



Departing Civil Service

Presentation by:

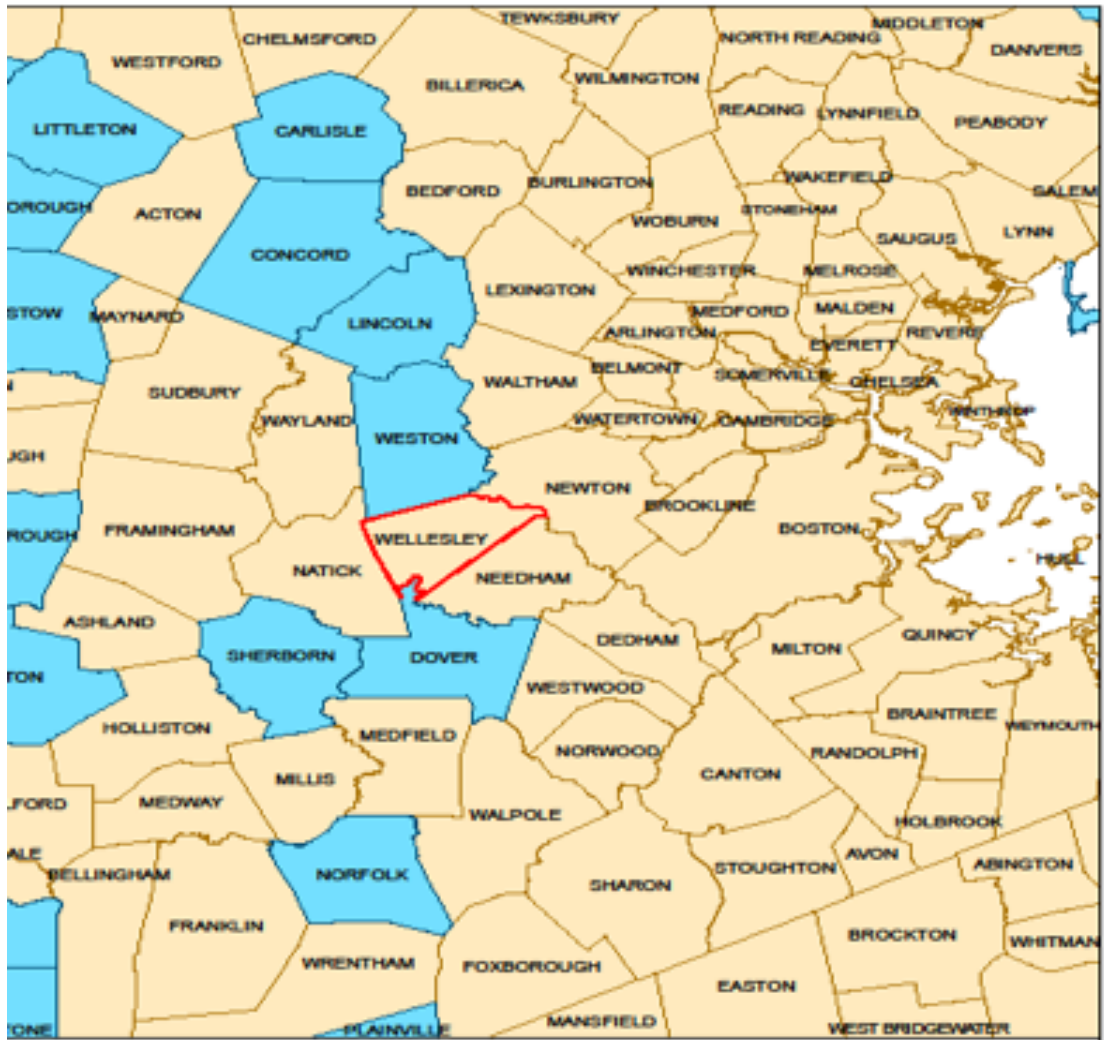
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Wellesley Police Department

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Massachusetts Civil Service is a unit within the states Human Resources Division (HRD)

- The testing of job applicants, or of current employees seeking promotion, is conducted by the Civil Service Unit of the commonwealth's Human Resources Division (HRD).
- The state's Civil Service Commission handles appeals from employees who have been disciplined or bypassed for promotion, and from applicants who have been bypassed for employment.



Departments Civil Service System

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March 17, 2010





Civil Service Is Outdated

- The primary purpose of civil service when the Massachusetts legislature enacted the civil service, “Merit System”, in 1884 was to protect hiring and discipline from patronage and political interference.
- Today we have comprehensive policies and collective bargaining that afford these protections.

“The civil service system in Massachusetts is no longer up to the important task of helping government recruit and hire the most talented Personnel.”



Outdated Continued

- Civil Service is no longer certifying appointments or promotions.
- Their minimal entrance and promotional standards are a high school education or GED, Mass drivers license.
- Absolute preferences are given to disabled veterans, veterans and children of deceased or severely injured officers.



Two Questions

Do we even need civil service laws to stop patronage hiring, or to ensure that police and fire hire the most qualified people?

Are we actually enjoying the worst of both worlds: patronage *and* the negative consequences of a cumbersome merit system?



Potential Concerns

- Police officers might make judgment decisions based on political pressure.
- Morale problems might result from having some officers under Civil Service with others not.
- Risk of non-reappointment if contract lapses without a successor agreement in place.
- Policies and practices of the department and Town require and support the professionalism of police officers.
- Non-Civil Service officers have adequate protections through the union contract.
- Discipline, including termination, must be based on just cause.



Benefits to the Town

- Removing the town from Civil Service allows for greater flexibility within the hiring and promotional process.
 - Towns would not be required to hire from an existing lay off list.
 - The department can determine the expiration date of the hiring and promotional lists.
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Benefits Continued

- The police/fire department can set minimum eligibility guidelines not allowed under Civil Service such as higher education levels.
- The town and the department can determine what hiring preferences they want to acknowledge (residency, military experience, Paramedic/EMT certifications, language proficiency, prior academy training).



Benefits Continued

- Instead of the candidate ratio of $(2N+1)$ departments would have a much larger candidate pool to select from.
- Departments can diversify their workforce without jumping through the hurdles civil service presents when asking for a specialized certification.



Benefits Continued

- Departments can recruit educated candidates from colleges to take their exam.
 - Flexibility to hire lateral transfers or reinstatements.
 - New officers without civil service status cannot transfer to a civil service department potentially reducing turnover.
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Benefits Continued

- Ability to incorporate community and department specific criteria into promotional exams.
- Ability to offer promotional exams that more accurately gauge an officer's suitability to become a supervisor.



Benefits Continued

- Attributes beyond test score, such as work product, contribution to the community and performance evaluations would factor into promotions.
 - Ability to mandate a probationary period for promotions.
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Benefits Continued

- There are many companies that provide entry level exams for police/fire departments with little to no cost to the town.
- The exam score or rank does not have to be the determining factor for who the department interviews and hires.



Benefits Continued

- Current employees retain their civil service status, thus retaining their right to appeal discipline to the Civil Service Commission.
- Most employees that have been disciplined opt for their cases to be heard by an arbitrator rather than the commission.
- Under most contracts discipline, including termination, must be based on just cause.



Process

- Talk to the unions openly and often.
 - Yes, it may be worth something.
 - Careful not to insult anyone.
 - Involve unions in policy development.
 - Hold an “information session”
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Process (cont.)

- You come out the way you went in. (MGL Ch 4 s. 4B)
 - Existing civil service promotional list?
 - Have a new system before you jettison the old one.
 - Go to Town Meeting with the bugs worked out.
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Hiring

- Give your own exam
 - Make it pass/fail (don't create a new civil service)
 - The Recruit Candidate Information Form.
 - Online assessment of semi-finalists.
 - Your screening team.
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Promotions

- Test on Policies, Town By-Laws, Regulations
 - Specify MGL's
 - Passing Score: 75% (Appeal Process)
 - Assessment Center & Interview
 - Require college degree?
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Promotion Criteria

- Job related experience;
- Performance evaluation;
- Supervisory evaluation of the employee's potential;
- Score on promotional exam;
- Sick leave record;
- Formal education;
- Training and education through career development;
- Disciplinary record;
- Attitude toward the department and police work; and
- Work ethic and initiative.



Word of Caution

- *Had the Town sought to remove the Police Department from Civil Service previously?*
- Yes, Town Meeting voted to approve the removal of both police and fire departments from Civil Service in 1996. However, the vote was overturned at a special election after Town Meeting. At the time the unions did not support the proposed removal.



Breaking the Mold of Mediocrity

- You broaden your hiring lens exponentially (400 applicants as compared to $2N+1$)
- The appointing authority can decide what's important for their community, rather than being dictated to
- You raise the level and competitiveness of the entire promotional process, as a result, your personnel raise the level of “their game”



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