



The State University
of New York

Hearing on Civil Service Workforce and Pension Fund

**Senate Standing Committee on Civil Service and Pension
Chair, Senator Robert Jackson**

**Testimony Provided by Beth Berlin
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October 11, 2023**

Good afternoon Chairperson Jackson, members of the Senate, and legislative staff. My name is Beth Berlin and I am the Chief Operating Officer at The State University of New York. On behalf of Chancellor John B. King, Jr. and the SUNY Board of Trustees, I appreciate the opportunity to participate in today's public hearing.

SUNY recognizes the groundbreaking legacy of our Civil Service throughout State history, as well as the important role that Civil Service employees have within our system. We applaud the efforts you are making alongside Governor Hochul and Senate and Assembly partners to consider strategies to further eliminate barriers and strengthen New York State's civil service workforce.

My testimony today aims to provide you with an overview of the civil service landscape across the SUNY system, share the challenges we face—particularly in areas of workforce shortages—and offer potential solutions.

Overview of Civil Service at SUNY

For consistency purposes, our data is focused on state-operated campuses for this hearing. There are many civil service employees at SUNY's community colleges. However, rules for civil service processes at community colleges vary by their "sponsoring" counties and are not determined by the State.

At state-operated campuses, SUNY has a total workforce of approximately 61,000; included in that number are nearly 16,000 individuals in the classified service represented by the Civil Service Employee Association (CSEA), the Public Employees Federation (PEF), the Police Benevolent Association (PBA), and the NYS Correctional Officers and Police Benevolent Association (NYSCOPBA).

Our classified service employees currently represent 26% of our overall workforce at SUNY's 29 state-operated campuses. These employees perform critical roles in the administration, maintenance, health, and safety of our students, faculty, staff, patients, and facilities.

In analyzing data from the past 10 years, SUNY's overall civil service workforce remained relatively stable between 2014 and 2019. Unfortunately, the COVID-19 pandemic exacerbated hurdles that exist within the system. Since 2019, the civil service workforce at SUNY has become slightly more diverse, but the overall size has declined by nearly 10%. It is important to note that the percentage of decline is driven in many ways by campuses' current inability to identify more eligible candidates or fill vacant positions quickly.

Challenges to Filling Vacancies

It is widely recognized that businesses in almost every industry are experiencing hiring challenges—a concern especially true for entry-level workers. SUNY is no exception, and our teams continue to experience significant challenges in filling critical classified service positions.

The ways that people pursue employment have changed dramatically in recent years, but the current civil service process has not. For example, private competitors and even many local governments are able to offer higher salaries, sign-on bonuses, and on-the-spot hiring at job fairs or through continuous recruitment. Further, knowing that employees expect the hiring process to be simple and move quickly, New York's current process is instead viewed by applicants as cumbersome and time-consuming by comparison.

In recent years, many exams have not been offered at all due to the pandemic. The lack of new exams has exhausted the lists that both agencies and campuses can use to identify candidates. A common concern raised by our hiring managers is that by the time exams occur and scores are issued, candidates have found other employment and do not respond to “canvass” letters gauging their interest.

While campuses may hire “provisionally” when candidate lists are exhausted (meaning the individual can work until the next exam is issued and those who take the test are placed onto a list for eligibility), we have found that candidates are often reluctant to be hired on a provisional basis because there is no guarantee they will take the test, make the list, or ultimately get the job. Understandably, they don’t want to risk passing up existing opportunities elsewhere.

Here are just a few examples of how the lack of exams and candidate lists have affected hiring at SUNY:

- There has not been a new open-competitive Office Assistant 1 civil service exam held since November of 2019. Historically, Office Assistant 1 has served as a feeder position for higher-level positions. Without new individuals being added to the lists, the opportunity to hire has dried up for campuses. At one campus, their last canvass for Office Assistant 1s resulted in them contacting 132 eligible individuals; only two individuals responded to that canvass and neither pursued the position.
- Another campus has not been able to fill many titles, including the titles of Dispatchers and Security Services Assistant 1. An exam for the latter title was held on March 4, 2023, but the list was not made available until July 21, 2023. As of today, no eligible individuals remain on *either* list. The counties nearest to the campus have also eliminated exams for these same titles and, as a result, the campus has approximately 10 vacancies for these two titles that they cannot fill at this time.
- Yet another campus has 10 Office Assistant 1 and related titles, 10 Office Assistant 2 and related titles, 6 Administrative Assistant 1, 6 University Police and Security Specialist positions, and 2 Supervising Janitor vacancies. When these lists were canvassed, most canvasses resulted in no interested candidates. In one instance, just two candidates expressed interest but then declined to be interviewed.

Another common concern, particularly in locations like New York City which have high costs of living and many other organizations looking to hire, is the lack of flexibility over salaries for classified service positions. This is the case for entry-level and in many trades and healthcare titles.

We are very thankful that the HELP program, approved by the Civil Service Commission on December 15, 2022, removed testing requirements for certain critical healthcare positions. It has helped in many areas, but not all. For example, Stony Brook has indicated that they are advertising that a Nursing Station Clerk position is a HELP title and are getting greater interest than typical from potential candidates. Nonetheless, the starting salary for this civil service title is \$5/hour less than is offered at Northwell (Stony Brook Hospital’s biggest competitor).

Similarly, SUNY Upstate Medical University has indicated great difficulty competing with the salaries offered by private companies, school districts, and even other local municipalities for employees in plant utilities and trades titles. At this time, Upstate has several vacant positions that they cannot fill due to salary rates. As a result, they are paying overtime to existing employees in order to cover mandatory

shifts at the hospital at a far greater cost to the institution than the addition of new employees would total.

Lastly on this important point, starting salaries for entry-level civil service employees are not as attractive compared to franchise salaries in many areas, which makes hiring challenging. A few examples:

- The current starting salary for a Grade 5 Cleaner is \$15.49 in Upstate New York.
- By comparison, a Cashier position at Target in the Albany/Colonie area has a starting salary of \$16.00/hour.
- A Warehouse Worker at Amazon in Buffalo has a starting rate of \$17.25/hour.

SUNY has taken every opportunity thanks to Governor Hochul and legislators to increase compensation of civil service employees. For example, we are grateful the Governor and Legislature allocated funding in the SFY2022-23 Enacted Budget to offer one-time bonuses to healthcare heroes, as well as for the recent approvals of salary grade reallocation for our nurses (which has led to higher salaries).

SUNY has additionally worked with our partners in labor to pursue salary differentials, including increased hiring rates and geographic differentials, for critical positions where salaries are significantly below market. Some of these requested differentials have been approved for healthcare titles, and we are pursuing additional opportunities.

Potential Solutions

We thank and applaud the Governor and Legislature for approval of an NYS Salary Study as part of the current budget. That study, of course, will take time. We look forward to working with you to implement its findings as quickly as possible.

Additionally, we respectfully suggest the following items be considered:

- 1) Expand the existing HELP program to include additional entry-level titles. This may include the titles of Office Assistant, Security Services Assistant, and other similar positions that are not in the healthcare field.
- 2) Review all current titles to determine if an exam continues to be necessary for the position and, if not, move more positions (especially entry-level) to a non-competitive basis.
- 3) Eliminate, where possible, testing requirements for positions similar to what is already occurring at local and County agencies.
- 4) Require continuous recruitment exams for in-demand positions, for which applications are accepted on a continuous basis and, therefore, a constantly updated and changing eligibility list is established.
- 5) To ensure a full and diverse workforce in every region, we suggest that:
 - a. Exams that are deemed essential should be held in locations that are easily accessible (based on traditional traffic patterns and public transit routes). For individuals in areas not easily accessible (which includes many SUNY campuses), there should be the ability to take the test online in the same way that the DMV allows for permit tests.
 - b. Exams should be scored and lists made available to agencies and campuses within 30 days. NYS Regents exams are scored from Scantron with short turnaround times. The State can explore that type of technology.

- c. Specifically for Police titles, allow for a transfer from other police agencies without having to take a specific University Police Exam.
- d. Eliminate the current 5-day lag pay policy. Many employees, especially entry-level employees, cannot afford to have 1-day's worth of pay withheld every paycheck for their first 10 weeks on the job. Similarly, the lag between the start date and an employee's first paycheck should be reduced. Employees cannot get to work if, for instance, they cannot afford transit.

In closing, New York State has been a national and global labor leader. Our civil service program has, over its history, helped create unprecedented upward mobility for New Yorkers from all walks of life. SUNY is proud to have played a part in that legacy.

SUNY has offered to partner with Civil Service on providing space for exams that do not interfere with other campus functions and we hope to be able to partner more in the months and years ahead. As you know, SUNY is home to countless resources, and we can also offer everything from data analysis to policy considerations – including how specific policies may affect people of different demographics. Please do not hesitate to call on us at any time for assistance.

We all agree the current civil service structure must be modernized to meet current and future workforce needs. To that end, we are grateful to Governor Hochul, state legislators, OER, our labor partners, and so many more for the actions you have taken, the ideas you have raised, and the opportunities you have offered for potential solutions. I would be happy to answer any questions.