

What is Civil Service?

Mass.gov defines Civil Service as a government agency designed to provide fairness in the public sector, in entry level hiring, promotions, (including bypass in rank), demotions, (layoffs) and discipline/ (which includes suspensions and terminations), but not letter of reprimand. The Civil Service website under Mas.gov states that Civil Service strives to recruit a qualified diverse labor force and evaluate current and potential employees desiring a career in public safety, you fill jobs in agencies and municipalities across the Commonwealth.

The Commonwealth is made up of 39 cities and 312 towns. Out of these 351 cities and towns, right now 140 Law Enforcement agencies are currently under Civil Service, and 31 have opted out of Civil Service. The remainder of towns did not serve under civil service laws, 171. These towns are rural and may only have part-time officers or patrolled by the State Police.

Civil Service key points:

- Children of police officers/firefighters killed in the line of duty go to the top of the Civil Service eligibility list
- Children of police officers/firefighters permanently disabled in the line of duty go to the top of the Civil Service eligibility list.
- Disable Veterans and Veterans with residence preference (i.e. live in Swampscott) are next on the Civil Service eligibility list. Military personnel deployed at the time the test is scheduled, can make up the test at another time.
- People with residency (Civil Service requires a person to have lived 1 year in a city or town they claim residency in) In Swampscott PD, 18 officers live in the town they serve right now. Many are having been coaches or have served on committees. Others have family still living in this town. Which shows outside of work, officers have a personal connection to this community and the residents that we serve. Living

every moment, as if they are still wearing their uniform (i.e. parents at sporting events asking you for help, neighborhood issues, and many more examples) With non-civil service applicants can be from any committee and have a “punch the clock” attitude. Work is over when they leave and return to their city or town.

-Testing is fair and open to any person of required age to take the test. If a person cannot afford the payment for the test, the payment can be waived by Civil Service

-Under Civil Service when someone takes the entry level exam, they can request the city/town they live in, State Police, MBTA, and other cities/town list. (when choosing other cities/towns the applicant goes below all people with residency.

-Hiring candidates through the civil service system removes Nepotism within the department and collusion with applicants. Without Civil Service hiring protection, the hiring process can be manipulated quite easy by political representatives of the town who maybe focused on their own personal agendas.

-If an applicant is bypassed for employment and was the next to be hired, under civil service that applicant can appeal to Civil Service on the bypass and has a right to a hearing on why they were not hired. Civil Service can find in favor of that applicant, and that applicant will be the next hired when a position is available.

-Civil Service allows for cities and towns to request a selective certification under Personnel Administration Rule (PAR).08, The department would need to indicate what type of need is required and provide data to support the request and show the need. (ie a selective certification based on gender, a specific language fluency or EMT can be requested. A request for a minority list can be requested, but the department must show past discriminatory practices and admit to discrimination during the hiring process, which to my knowledge the

department would not be able to show discrimination during the hiring process.

- Under Civil Service this same process applies to promotions within the department

- Promotional Testing within the departments is done through Civil Service. (see example of test notices and what it is like for officers to prepare) Non-Civil Service departments administer their own form of test. In Rowley PD, promotional exam test questions were "leaked out" to certain officers.

(ie https://www.newburyportnews.com/news/local_news/rowley-police-officer-sues-chief-two-others/article_06dc10ca-568c-560c-b37e-90a405ea5c33.html)

- Civil Service protects firefighters and police officer that are laid off, with those officers being placed on a Lay Off List and can work for another Civil Service City or Town that has an opening in their department. The officer laid off has the first right to his/her job back at the PD they were laid off from. Under a non-Civil Service department, if you get laid off, you have no job.

- Once an officer or firefighter is sworn in under civil service, they are sworn officers until they leave the department. Under non-Civil Service Departments, officers are required to be sworn in every 1 to 2 years, and if you are not allowed to be sworn in, you are terminated.

Civil Service serves a proven system of checks and balances that has served this community and many others well. Is Civil Service perfect, no. Is there room for improvement in the system and within our departments, yes, but removing Civil Service is not the answer. Ask yourself this, if to become more diverse is the towns reason to remove the police and fire departments from civil service, then why is there no diversity in our other departments/agencies within the town that are not covered under Civil Service.

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