

The LBFC PERFORMANCE REPORT

THE OFFICIAL NEWSLETTER OF THE
PENNSYLVANIA LEGISLATIVE BUDGET & FINANCE COMMITTEE



NLPES

2020 IMPACT AWARD RECIPIENT **Pennsylvania Department of Corrections Overtime Study**

MEMBERS

SEN. ROBERT B. MENSCH,
CHAIRMAN
SEN. JAMES R. BREWSTER,
VICE CHAIRMAN
REP. STEPHEN BARRAR,
SECRETARY
REP. JAKE WHEATLEY, JR.,
TREASURER

SEN. MICHELE BROOKS
SEN. ART HAYWOOD
SEN. KRISTIN PHILLIPS-HILL
SEN. CHRISTINE M.
TARTAGLIONE
REP. AARON BERNSTINE
REP. SCOTT CONKLIN
REP. MARGO L. DAVIDSON
REP. CRIS DUSH

CONTACT

400-A FINANCE BUILDING
PO BOX 8737
HARRISBURG, PA 17105-8737
717.783.1600

FIFTH CONSECUTIVE HONOR...

For the fifth year in a row, the Legislative Budget and Finance Committee was awarded an Impact Award by the National Legislative Performance Evaluation Society (NLPES). The LBFC was recognized for its 2017 report [PA Department of Corrections Overtime Study](#). The Impact Award is presented to legislative offices that produce evaluations or reports that resulted in documented public policy changes, program improvements, dollar savings, or other public impacts.

Senate Resolution 263 of 2016 directed the LBFC to study staffing shortages and overtime costs within the Department of Corrections (DOC), including the costs associated with hiring new employees compared to the cost of paying current employees overtime. The overtime study was released in February 2017 and made several recommendations to reduce overtime costs which were implemented by the DOC. A copy of the full report is linked to the report title above.

The NLPES is a professional staff section associated with the National Conference of State Legislatures that specifically advances the professions of legislative program evaluation and performance auditing.

NLPES UPDATE...

The Professional Development Seminar scheduled for Oct 7-9 in Atlanta that was reported in the last LBFC newsletter has been postponed due to the COVID-19 pandemic. The Atlanta PDS will be rescheduled for 2022.

REPORT RELEASES...

Four studies were completed and released at public meetings during the spring/summer COVID-19 quarantine. The meetings were held via video conferencing technology and were live-streamed online for the public.

On May 4, LBFC released [A Study of the Statutory Cap on the Pennsylvania State Police](#) that found there is a need for additional state troopers and made the following recommendations: 1) expand and renovate the state trooper academy, 2) address ongoing state police funding issues, and 3) eliminate the statutory complement cap. The report was presented by Project Manager Stephen Fickes.



At the same meeting, the LBFC also released [The Impact of Tavern Gaming on the Pennsylvania State Lottery](#). This annual assessment found that in 2019 among the 47 active tavern gaming establishments, tavern games generated \$1.37 million in state and host municipality tax revenue, which has not had a material impact on the State Lottery. The Tavern Gaming report was presented by committee analyst Anne Witkonis.

On June 30, the LBFC released its report [A Study in Response to Act 2019-20: Non-Economic Impacts of Single-Use Container Bans/Fees](#). Act 2019-20 preempted municipalities from enacting bans on single-use plastics through July 1, 2020, and required the LBFC to evaluate the "environmental impact and any impact upon residents of this Commonwealth from any regulation impacting single-use plastics, reusable plastics, auxiliary containers, wrappings, or polystyrene containers." The study found that in the United States, most regulations on single-use plastic bags are a hybrid approach of bans and fees and that a survey of all 2,560 state municipalities showed an even split as to whether plastic bag bans and fees were an effective way of minimizing harmful environmental impacts, and that most respondents found a plastic bag ban, fee, or some hybrid approach as not being very important. Additionally, the report outlines three possible unintended consequences of plastic bag regulations: (1) sanitary concerns with reusable grocery bags (this fact is especially troublesome in the current COVID-19 pandemic); (2) alternatives such as paper bags have greater environmental impacts than single-use plastic bags; and 3) reducing litter is important, but research indicates that single-use plastic bags are not a major source of litter, and moreover, the bags actually have many useful secondary uses, e.g., pet waste disposal. The study was presented by Project Manager Stephen Fickes. Pennsylvania Legislative Services reported on the plastics study at <https://theplsreporter.com/a-mixed-bag-report-finds-municipalities-split-on-banning-plastic-bags-ifo-outlines-economic-effects/>.

Also on June 30, the LBFC released [A Report on Pennsylvania ILEC Broadband Deployment Mandate](#) that was required by SR 2019-48. The report made no recommendations but found that incumbent local exchange carriers (ILECS) met their broadband commitments in a balanced manner throughout rural, suburban, and urban areas to 100 percent of their total access lines in their distribution networks by the selected corresponding deadlines under Chapter 30. The report also found that PUC and Department of Community and Economic Development oversaw the successful administration of the Bona Fide Retail Request program implemented by ILECs, and that no customer refunds were mandated as allowed by Chapter 30 in the event an ILEC failed to meet its broadband commitment, nor were any civil penalties imposed by the PUC as no complaints warranted such actions. The report was presented by Project Manager Jason R. Brehouse.

WEDDING BELLS...

Amid a national emergency, a global pandemic, and a quarantine, happy news can be found at the LBFC. On June 28, LBFC Deputy Executive Director Christopher Latta and his fiancée Brenda Shorter were married. The wedding was kept small with appropriate social distancing. A casual reception was held at a local park with food, dessert, and wine served from neighborhood restaurants and local winery.

Congratulations go out to Chris and Brenda!



REPORTS FROM STAFF HQ...

Since March 13 with the implementation of COVID-19 work restrictions and the closure of state office buildings, the LBFC staff has been working remotely. The week before the closure, the LBFC developed an ad hoc remote work policy to help ease the anticipated transition from regular in-office work to work from home. All staff now have LBFC-issued laptops to accommodate remote work and the LBFC arranged with LDP to provide remote computer access to in-office LBFC desktops and online files. Staff also accesses voicemail remotely. The Executive Director or Office Manager regularly

checks the physical mail and picks up checks from Treasury. Other staff go into the office as necessary, usually to print documents. While the staff has been advised to continue to work from home until further notice, the LBFC has developed and distributed a return to work policy that includes some staff continuing to telework full time and other staff combining in-office attendance and telework.



DIGGING DEEPER...


2017 PA DEPARTMENT OF CORRECTIONS OVERTIME STUDY.

As reported on page 1, LBFC's 2017 PA Department of Corrections Overtime Study was awarded an NLPES Impact Award. Current LBFC Executive Director Patricia Berger served as Project Manager on the study and worked with former LBFC analysts Louis Day and Randy Mortimore in undertaking the report. A more detailed review of the methodology and results of that report follow below.

To conduct the study, the team met with staff of the Department of Corrections (DOC) for a review of agency operations, facilities, and

personnel; analyzed department data related to filled and vacant security officer positions, use of leave and costs associated with training and overtime; reviewed collective bargaining agreements and arbitration decisions to understand the processes and requirements for assigning overtime; and conducted a staffing analysis to determine the level of security staff needed to minimize overtime hours. They toured two State Correctional Institutions (SCIs) and analyzed DOC-identified other states' inmate populations, security staffing levels, and inmate-to-security-staff ratios and compared them to Pennsylvania. They reviewed Department of Justice data for national trends, and other literature related to corrections staffing and staffing issues.

The team found: 1) the number and cost of security hours increased despite a decline in inmate population; 2) rising demands for inmate medical and mental health services increased the need for security hours; 3) vacancies were the primary cause of overtime and DOC manpower surveys underestimated the number of correctional officers needed; 4) DOC would have saved \$16.2M in net wages if fully staffed during FY 2015-16; 5) the 2014 hiring freeze cost the DOC \$4.6M in FY 2014-15 and \$9.1M in FY 2015-16; 6) overtime increased the Final Average Salary (FAS) resulting in higher pension costs; and 7) oversight of work hours was not consistent among the SCIs. The report recommended the DOC: (1) avoid imposing hiring freezes on security staff; (2) include medical transports and hospital posts when calculating staffing needs; (3) use their consultant's analysis of SCI activities and an updated relief factor to develop staffing requirements for new and existing facilities; (4) require SCIs to consistently develop overtime justification reports on a monthly basis as a method to inform future staffing decisions and address developing overtime problems; and (5) require consistent and uniform use of a time tracking system to ensure more accurate timekeeping and greater oversight.



Legislative Budget and Finance Committee
A JOINT COMMITTEE OF THE PENNSYLVANIA GENERAL ASSEMBLY
Offices: Room 400 Finance Building, 613 North Street, Harrisburg
Mailing Address: P.O. Box 8737, Harrisburg, PA 17105-8737
Tel: (717) 783-1600 • Fax: (717) 787-5487 • Web: <http://lbfc.legis.state.pa.us>

**PA Department of Corrections
Overtime Study**

Conducted Pursuant to Senate Resolution 2016-263

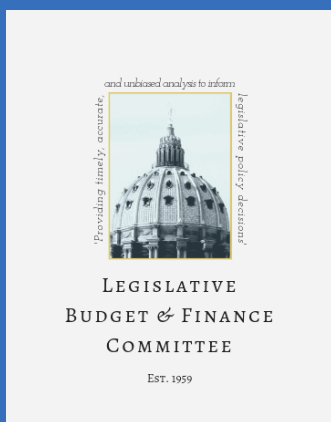
SENATORS
ROBERT B. MENSCH
Chairman
JAMES R. BREWSTER
Vice Chairman
MICHELLE BROOKS
THOMAS MCGARIGLE
CHRISTINE TARTAGLIONE
VACANT

REPRESENTATIVES
ROBERT W. GODSHALL
Secretary
JAKE WHEATLEY
Treasurer
STEPHEN E. BARRAR
JIM CRISTIANA
SCOTT CONKLIN
PETER SCHWEYER

EXECUTIVE DIRECTOR
PHILIP R. DURGIN



The mission of the Pennsylvania Legislative Budget & Finance Committee is to provide members of the Pennsylvania General Assembly timely, accurate, and unbiased information, analysis, and performance evaluation to inform their policy decisions.



<http://lbfc.legis.state.pa.us/>



ONGOING PROJECTS...

Act 2018-90: Requires a study and evaluation of grants by the Pennsylvania Department of Health under the state's Organ Donor Trust Fund

HR 507: A study analyzing the current Pennsylvania health and human services hotlines and their cost to the Commonwealth

Act 1995-1/17: A study of the adequacy of fees charged in the PA Instant Check system for firearms purchases

Act 2019-107: A financial analysis of the Pennsylvania Game Commission

HR 515: Requires the LBFC to conduct a comprehensive study of changes in access to county-managed community health services between fiscal years 2010 through 2018

Act 2016-20: Requires LBFC to conduct a study of certain patient outcomes when using lay caregivers

LBFC STAFF

PATRICIA A. BERGER, EXECUTIVE DIRECTOR
CHRISTOPHER LATTA, DEPUTY EXECUTIVE DIRECTOR
LAUREN BORDNER, OFFICE RESOURCE MANAGER
STEPHEN FICKES, PROJECT MANAGER
JASON R. BREHOUSE, PROJECT MANAGER
RICK K. JONES, COUNSEL
ANNE M. WITKONIS, ANALYST
AMY HOCKENBERRY, ANALYST
SHANIKA MITCHELL-SAINT JEAN, ANALYST
STEVI SPRENKLE, ANALYST
JOSEPH ASARE, ANALYST
REBANTA MUKHERJEE, ANALYST
TOMEKA JENRETTE, RECEPTIONIST