities go about
25 their business of governance, and that included

1 11/28/01 RULES - BILLS 010493, 010509

2 looking at Baltimore, Boston, Chicago, Columbus,
3 Dallas, Detroit, Houston, and Indianapolis. What
4 we found in most of those jurisdictions is that
5 they don't have a pre-employment requirement, all
6 right? They recruit wherever they can and however
7 they can.

8 It was interesting to note when we did
9 this study that recruitment in Philadelphia back
10 then was a rather haphazard affair. As you know,
11 historically, this bill was adopted in 1953 over
12 the protests of then-Mayor Joe Clark, and Joe Clark
13 was heard to say in his opposition that you
14 wouldn't want to have to choose the Phillies to put
15 on the field if you could only choose the Phillies
16 from Philadelphia, from amongst the pool of
17 Philadelphia residents, but --

18 COUNCILMAN KENNEY: Shall I read you his
19 quote?

20 MR. VOIGT: That was the exact quote.

21 COUNCILMAN KENNEY: His exact quote was,
22 "No one expects the Phillies to get all of their
23 players from within Philadelphia, and yet, these
24 same people somehow feel that the City should find
25 all of its employees within its own geographic

1 11/28/01 RULES - BILLS 010493, 010509

2 bounds."

3 MR. VOIGT: Well, in those days, I
4 remember we were a lot larger and we had a bigger
5 pool of people to choose from. In fact, a
6 recruitment was unheard of; you didn't need to
7 recruit for the departments. People wanted City
8 jobs, they wanted to be police officers and
9 firemen, and they arrived on your doorstep. And as
10 a consequence, over a period of time, the
11 recruitment drives atrophied. I remember when we
12 were doing this study, we were going up to Temple
13 where they were having a job fair, and New Jersey
14 State Police were recruiting on campus, but not the
15 Philadelphia Police Department.

16 That's changed. Under this new
17 administration, there has been a huge effort and
18 emphasis, as Linda Seyda testified, to really go
19 out and scour the community for applicants, the
20 best and the brightest. And there are restrictions
21 obviously when it comes to the Police Department.
22 The problem is, the pool is dwindling. As she
23 said, with the DROP Program, it's probable that a
24 waiver is going to have to be required the next
25 time out.

1 11/28/01 RULES - BILLS 010493, 010509

2 And let me tell you, from my conversations
3 with others about recruitment, we're competing.
4 Even if we were to remove this requirement, we're
5 competing with every department in the country.
6 New York has spent in the last year millions and
7 millions of dollars recruiting candidates, and to
8 take the police example, it's just completely the
9 reverse of what it historically it had been.

10 People are looking for other jobs. Now,
11 with the economic downturn, that may reverse
12 slightly, but for example, last year -- you heard
13 Linda Seyda refer to the recruitment of military
14 veterans. Well, guess what? The military itself
15 is very reluctant to see the people that they have
16 trained go, so they have retention programs. They
17 don't have any desire to cooperate in any big way
18 with somebody who's attempting to steal their
19 people.

20 So there are impediments to that, beyond
21 which, there's geography. Most of the military
22 bases are in the South, where it's warm, and if
23 you're going to be a cop and you want to get out of
24 the military, the tendency is you want to stay
25 where you are. You don't want to come up unless

1 11/28/01 RULES - BILLS 010493, 010509

2 you grew up here, where it's cold. I mean, those
3 are the bitter facts of life.

4 So the point I'm making is it's difficult,
5 and it will become increasingly difficult, to get
6 the best and brightest under the best of
7 circumstances.

8 Now, the wages -- let me tell you the --
9 of the police officers. When you compare them to
10 other jurisdictions, we're not really competitive,
11 and it's a major impediment. The flow is not into
12 the City; it's out of the City. I mean, how many
13 police officers do you know -- I can think of a
14 whole bunch of 'em, starting with Michael Chitwood,
15 who aren't here. They're in Portland, Maine,
16 they're someplace else, they're in the 'burbs,
17 because they can go up the ladder be a chief, and
18 they get paid a lot more.

19 So the times are coming, and we know that
20 those times are coming, when the pool will no
21 longer be adequate. There just aren't enough folks
22 left that want to have that kind of job -- not the
23 kind of jobs that Councilman Clarke talked about.
24 I'm talking about in the Police Department itself.

25 We're adequately staffed in the Fire

1 11/28/01 RULES - BILLS 010493, 010509

2 Department. We've heard testimony that that
3 doesn't appear to be a problem.

4 But nonetheless, any barriers to getting
5 best and brightest are barriers that are going to
6 burn us in the future.

7 COUNCILMAN KENNEY: Okay.

8 MR. VOIGT: What we can no longer afford,
9 as we could in the past is to sit idly by and say,
10 Okay, we can deal with the waiver.

11 Now, waivers work, and there are waivers
12 in place for a lot of different jobs that are hard
13 to fill; but nonetheless, the fewer barriers we
14 have, the better.

15 COUNCILMAN KENNEY: Thank you very much
16 for your testimony.

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1 11/28/01 RULES - PUBLIC MEETING

2 COUNCILMAN KENNEY: Because we have an
3 issue of a quorum requirement and we started late
4 and the Council President has another meeting to go
5 to, I'd like to momentarily recess the public
6 hearing and enter into our public meeting, and
7 recognize Councilmember DiCicco on motion Bill No.
8 010493. And then we'll come right back to
9 testimony.

10 COUNCILMAN DICICCO: Thank you,
11 Mr. Chairman. I move that Bill No. 010493 be
12 approved and request a suspension of the rules.

13 (Duly seconded.)

14 COUNCILMAN KENNEY: It's been moved and
15 seconded.

16 All in favor, aye.

17 Are there any opposed?

18 COUNCILMAN CLARKE: (Inaudible, off-mic.)

19 COUNCILMAN KENNEY: Yes? There's one
20 opposed. Let the record show that Councilmember
21 Clarke opposed the motion on Bill No. 010493. All
22 others voted in favor of the bill.

23 The Chair recognizes Councilman DiCicco
24 regarding Bill No. 010509.

25 COUNCILMAN DICICCO: Thank you,

1 11/28/01 RULES - PUBLIC MEETING

2 Mr. Chairman. I move that Bill No. 010509 be
3 approved and a further recommendation that the
4 rules of Council be suspended.

5 (Duly seconded.)

6 COUNCILMAN KENNEY: It's moved and
7 seconded.

8 All those in favor aye?

9 Are there any opposed?

10 There are none opposed. Bill No. 010509
11 will be reported out of this committee favorably,
12 and a request will be made for a rules suspension
13 to allow first reading at our next Council session.

14 Also, 010493 will be reported out of this
15 committee favorably with a request for a rules
16 suspension.

17 The Chair recognizes Councilmember Nutter
18 for a motion on Bill No. 010526.

19 COUNCILMAN NUTTER: Thank you,
20 Mr. Chairman. I move that Bill 010526 be reported
21 out of this committee with a favorable
22 recommendation and a further recommendation that
23 the rules of Council be suspended so as to permit
24 first reading at our next session.

25 (Duly seconded.)

1 11/28/01 RULES - PUBLIC MEETING

2 COUNCILMAN KENNEY: Moved and seconded.

3 All in favor?

4 There are none opposed.

5 Bill No. 010526 will be reported out of
6 this committee favorably and a request will be made
7 for a rules suspension to allow for first reading
8 at our next Council session.

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1 11/28/01 RULES - BILLS 010493, 010509

2 COUNCILMAN KENNEY: Now we will resume our
3 hearing on these two bills in front of us.

4 (Referring to Bills No. 010493
5 and 010509.)

6 The Chair recognizes Joe Vignola.

7 MR. VIGNOLA: Good morning, Councilman
8 Kenney and members of the committee. My name is
9 Joseph C. Vignola and I'm currently the executive
10 director of the Pennsylvania Intergovernmental
11 Cooperation Authority, and I'm pleased to testify
12 this morning in regard to the proposed changes in
13 the residency requirement for all civil service
14 employees.

15 Although this issue is one that does not
16 appear to fall within the financial oversight
17 authority of PICA, I take a personal interest
18 because in prior government service, I had the
19 opportunity to criticize, support, and enforce, as
20 City Controller, the residency requirement of the
21 City of Philadelphia.

22 But in addition to my personal following
23 of these rules and regulations and ordinances in
24 the City of Philadelphia, PICA believes that the
25 residency requirements, as they currently exist,

1 11/28/01 RULES - BILLS 010493, 010509
2 limit the ability of Philadelphia to attract, as
3 the other witnesses have said at this panel, the
4 most qualified applicants. This is one factor that
5 prevents the City from achieving the most efficient
6 and cost-effective government possible. PICA
7 believes that these requirements are another factor
8 in the inability of the City to attract new
9 residents.

10 All of these result in an impact on the
11 fiscal and financial health of the City of
12 Philadelphia.

13 PICA staff reviewed the requirements as
14 they currently exist and looked at residency for
15 some other municipal governments. While there may
16 be some limited benefit achieved from increased
17 wage-tax collections from individuals moving into
18 the City in order to apply for a civil service
19 position, it is impossible to accurately identify
20 the specific amount. I do believe that the amount
21 is fairly small and is most likely outweighed by
22 the loss in the applicant quality and cost
23 efficiency for Philadelphia.

24 Throughout my career in government, I have
25 advocated uniformity within government rules. It

1 11/28/01 RULES - BILLS 010493, 010509

2 prevents the appearance of favoritism, simplifies
3 the bureaucratic process. As such, I strongly
4 favor the adoption of Bill 010493, which would
5 create one uniform residence policy for all City
6 employees.

7 Some may argue, as has been said, in other
8 cities which change residency requirements that
9 making this change at this time is a sign of
10 desperation. To the contrary. I believe that
11 amending the residency requirement is a show of
12 strength. I believe that Philadelphia is a great
13 city with many wonderful attributes for potential
14 residents. This amendment gives us the opportunity
15 to bring in highly qualified people and sell them
16 on the City for at least the first six months of
17 their employment. It is, in essence, a recruitment
18 for new workers and new residents.

19 In light of the current weak economy and
20 Philadelphia's recent history of losing jobs and
21 residents, we should make every effort to bring new
22 people in and introduce them to our city. They
23 will bring the skills, the knowledge we need, and
24 we can show them what a special place Philadelphia
25 is.

1 11/28/01 RULES - BILLS 010493, 010509

2 With that, I conclude my testimony and be
3 able to -- would be happy to answer any questions
4 you may have.

5 COUNCILMAN KENNEY: Thank you very much.
6 Are there any questions?

7 COUNCILMAN CLARKE: Absolutely.

8 COUNCILMAN KENNEY: Councilmember Clarke?

9 COUNCILMAN CLARKE: Thank you,
10 Mr. Chairman.

11 Good morning.

12 Mr. Voigt, in your written testimony, you
13 referenced police officers, but I didn't see any
14 specific reference to other employees. Is it your
15 contention that you support the residency waiver --
16 well, not necessarily the waiver -- the change in
17 the law that will allow police officers only to
18 have -- or are you talking across the board?

19 MR. VOIGT: We're in favor of broader
20 language rather than just dividing up by job
21 category. However, we feel most strongly about the
22 Police Department because we feel that that's where
23 the biggest problem lies and where the biggest
24 problem will lie in the future.

25 And I want to emphasize that there's no

1 11/28/01 RULES - BILLS 010493, 010509

2 magic to this. That is, we're competing with
3 people all over the country for police recruits.
4 And that doesn't mean we're going to win that
5 battle, but we can't win that battle unless we're
6 fully engaged. And that's why we are most urging
7 and putting the emphasis on the Police Department
8 rather than focusing on the broader question, but
9 we're in favor of the broader removal.

10 It's not going to mean that the City
11 residents can't get prioritized, can't get a
12 premium -- you can certainly do that -- but it
13 shouldn't be a barrier.

14 COUNCILMAN CLARKE: So why -- why is it
15 that you're in support of changing the residency
16 requirement for other than --

17 MR. VOIGT: Well, it's very clear. Let me
18 emphasize and be very clear.

19 COUNCILMAN CLARKE: Is there any specific
20 reason?

21 MR. VOIGT: Yeah, because I think that
22 when you go through waivers, waivers sometimes give
23 the appearance of not being fair, of not being
24 fairly applied. I don't happen to believe that but
25 that's something that they can certainly

1 11/28/01 RULES - BILLS 010493, 010509

2 communicate.

3 We absolutely support the residency
4 requirement for all City employees, and that's
5 across the board; even though that, by the way, has
6 been weakened substantially by the City solicitor's
7 opinion, which we think was clearly in error. But
8 as it was litigated all the way to the United
9 States Supreme Court, the lead case on the
10 residency requirement came out of Philadelphia, and
11 it was upheld by the United States Supreme Court.

12 Nonetheless, this solicitor's opinion came
13 along, and as it happened, as you may recall,
14 involving Kevin Tucker.

15 COUNCILMAN CLARKE: But it --

16 MR. VOIGT: But insofar as the
17 pre-employment requirement, we think it
18 unnecessarily places a barrier to the ability of
19 the City to get the best and the brightest.

20 COUNCILMAN CLARKE: All right, but if we
21 have an overabundance of qualified, other than
22 police officers if you want to take that out of the
23 discussion for the moment, why would we feel the
24 need to increase the number of applicants?

25 MR. VOIGT: We have a number of very

1 11/28/01 RULES - BILLS 010493, 010509

2 qualified applicants for lots of different
3 positions, but as the prior testimonies, there are
4 at least 90 waivers for different positions. I
5 just don't happen to think --

6 COUNCILMAN CLARKE: Do you know what those
7 90 positions are?

8 MR. VOIGT: I really don't.

9 COUNCILMAN CLARKE: Okay. I'm inclined to
10 believe that they're more specialized positions and
11 not the general workforce. And I guess my question
12 is --

13 MR. VOIGT: I think you're right

14 COUNCILMAN CLARKE: Centering more around
15 the general workforce, what I don't understand is
16 if there's an overabundance of qualified applicants
17 for positions, why do we --

18 MR. VOIGT: They should get priority.
19 There's a way that you can provide for
20 prioritizing, for advantaging, giving --

21 COUNCILMAN CLARKE: Well, why would you
22 prioritize it if you already have a overabundance?

23 MR. VOIGT: My point is --

24 COUNCILMAN CLARKE: What is the need?

25 MR. VOIGT: No, no, my point is, you can

1 11/28/01 RULES - BILLS 010493, 010509

2 provide for a bonus plan that advantages City
3 residents.

4 COUNCILMAN CLARKE: Some people might say
5 that's unfair.

6 MR. VOIGT: Well -- but it's legal. I
7 mean, that's what we're doing now.

8 COUNCILMAN CLARKE: All right.

9 MR. VOIGT: I mean, that's exactly what
10 we're doing now.

11 COUNCILMAN CLARKE: Now, you referenced
12 the unfairness, and I'm saying, you know, some
13 people might say --

14 MR. VOIGT: We give military preference.
15 We have a military preference, for example.

16 COUNCILMAN CLARKE: Oh, all right.

17 MR. VOIGT: I mean, there are other ways
18 you can do it so that you're not disadvantaging
19 City residents at all.

20 COUNCILMAN CLARKE: Well, I guess I'm just
21 unclear as to what is the need to change the
22 residency requirement for a position when it's been
23 stated on the record that there's a overabundance
24 of applicants for those positions and qualified
25 applicants. What's -- I mean, I don't understand

1 11/28/01 RULES - BILLS 010493, 010509

2 that.

3 MR. VIGNOLA: Mr. Chairman, may I --

4 COUNCILMAN KENNEY: As the sponsor of the
5 bill, what I would argue is, is that we don't have
6 any idea of the number of people and the talented
7 people that we're not even getting to apply because
8 they say, Look, I'm not going to invest and buy a
9 house, get an apartment, move into the City, wait
10 for a year, and then see if I can get a job. We
11 can't even quantify the number of people who refuse
12 to even apply or are kept from applying because of
13 the way the law, the way it exists now.

14 We could use the best and brightest
15 everywhere. And one of the things I'd point to is
16 when we have the ability to hire people from out of
17 town, we certainly do. And if you look at the
18 commissioner's level, in almost every department in
19 the City, they're from somewhere else. We have a
20 tremendous Streets Commissioner from California, I
21 believe; our energetic and tremendous Commissioner
22 of the Recreation Department is from "Nawlins" (New
23 Orleans); we have a police commissioner from New
24 York. I'm sure there are a number of other people
25 from Human Services and places that have come from

1 11/28/01 RULES - BILLS 010493, 010509

2 other cities.

3 So I guess the point is, if we're looking
4 for the best and brightest around the country at
5 the top, why shouldn't we be looking for the best
6 and brightest in the middle and on the lower end?
7 And having the benefit to boot of a new resident
8 moving into the City with their family? I mean, I
9 think you can't lose.

10 COUNCILMAN CLARKE: But I think that we
11 can't quantify the number of applicants for the
12 existing positions that are --

13 COUNCILMAN KENNEY: But you don't know how
14 they match up around other people around the
15 country 'cause the other people can't apply.

16 COUNCILMAN CLARKE: Well, what I've been
17 told is that there are qualified applicants that
18 are City residents.

19 COUNCILMAN KENNEY: They may be qualified
20 applicants, but don't we want the most qualified
21 applicants?

22 COUNCILMAN CLARKE: Well, who's to say
23 that they're not?

24 COUNCILMAN KENNEY: But we won't know
25 until we change the law and let other people apply.

1 11/28/01 RULES - BILLS 010493, 010509

2 COUNCILMAN CLARKE: I don't think so.

3 COUNCILMAN KENNEY: Well, maybe the
4 private sector can -- I mean, I can't imagine a
5 company in this world that would limit themselves
6 to hiring somebody just from one geographic area.
7 I mean, to me, you can't run a company that way,
8 and you're not getting the best talent if you say,
9 I'm only going to hire from Camden, I'm only going
10 to hire from Philadelphia, I'm not even looking at
11 an application from any other part of the country
12 'cause we don't want to be bothered with them.

13 COUNCILMAN CLARKE: Yeah, but you're
14 suggesting -- and I'm sure you're not, but it
15 sounds like you're suggesting that somehow we don't
16 have a qualified workforce.

17 COUNCILMAN KENNEY: No, we do.

18 COUNCILMAN CLARKE: But we can do better

19 COUNCILMAN KENNEY: We can always do
20 better.

21 COUNCILMAN CLARKE: How do you know that
22 we can do better? I mean, what's that based on?

23 COUNCILMAN DICICCO: There's nothing to
24 lose.

25 COUNCILMAN KENNEY: I'm sorry, you're

1 11/28/01 RULES - BILLS 010493, 010509

2 right, we can't do any better, forget it, we can't
3 do any better. It's a lost cause.

4 MR. VIGNOLA: Mr. Chairman, if I may,
5 having run a department in City government that had
6 to recruit from the civil service list -- and
7 that's the auditing department in the City of
8 Philadelphia -- I can tell you, back in the '80s,
9 when I was trying to recruit minority and female
10 professionals to be auditors on my staff, I was at
11 a distinct disadvantage. I was at a distinct
12 disadvantage because we tried to recruit in the
13 local collegiate pool.

14 Now, granted, you had to have the special
15 qualifications. The Charter requires that you have
16 a bachelor's in business administration or a
17 bachelor's in accounting. So it's not the general
18 workforce.

19 We went to area colleges, and I had a
20 special emphasis to try to recruit minorities and
21 females. I was very unsuccessful because at the
22 time, the technical requirement is, you had to be a
23 resident one year before you took the civil service
24 test -- forget getting employment, one year before
25 you took the test. We had a waiver granted to that

1 11/28/01 RULES - BILLS 010493, 010509

2 so people could take the test.

3 Then on top of that, because it was a
4 professional position, I had the additional
5 disadvantage of saying, We would like you to work
6 in the controller's office; however, you have to
7 take the civil service test in April. That same
8 applicant -- in many instances, they were
9 minorities and females -- would walk across the
10 street to the then-Meridian Tower that housed two
11 larger accounting firms, and they would interview.
12 Those managing partners would see the same
13 qualities that I saw and say, Can you start in
14 April?

15 COUNCILMAN CLARKE: So --

16 MR. VIGNOLA: So in recruiting, I had that
17 problem that we were able to work with one. And I
18 guess all that I'm testifying to is, Philadelphia
19 has very bright people, they have the best and the
20 brightest.

21 We already have preferences for veterans.
22 We could establish a preference, whether it's for
23 laborer, whether it's for semiskilled worker,
24 whether it's for an auditor, whether it's for an
25 accountant, whether it's for a management trainee

1 11/28/01 RULES - BILLS 010493, 010509

2 for Philadelphia residents, but let us at least try
3 to get the best pool possible from across the
4 country.

5 Now, we may put the invite out and give a
6 party and nobody will come, but at least let's give
7 the party.

8 COUNCILMAN CLARKE: In your speech, you
9 referenced the civil service test as an impediment.
10 Are you suggesting that we don't --

11 MR. VIGNOLA: No, no. In my remarks, as
12 city controller -- I'm only using it in that one
13 example 'cause I want to set the record straight --
14 that I had trouble recruiting minorities and
15 females, right, for two reasons.

16 The first reason was that in the civil --
17 one of the reasons is, and I'll answer your
18 question, was in the civil service test, that when
19 I saw an outstanding applicant, whether they were a
20 Philadelphia resident, attending a Philadelphia
21 college, a Philadelphia resident attending a
22 non-Philadelphia college, or a non-Philadelphia
23 resident attending a non-Philadelphia college,
24 right? In order for me to hire that person in a
25 professional capacity, I had to say they had to

1 11/28/01 RULES - BILLS 010493, 010509

2 take a civil service test, that the interview was
3 not sufficient.

4 In many instances, I could get over that
5 because I was able to convince them, using other
6 incentives about the need not to travel and the
7 fact that we offered CPA training, but at the same
8 token, when I was paying the salary that was not
9 competitive with what first-year graduates of
10 accounting programs were making with Big Eight or
11 even small accounting firms, they would walk across
12 the street on the same day, do an interview, and be
13 offered a job.

14 COUNCILMAN CLARKE: So it was not the test
15 itself but it was the requirements associated with
16 the test.

17 MR. VIGNOLA: No, no, no, it was both.
18 Because what I'm saying is that I couldn't recruit
19 with -- if I'm looking at minorities and females, I
20 couldn't recruit minorities -- a sufficient pool of
21 minorities and females because they were not
22 eligible, not being Philadelphia residents.

23 I could not go to West Chester, I couldn't
24 go to Howard and recruit people because unless they
25 were Philadelphia residents who were attending

1 11/28/01 RULES - BILLS 010493, 010509

2 those schools, I couldn't get them to take the
3 test.

4 So even when -- and people came for
5 interviews, you know, wanting to take the test, and
6 I got the waiver for them, but when I got the
7 waiver for them, even on top of that, there was
8 another impediment. I don't mean to mix the
9 metaphor.

10 One impediment was my ability to go out
11 and recruit the sharpest pencils going, and I was
12 limited especially when I was trying to change the
13 demographics of the controller's office at the
14 time. It was very difficult for me to do it
15 because the people I was going after, the men and
16 women that I was going after were sought-after.
17 And I couldn't be competitive for two reasons:
18 One, the residency requirement to take the test;
19 and two, was, you know, taking the test. But we'll
20 put that aside.

21 I agree with the civil service position.
22 None of us here are advocating doing away with
23 that.

24 COUNCILMAN CLARKE: (Inaudible.)

25 (Unintelligible; parties

1 11/28/01 RULES - BILLS 010493, 010509

2 talking over each other.)

3 MR. VIGNOLA: But I didn't want to mislead
4 you, Councilman --

5 COUNCILMAN CLARKE: All right

6 MR. VIGNOLA: -- and say that that was the
7 only reason. There was another reason.

8 COUNCILMAN CLARKE: Okay.

9 MR. VIGNOLA: But I'm telling you, as a
10 head of a department, trying to attract good people
11 'cause I believe the controller's office had to
12 have the sharpest pencils. You know, if I'm going
13 to find mistakes and find errors in other agencies
14 of government, I figure I had the people who had
15 the potential to be better and were, in fact, I
16 think, you know, better auditors and accountants,
17 and give them the proper training to succeed.

18 But I couldn't attract those people
19 because they weren't Philadelphia residents.

20 COUNCILMAN CLARKE: Let me ask you this
21 question, and I guess any of you -- with respects
22 to laborers, given that they're a lottery position,
23 so it's essentially the luck of the draw, and
24 increasing that pool decreases the Philadelphians.
25 Are you saying that we should --

1 11/28/01 RULES - BILLS 010493, 010509

2 MR. VIGNOLA: You could give -- you know,
3 if it's a thousand people, it's the first thousand
4 Philadelphia residents.

5 COUNCILMAN DICICCO: And they're going to
6 become Philadelphians.

7 MR. VIGNOLA: But no, even if --

8 COUNCILMAN CLARKE: I'm saying --

9 MR. VIGNOLA: What Councilman Clarke is
10 saying, if I read him correctly, is that you have
11 an overabundance, you already have Philadelphians
12 applying in terms of \$20,000 to \$30,000 for labor
13 positions. So the Civil Service Commission votes
14 and says it's the first thousand Philadelphia
15 residents; and if there's not a thousand
16 Philadelphia residents that make that first
17 thousand cut, there's only 900 applying, then we'll
18 go for the other hundred who are not Philadelphia
19 residents.

20 COUNCILMAN CLARKE: So when you pull
21 that -- when you pull those names out of that hat
22 and they're not Philadelphians, you just throw them
23 aside.

24 MR. VIGNOLA: Right, they get bumped
25 'cause they're -- we do the same thing with the

1 11/28/01 RULES - BILLS 010493, 010509
2 military, Councilman. If you scored 100 on the
3 test and I scored 99 on the test, if you have prior
4 military -- if I score 100 on a test and you score
5 99 on the test and you have prior military service,
6 you get a preference ahead of me.

7 COUNCILMAN CLARKE: Well, my point is,
8 it's not a test; it's a lottery, it's the luck of
9 the draw.

10 MR. VIGNOLA: But it's a ranking. All I'm
11 suggesting is that it's a ranking. And you say
12 we're only going to rank --

13 COUNCILMAN CLARKE: It's not a ranking;
14 it's a lottery. It's not a ranking.

15 MR. VIGNOLA: Yes, it is.

16 COUNCILMAN CLARKE: It's not a ranking,
17 I'm telling you.

18 MR. VIGNOLA: Well, they won't take the
19 number -- they won't take 1,000; they'll take
20 number 1 on the list. They pull them out in a
21 ranking order.

22 COUNCILMAN CLARKE: That's not my
23 understanding.

24 (Addressing Linda Seyda.) Can you clarify
25 that, please?

1 11/28/01 RULES - BILLS 010493, 010509

2 (Linda Seyda returns to witness table.)

3 MR. VIGNOLA: They pull out the first
4 thousand, and each one is given a number, number 1
5 and --

6 COUNCILMAN CLARKE: My understanding is a
7 lottery is a lottery, right? Looking at 6 o'clock
8 at night, little balls drop down, nobody knows what
9 they're going to be. I mean, that's --

10 MR. VIGNOLA: That's right, but once
11 they're given that number, it's their number.

12 MS. SEYDA: For the laborer, we're
13 calling -- it is in fact a lottery. We take all
14 the applications. We have approximately 25,000
15 applications and we rank them randomly. So the
16 first name out of hat is number 1 on the list, the
17 second name out of the hat is number 2 on the list,
18 the third name out of hat is number 3.

19 When we get a thousand names on the list
20 this year -- I think the last time we did it, we
21 put 1500 names on. This time, we'll put a thousand
22 names on, and those thousand individuals will be on
23 that list for up to two years.

24 COUNCILMAN CLARKE: And those are the
25 eligible individuals?

1 11/28/01 RULES - BILLS 010493, 010509

2 MS. SEYDA: Yes. Those individuals will
3 be eligible for consideration as their name is
4 reached on the list.

5 COUNCILMAN CLARKE: Okay.

6 MR. VIGNOLA: So you could have a
7 preference.

8 COUNCILMAN CLARKE: (Inaudible.)

9 MR. VIGNOLA: You have a residence
10 preference.

11 COUNCILMAN CLARKE: So once those thousand
12 individuals are listed that were picked out of a
13 lottery, you're suggesting that the ones that are
14 not City residents, right, are taken off of that
15 thousand rank, and then we go get an additional
16 whatever that number will be amount? I'm trying to
17 understand your thinking in this.

18 MR. VIGNOLA: Yes, yeah. If you don't
19 have a thousand Philadelphia residents. But the
20 Personnel Director testified that that's not going
21 to be an issue. There will be more than a thousand
22 Philadelphia residents.

23 MS. SEYDA: There will be many thousand.

24 MR. VIGNOLA: The list will be restricted
25 to Philadelphia residents, who will get a

1 11/28/01 RULES - BILLS 010493, 010509

2 preference.

3 COUNCILMAN CLARKE: For laborers.

4 MR. VIGNOLA: For laborers.

5 COUNCILMAN CLARKE: All right.

6 MR. VIGNOLA: And you could do it for a
7 civil service test just like you do it for a
8 military.

9 (Addressing Linda Seyda.) Am I correct?
10 You could give a residence preference.

11 MS. SEYDA: The -- Well, I would like to
12 have some further discussion with the attorneys
13 before I go too far down this road.

14 But the civil service regulations do
15 provide for what we call "selective factor
16 certification" for two categories: One is language
17 and the other is residency. We have never used
18 the -- used residency -- actually, we've never
19 actually applied it, but the regulation is on the
20 books. So I would think that you could use that in
21 a way to provide preference for City residents.

22 But, again, I think it would be
23 appropriate to have some further discussion with
24 the attorneys.

25 COUNCILMAN CLARKE: Okay, thank you.

1 11/28/01 RULES - BILLS 010493, 010509

2 COUNCILMAN KENNEY: Thank you very much.

3 MR. VOIGT: I want to emphasize a most
4 important problem, the one directly in front of us,
5 which is the Police Department. So while we may
6 debate and argue about the broader problem, action,
7 I think, really requires addressing.

8 COUNCILMAN CLARKE: I actually voted for
9 that in the committee, that bill.

10 MS. SEYDA: I think we all agree that the
11 staffing of the Police Department is going to be an
12 important issue over the next couple of years.

13 COUNCILMAN KENNEY: Anything else?

14 (No response.)

15 COUNCILMAN KENNEY: Thank you.

16 Lorraine Brill, please.

17 (Witness comes forward.)

18 COUNCILMAN KENNEY: Good morning.

19 MS. BRILL: Good morning. I'm Lorraine
20 Brill. I live at 814 Disston Street and am a
21 resident of Philadelphia all my life.

22 I didn't even know this hearing was being
23 held today, and I just happened to come in 'cause
24 I'm going to stay for a later hearing. But I have
25 to give you the benefit of my experience.

1 11/28/01 RULES - BILLS 010493, 010509

2 I'm a retired civil service of the City.

3 I was hired in 1962, worked for 30 years, and
4 retired in 1993. And I do have to tell you is my
5 experience in working with community and so on, I
6 think it's very important that residency in
7 Philadelphia get the main preference, that we keep
8 things the way they are.

9 I can't speak for the Police Department.

10 I worked for the Free Library and I saw many people
11 come into the system through civil service. If
12 they had had to compete with people outside the
13 City who maybe had come in, they would not have had
14 their jobs.

15 And I have to say that everybody that went
16 through the training and the civil service became
17 excellent employees of the City. I know when I
18 took the test, if there had been people from
19 outside the City, I might not have gotten the job
20 'cause they were only hiring 10 people at the time
21 I got hired.

22 We do have a waiver ability and I know in
23 the library, they used waiver abilities when they
24 had a hard time getting people and so on.

25 But we also ran into the problem where

1 11/28/01 RULES - BILLS 010493, 010509

2 people come in from outside the City, then when
3 they have to move in, they leave 'cause they didn't
4 want to move into the City. This could happen with
5 the Police Department. They come in, they get the
6 training, and then they leave because now they can
7 go someplace else because we paid for them to train
8 and they don't want to stay.

9 I think we're underestimating, that we do
10 have a large pool of talent here in the City
11 already. And regardless of what's going on with
12 the schools, we happen to know that we have some
13 excellent schools in the City and there are people.

14 So I think you have people here -- we're
15 already -- we have job access programs, we're
16 transporting people out to King of Prussia for
17 jobs. We need to support the people that are
18 already in the City and need the jobs. And it's
19 very nice to try to get people to move in, but they
20 will move in for other things.

21 COUNCILMAN KENNEY: Lorraine, with all due
22 respect -- they're not moving in, Lorraine, they're
23 moving out

24 MS. BRILL: We need to take care of the
25 people that are here first, and there are many,

1 11/28/01 RULES - BILLS 010493, 010509

2 many people looking for jobs.

3 COUNCILMAN KENNEY: Let me ask you a
4 question. If you owned a bookstore -- instead of
5 being a librarian, you owned a bookstore on Cottman
6 Avenue and you were interviewing people to come in
7 and work in your bookstore, and you came across a
8 young man or woman that was really brilliant,
9 really loved books, understood the business, was
10 well read, was conversant, was a great personality,
11 and find at the end of the application or the end
12 of the interview that the person lived in West
13 Chester; would you not hire that person because
14 they lived outside the City?

15 MS. BRILL: Yes, and I'll tell you why:
16 Because you want somebody who's reliable and is
17 going to be there every day and lives close to
18 where they work. And that's very important because
19 if --

20 COUNCILMAN KENNEY: So you think residency
21 is the first and most important element of hiring
22 someone?

23 MS. BRILL: As a beginning, but then, you
24 know, they still have to take the test and you
25 still get qualified people within. If you have a

1 11/28/01 RULES - BILLS 010493, 010509

2 position -- and I know that waivers are in like the
3 medical field where there's a hard time, you know,
4 and specialty people that you might have a hard
5 time getting people.

6 But as long as the people pass the test
7 with, you know, passing grades and they meet it and
8 you have a list and there are qualified people, we
9 should be supporting those people; we shouldn't be
10 paying welfare for them when we can give them jobs.

11 And they're already here in the City.
12 There are people that are dedicated to living in
13 the City that don't want to move out, but sometimes
14 they're forced to move out because they can't get a
15 job in the City.

16 And I can only say, you know, over the 30
17 years that I worked with the people -- my husband
18 was also manager of the Finance Department. When
19 he was there, he had people working for him who he
20 trained and who moved up the ladder. And there are
21 people available. And I would like to see
22 Philadelphia residents who have made this city
23 important and who live here -- I'm not saying the
24 people from someplace else, you know, wouldn't want
25 to stay here because I have seen that happen, but

1 11/28/01 RULES - BILLS 010493, 010509

2 we do have a lot of people that need jobs and I
3 would like to see them get first crack at
4 everything. That's my feeling.

5 COUNCILMAN KENNEY: Thank you very much.

6 MS. BRILL: Okay.

7 COUNCILMAN CLARKE: Ma'am, ma'am.

8 MS. BRILL: Oh, I'm sorry.

9 COUNCILMAN CLARKE: That's all right.

10 MS. BRILL: Yes, Councilman Clarke?

11 COUNCILMAN CLARKE: Hi, how are you today?

12 MS. BRILL: Okay.

13 COUNCILMAN CLARKE: I just want to say
14 that I agree with you a thousand percent. The
15 reality is that I think that individuals who have
16 made the commitment, not speculatively, but they've
17 made the commitment, they've stayed in the City of
18 Philadelphia or are seeking gainful employment
19 should be given that opportunity.

20 I think the reality is that our ability to
21 attract people to the City -- if you talk about the
22 ability to get a City job, I think that's real low
23 down on the list, to be honest with you. The
24 people that left didn't leave because, you know,
25 they weren't able to get a City job; there were a

1 11/28/01 RULES - BILLS 010493, 010509

2 lot of other reasons.

3 MS. BRILL: Many other reasons why people
4 leave.

5 COUNCILMAN CLARKE: And while I understand
6 the concept of increasing opportunities to bring
7 residents into the City, I just think that in this
8 particular case, particularly in those categories
9 where we have a substantial and overabundance of
10 individuals who are already on the ranks, waiting
11 to be hired, waiting to be interviewed, I think
12 that's the wrong way to go.

13 So I want to thank you very much for your
14 testimony.

15 COUNCILMAN KENNEY: Good luck. Let's see
16 what happens in the next ten years when we lose
17 another hundred thousand people.

18 Thank you very much for your attendance.

19 (Proceedings end at 11:32
20 a.m.)

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I HEREBY CERTIFY that the foregoing

proceedings of the Council of the City of

Philadelphia's meeting of the Council Committee on

Rules of Wednesday, 11/28/01, 2001, are contained

fully and accurately in the stenographic notes taken

by me upon, and that this is a true and correct

transcript of same.

RE: Ordinance No.'s 010493, 010509, 010526

_____,
Josephine Cardillo

Registered Professional Reporter
and Notary Public

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