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Testimony to New York State Senate  
Committee on Civil Service and Pensions  
Public Hearing on Civil Service Workforce and Pensions  
October 11, 2023

Chair Jackson and members of the Committee, thank you for the opportunity to present written testimony on the impact of staffing shortages and difficulties with the Civil Service hiring system on service delivery from government agencies in NY State.

My name is Steve Strauss, and I am the Executive Director of the Empire State Passengers Association. ESPA is a statewide advocacy organization working for better intercity passenger train service in New York and adjoining states. We also have parallel interest in downstate commuter rail service and local transit statewide.

The Infrastructure Investment and Jobs Act (IIJA), passed by the Congress in November 2021 and signed into law by President Biden has given states a once in a generation opportunity to repair and rebuild our transportation infrastructure. The bill provides \$350 billion for road, highway and bridge repairs and improvements along with \$66 billion for intercity passenger rail investments (\$22 billion goes to Amtrak and \$44 billion goes to states) over the next five years. Additional funding is available for public transit and other transportation needs.

ESPA has serious concerns that the New York State Department of Transportation will not be able to take full advantage of the funding offered by the IIJA due to staffing shortages. While ESPA does not have detailed knowledge of the particulars of DOT's staffing shortages, we can tell the Committee that the Freight and Passenger Rail Division, along with other Divisions in the agency, lost headcount over many budget years and was not allowed to recruit for and fill vacant positions for many years under the prior administration.

New York is competing with other states for up to \$44 billion in *discretionary* grant funding for intercity passenger rail service improvements. While the rail engineering division was aggressive in submitting projects for the FY22 tranche of funds, we are not sure they have the resources to make similar requests over the next four federal fiscal years.

A similar risk exists for highway and bridge projects. While the funding for these programs is a combination of formula and discretionary funding, so a significant portion of these funds are already flowing to NYS DOT, it remains unclear whether the agency has enough staff to process the funding, design, advertise and award the construction contracts and then adequately supervise the construction.

The staffing and capacity problem has not gone unnoticed by federal funders. Federal Railroad Administrator Amit Bose has publicly stated that state DOTs need to increase staffing and capabilities to apply for and implement the intercity passenger rail funding opportunities to them.

While we know that the State uses outside engineering and architecture firms to assist them, this is an expensive way to do the work and prevents the accumulation of important institutional knowledge.

The Committee heard from several parties in oral testimony on October 11<sup>th</sup> pointing out the many difficulties with our outdated civil service system. New York does not recruit new employees in the same way that many of their state and city competitors do. Job descriptions specific to the agency's transportation positions are not posted and the agency must hire from more generic engineering or planning job postings. Little mention is made of the full package of benefits available to state employees.

There are never job descriptions posted for managerial openings at NYS DOT. The Assistant Commissioner of Policy & Planning position has remained unfilled and unadvertised for over a year. While the bureau chiefs reporting to this position that ESPA interacts with are fully advancing their programs, at a time when billions of dollars of new transportation funding is available, they need the support and assistance of an Assistant Commissioner helping them at senior levels in the agency.

The State needs to further review starting salaries and full compensation packages to determine if they are competitive with private sector engineering firms. Applicants must be informed about the defined benefit pensions,

something that no longer exists in the private sector, and the generous health care plans, personal leave days and vacation days, too.

It is critical that the Legislature identify the problems preventing state agencies from filling authorized positions and enacting legislation to remove antiquated practices hinder our human resource departments. The state's citizens expect state agencies to have the resources and the management to deliver the promises of their missions. ESPA hopes that the State Senate will act to resolve many of the problems identified at these hearings.

A handwritten signature in blue ink that reads "Steve Strauss". The signature is written in a cursive, flowing style.

Steve Strauss  
Executive Director

*The Empire State Passengers Association is a statewide intercity passenger rail advocacy organization working for faster, more frequent and more reliable trains in New York and adjacent states. We have parallel interests in downstate commuter rail and local transit everywhere. Find us on the web at [www.esparail.org](http://www.esparail.org)*