

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120**

**Diversity Policy Statement Revision of
52 Pa. Code §§ 69.801-69.809**

**Public Meeting held August 3, 2023
3038267-LAW
Docket No. M-2023-3038267**

STATEMENT OF COMMISSIONER KATHRYN L. ZERFUSS

Before the Commission today are proposed amendments to our existing Diversity Policy Statement, 52 Pa. Code §§ 69.801-69.809. These proposed amendments ensure that the Policy Statement is consistent with our recent Diversity Reporting Regulations, 52 Pa. Code §§ 51.11-51.13.¹ I would like to thank Chairman Gladys Brown Dutrieuille for her leadership in updating the Diversity Policy Statement in 2020 and in finalizing the Diversity Reporting Regulations in 2022.

The Diversity Policy Statement also retains important, existing provisions that recommend major jurisdictional electric, natural gas, water and wastewater utilities and major telecommunications utilities incorporate diversity into their business strategies in relation to their employment practices and the procurement of goods and services.

Some of these provisions include the following:

- Encouraging utilities to establish diversity programs by implementing a corporate policy focused on improving diversity in the workplace and within the procurement process; developing a corporate-wide diversity program with yearly goals and objectives; and training and appointing utility managers to successfully implement diversity initiatives in employment and contracting for goods and services.
- Recommending that utilities develop a diversity program to ensure that minority/women/persons with disabilities/LGBTQ/veteran-owned businesses have an equal opportunity to compete for, and receive a fair proportion of contracts for, the purchase of equipment, supplies, services, fuels, materials,

¹ On April 14, 2022, the Commission voted to adopt regulations requiring regular reporting on diversity programs and efforts by major jurisdictional utilities providing electric, natural gas, water, and wastewater services. The Diversity Reporting Regulations were enacted upon publication in the Pennsylvania Bulletin, at 52 Pa. B. 5934, on September 17, 2022.

construction, professional services, advertising, and other similar products and services.

- Encouraging utilities to establish substantial, verifiable plans for using minority/women/persons with disabilities/LGBTQ/veteran-owned businesses and to establish minimum improvement levels for each major product and service category that provides these businesses with opportunities for procurement.
- Encouraging each major jurisdictional utility and each major telecommunications utility to establish and maintain a subcontracting program for its prime contractors to use minority/women/persons with disabilities/LGBTQ/veteran-owned businesses as subcontractors.

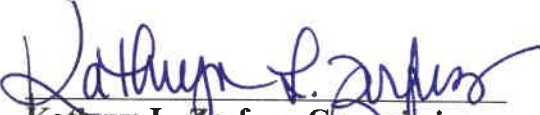
These Diversity Policy Statement provisions, coupled with our Diversity Reporting Regulations, provide this Commission with valuable insight into the efforts utilities are making to attract the labor force, including the labor force generated through contracts and subcontracts, that is essential to providing safe, reasonable, efficient, and reliable service. Utility diversity programs can successfully leverage untapped talent pools in this time of increased utility workforce retirements, further supporting workforce development plans. Pennsylvania's jurisdictional utilities, as regulated monopolies, have distinct ties to their communities and are in a unique position to hire employees, contractors, and subcontractors that are representative of the communities they serve. The utilities' diversity programs impact and strengthen the relationships between utilities and the customers that live and work in their communities and, ultimately, the way customers are served. I commend the utilities for filing their first annual diversity reports in March of this year, and I encourage them to continue with their diversity efforts.

Moreover, I appreciate the leadership of Governor Shapiro and his administration in creating the Commonwealth Workforce Transformation Program this week, which among other achievements, will assist Pennsylvania in growing its diverse workforce by using the federal investments of the federal Infrastructure Investment and Jobs Act of 2021, Pub. L. 117-169 (IIJA), and the federal Inflation Reduction Act of 2022, Pub. L. 117-169 (IRA), to create "good jobs with family-sustaining wages and equitable pathways to these good jobs for workers from all communities."² I appreciate the diversity and workforce equity actions of the Shapiro Administration, and I am excited for the Commission to engage in actions that continue to grow our diverse workforce here. As one of the heads of an independent state agency, I strongly believe that now is the time for this Commission to evaluate itself to understand if we are moving the needle to attract diversity of thought and diversity of perspective and to celebrate and support peoples' differences. It is critical for us to be self-aware and mindful of our actions so that we can be an employer of choice and attract and maintain a strong workforce to ensure that

² See Executive Order 2023-17 – Commonwealth Workforce Transformation Program (the purpose of which is to coordinate the distribution of the IIJA and IRA monies available for workforce development and on-the-job training through a grant program distributed through the various state agencies that receive such federal funding).

Pennsylvania residents and businesses are receiving safe, reasonable, efficient, and reliable utility service.

DATE: August 3, 2023



Kathryn L. Zarfuss, Commissioner