

Legislation Details

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TO THE PRESIDENT AND MEMBERS OF THE
 COUNCIL OF THE CITY OF PHILADELPHIA:

I am hereby returning without my signature Bill No. 200363, which was passed by Council at its session on June 25, 2020. The events of this summer, beginning with the tragic death of George Floyd in Minnesota this May, the appalling shooting of Jacob Blake in August, and many more devastating encounters, have laid bare the dire need for police reform both nationally and locally. This context is initially what gave rise to Bill No. 200363. Both this esteemed body and I agree that addressing residency requirements for public safety officers in our City is a crucial part of the police reform we all want to see. Some aspects of this issue are subject to the collective bargaining agreement that must be negotiated with the Fraternal Order of Police (FOP). To that end, I have committed publicly to negotiate against the residency waiver available to officers after their fifth year of service during our next contracting round with the FOP. That is also why my administration testified in support of Bill No. 200364, which requires a public hearing prior to the City's submission of its initial bargaining proposal, at its hearing before the Public Safety Committee in June of this year. However, to sweep up all civil service positions, including non-police, in this push is an overly broad and irresponsible approach. It is also wholly unnecessary. Nearly 85% of all civil service positions are already being filled by City residents, which shows that instead of solving a problem, extending this pre-hire requirement to non-police civil service positions actually creates problems where none previously existed. With the instant bill, this Council is arbitrarily erecting obstacles in the City's path as it attempts to fill positions in a timely and efficient manner. Make no mistake, when City departments are unable to efficiently hire and therefore perform their functions in an optimal manner, the impact is felt by the residents that we have all dedicated ourselves to serve. To dismiss this concern by merely citing the waiver provision is an oversimplification of that process and creates additional roadblocks and hurdles that must be overcome in order to fill crucial positions in a timely manner.

It should also be noted that although residency requirements at the time of appointment or within a certain amount of time of appointment are fairly common, pre-hire residency requirements are rare. Of 14 counties in the tri-state area reviewed, only 2 have pre-hire residency requirements. Of 15 major cities across the country, only one has a pre-hire residency requirement. None of the other 9 largest cities in the nation have a pre-hire residency requirement. Allowing to stand the current requirement of residency within six months of appointment does not mean that we think Philadelphia residents are any less capable, it is simply an acknowledgement that certain roles end up being more difficult to fill than we can sometimes anticipate and therefore more flexibility in our hiring practices is needed than the current legislation allows.

For these reasons, I am returning without my signature, Bill No. 200363.

Respectfully,

JAMES F. KENNEY
 Mayor

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