

**Minutes of Proceeding**  
**Contracted Employee Services Public Hearing - AGENDA # 0004**  
**Hearing: Thursday, August 27, 2009**

Good morning everyone. My name is Anthony Bucci and I am the State Personnel Administrator and I am employed at the Rhode Island Department of Administration. At this time, I would also like to introduce the State Budget Officer, Rosemary Booth-Gallogly who is also employed at the Rhode Island Department of Administration and to my left Ms. Brenda Brown who is my Administrative Officer.

We are here today to conduct a Public Hearing on behalf of Gary S. Sasse, Director of the Department of Administration, involving contract employee services working under state employee supervisors. This hearing is being conducted in accordance with the provisions of Article 1, Section 11 of the 2010 Fiscal Year Appropriations Act. This Act is contained in the 2009 Public Laws in Chapter 068.

Specific proposals are contained in Public Hearing Agenda # 0004. Copies of the Agenda are available if anyone needs a copy.

For the record, today is Thursday, August 27<sup>th</sup>, 2009 at 9:05 AM. Notice and the attached Agenda for this Public Hearing was hard copy posted on Thursday, August 20<sup>th</sup> on each of the five (5) floors within the Department of Administration, at the State House Library and filed electronically with the Secretary of State. Further, as a courtesy on Friday, August 21<sup>st</sup>, the Notice and Agenda were electronically forwarded to labor union officials, and state agency managements.

In terms of statutorily required process, it is important to note that all comments are being "recorded" and this record shall be reviewed by the Director of the Department of Administration, the State Budget Officer and the State Personnel Administrator. Subsequently, after the expiration of a fifteen (15) calendar day waiting period required by law, a final decision will be made on the proposed items by the Director of Administration and that decision will be implemented.

The purpose of this public hearing is to seek public comment on proposals for services in program areas primarily funded by federal dollars. The proposals have been forwarded by three (3) state agencies including the Department of Health, the Department of Public Safety – RI State Police and the Department of Transportation.

The first major category of services proposed include those that are 100% federally funded. There are two (2) subcategories. The first includes:

1. H1N1 medical/health emergency response services within the Department of Health. These services will be provided through the provision of supplemental federal funding that is earmarked specifically for emergency response in the face of the pending H1N1 flu virus threat; the second subcategory includes:
2. Public safety/law enforcement services within the organizational umbrella of the Department of Public Safety and the RI State Police. These services are Stimulus Program funded.

The second major category of services proposed include those that are 80% federally funded with 20% funding being provided through the Bond Capital Fund. Within this category, there are four (4) subcategories providing "seasonal staff augmentation" within the Department of Transportation. These include:

1. Construction & Maintenance inspector services
2. Materials inspector services
3. Record keeper services
4. Apprentice inspector services

Because the purpose of this Hearing is to specifically allow for public comments, as I walk through the Agenda, I will stop at specific intervals and open up the floor for those wanting to make a public comment on the record.

If you wish to make a comment on any of the proposed agenda items, I ask that you please speak loud enough in order to make certain that the recorder here in the front of the room can accurately record your comments. Also, please identify yourself for the record and if you are representing an organization please identify that organization. Finally, if you have any "written comments" you are welcome to provide a copy.

As I proceed through the Agenda, I will identify items being proposed by each agency by service title including the maximum number of hours proposed within that service title. Subsequently, those of you choosing to provide public comment may do so.

Please turn to page one (1) of the Agenda.

The **first section of the Agenda** includes proposals forwarded by the **Department of Health** surrounding the pending public safety threat of the H1N1 flu virus. These include:

1. Sixteen (16) "Emergency Response Specialist"(s) two (2) of which are being proposed with 140 hour caps with the remaining 14 being proposed with 1,820 hour caps.
2. One (1) "Pharmacist" being proposed with a 140 hour cap.
3. One (1) "Physician" being proposed with a 140 hour cap.
4. One (1) "Laboratory Specialist" being proposed with a 1,820 hour cap.
5. Four (4) "Program Assistant I"(s) all of which are being proposed with 1,820 hour caps.
6. Three (3) Program Assistant II"(s) all of which are being proposed with 1,820 hour caps.
7. One (1) "Surveillance Specialist 2" with a cap of 1,820 hours.

**Bucci:** Are there any comments on the items being proposed by the Department of Health?

**Bucci:** Mr. Downey.

**Public Comment: J. Michael Downey, President of Local 528 at URI and Statewide President of Council 94 - AFSCME**

My comment would be that I would hope that Director Sasse in doing this would consider that we represent employees that do this work and during these tough economic times, we would hope that you would at least consider having state employees who are now being talked about being sent home, do the work, rather than have contractors come in to do the work we normally perform. We hope that the Director would consider that when reviewing this proposal.

**Bucci:** Thank you Mr. Downey. Are there any other comments? Mr. Lombardi.

**Public comment: Salvatore Lombardi, President of Local 2884, AFSCME – Council 94:**  
That was essentially what I was going to state (Mr. Downey's statements) in my testimony.

**Bucci:** Thank you Mr. Lombardi. Are there any additional comments on the items being proposed by the Department of Health? Hearing none, the record will reflect that there are no additional public comments. Therefore, I will move to the second section of the Agenda.

The **second section of the Agenda** beginning on page 4 includes proposals forwarded by the **Department of Public Safety - Rhode Island State Police**. These include:

1. One (1) "Computer Forensic Analyst" being proposed with a cap of 2,080 hours.
2. One (1) "Grants Project Specialist - 2400" being proposed with a cap of 2,080 hours.
3. One (1) "Intelligence Analyst" being proposed with a cap of 320 hours.
4. One (1) "Cyber Terrorism Program Manager" being proposed with a cap of 840 hours.
5. One (1) "Basic Training Officer" being proposed with a cap of 1,820 hours.
6. One (1) "Curriculum/Assessment Coordinator" being proposed with a cap of 1,820 hours.

**Bucci:** Are there any comments on the items being proposed by the Department of Public Safety - Rhode Island State Police?

**Bucci:** Sergeant Killian.

**Public comment: John Killian, Detective Sergeant – RI State Police:**

There are just some clarifications that I'd like to add to make sure that our information is correct (on the Agenda). The "Computer Forensic Analyst" is an ADIL position. My calculation of the annual salary is \$74,880 (\$87,380 with administrative fee of 16.7%), and the rate is \$42.01 per hour including the overhead per ADIL. Related to the "Grants Project Specialist – 2400", again, I could be off on this calculation but the yearly salary for that is \$49,920 (\$58,260 with administrative fee of 16.7%). These are all 40 hour work weeks. And lastly, the "Cyber Terrorism Program Manager" is Department of Homeland Security funded, not Stimulus (funded). It is 40 hours per week for the year and the dollar figure is \$29.82 an hour, which is \$62,025 (\$72,384 with administrative fee of 16.7%) per year. All of these grants are funded through 3/31/2012.

**Bucci:** Thank you very much (Sergeant Killian). Mr. Lombardi.

**Public comment: Salvatore Lombardi, President of Local 2884, AFSCME – Council 94:**

I only have only one comment. I was wondering if these positions were going to be subject to the twelve (12) "Lock Out" days like the rest of the state employees...not only the State Police positions but all positions within this package.

**Bucci:** Our intention is to shut down all services on those "Shut Down" days.

**Bucci:** Are there any other comments?

**Public comment: Michael Winquist, Detective Sergeant – RI State Police:**

In reference to the "Intelligence Analyst" position, it is a Department of Homeland Security 100% funded position. It is not Stimulus funded as indicated in the spreadsheet (in the Agenda). I just wanted to clarify that. Secondly, the salary appears to be incorrect. It indicates \$9,337.00. The salary for that position is \$25.00 per hour, \$52,000 (\$60,694 with administrative fee of 16.7%) per year before adding the fee for the ADIL Business Systems. The position is a forty-hour a week position and the hours should be capped at 2,080 not 320 as indicated on the spread sheet.

**Bucci:** Thank you very much. Are there any additional comments on the items being proposed by the Department of Public Safety - Rhode Island State Police? Hearing none, I will move to the third section of the Agenda.

The **third section of the Agenda** beginning on page 5 includes proposals forwarded by the **Department of Transportation** involving seasonal services required during peak construction cycles. These include:

1. The service category of "Construction & Maintenance Inspector – Level I" with a maximum cap for services of 20,240 hours.
2. The service category of "Construction & Maintenance Inspector – Level II" with a maximum cap for services of 7,040 hours.
3. The service category of "Record Keeper" with a maximum cap for services of 1,760 hours.
4. The service category of "Materials Inspector – Level I" with a maximum cap for services of 880 hours.
5. The service category of "Materials Inspector – Level II" with a maximum cap for services of 19,360 hours.
6. The service category of "Materials Inspector – Level III" with a maximum cap for services of 2,640 hours.
7. The service category of "Apprentice Inspector" with a maximum cap for services of 5,280 hours.

Are there any comments on the items being proposed by the Department of Transportation?

**Public comment: Mazen Alsabe, Vice President, International Federation of Professional & Technical Engineers, Local 400:**

We think that all of these jobs should be state employees. Our major concern is using stimulus money to create state jobs that continue as opposed to seasonal jobs. I would like to know the impact of this on the pension system. Is there a payment for the pension system? (inaudible)

**Bucci:** This hearing is specifically structured so that public comment can be made on these proposals. I do not know the details surrounding the impact on the pension system.

**Vice President Alsabe continues:** ...and the union...we have an agreement...an understanding with Mr. Steve Johnson (Johnston) and we agreed that if any hiring of any temporary work there would be an agency fee paid in accordance with how it has been paid with Council 94...and if those positions continue more than 2010, those positions would turn into full-time positions...and what is the available pool of certified inspectors --- (inaudible)--- is there enough of required people to do---(inaudible)...is there enough?

**Bucci:** Again, I have to apologize, but this hearing is specifically structured for public comment so if you have a challenge or want to make a factual statement on the record we welcome your input.

**Vice President Alsabe continues:** ...the union statement is that the "Coastal" (vendor) pays a much lower rate for example the Level I Inspectors are at \$45.00 an hour and a full-time state employee with benefits would cost about \$25.00. (Inaudible)...The state would have much more savings by having full-time state employees.

**Bucci:** Thank you. Are there any other comments?

**Public comment: Chuck Alves, Deputy Director, Department of Transportation:**

Thank you for giving me the opportunity to provide some comment. First of all, I just want to tell why this MPA is needed. It's part of the Stimulus Package. Our program has almost double and there will be spikes in our program throughout the year. So what we're proposing to do is when those spikes hit, we will hire these temporary workers. These temporary workers will not work during the winter shutdown and as such when we do the overall calculation...it makes it cheaper to go this route than to hire temporary (state) employees. Just for the record in hearing the comments from the union, we did sit down with the President of the union and we committed to the President and actually did reduce the number in our original request by twenty (20). So that we would hire twenty (20) union state workers within our existing FTE cap. So I'm kind of surprised at the comments that I'm hearing today because we did meet the President of the union to express the need for this program.

**Bucci:** Thank you Mr. Alves.

**Bucci:** Are there any additional comments on the items being proposed by the Department of Transportation? Hearing none, the record will reflect that there are no additional public comments.

Are there any other comments that anyone wishes to make?

Hearing none, it is now 9:20 AM and this Public Hearing is adjourned.

Thank you for taking the time to attend.

Respectfully submitted,

/s/ Anthony A. Bucci

Anthony A. Bucci  
State Personnel Administrator

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