



# **CIVIL SERVICE LEGISLATION**

## **MA ALTERNATIVE PATHWAY**

*Joint Committee on Public Service*  
*December 2023*



# OVERVIEW

The Joint Committee on Public Service has received 18 home rule petitions in which municipalities are seeking to leave civil service. If we release these bills, we will continue to release bills until the system is destabilized. The Joint Committee on Public Service is now considering compromise alternatives that may be provided as options to municipalities in filling current civil service openings.

Through the Police Reform Bill and other efforts, like reducing the civil service exam fee from \$250 to \$75, we are working towards building diverse police departments. The Legislature continues to value diversity in hiring for police departments, as well as protections for those who serve in the military and return as veterans.

# NEW JERSEY LEGISLATION

In 2021, as an effort to increase diversity in the ranks of law enforcement, New Jersey enacted legislation that would permit an exemption from the Civil Service Commission (CSC) Law Enforcement Examination requirement for entry-level law enforcement officers. New Jersey's Civil Service framework is codified as N.J.A.C. 4A: 4-3.11 and 3.12 (codified as P.L. 2021 c. 7). The exemption only applies if a person demonstrates successful completion of a police training course approved by the New Jersey Police Training Commission. The bill allows a municipal or county police department to hire a person exempt from the requirement as long as there is a conflict of interest and a nepotism policy in effect. New Jersey's civil service legislation applies only to police entities.

# JOINT COMMITTEE ON PUBLIC SERVICE

The Joint Committee on Public Service is considering proposed legislation in conjunction with suggestions from the Civil Service Commission (“CSC”) that would significantly expand municipalities’ ability to identify applicants for jobs in municipal policing and fire by providing an alternative path to police and fire jobs outside the program administered by the Civil Service Unit. However, this alternate path would bring with it independent obligations and conditions.

# PROPOSED MASSACHUSETTS ALTERNATIVE PATHWAY LEGISLATION WOULD:

- 01** Create a hybrid hiring program, that would allow civil service communities to fill up to fifty percent of current openings with exam exemptions through this hybrid program
- 02** Provide cities and towns with the option to form their own exam schedule
- 03** Preserve recourse to the Civil Service Commission for alternative path candidates who believe an appointing authority has violated basic merit principles in a hybrid hiring process. Continue to have the CSC administer the investigative authority that it has; overseeing nepotism in hiring, etc.
- 04** Establish a cadet program for municipalities, and authorize municipalities to make appointments of entry-level candidates who have completed an approved police academy/cadet program
- 05** Require departments who opt-in to the hybrid hiring program to develop specific nepotism and conflict-of-interest policies to be approved by the Commonwealth's Human Resources Division (HRD)

# PROPOSED MASSACHUSETTS ALTERNATIVE PATHWAY LEGISLATION WOULD:

**06** Continue to require departments who opt-in to the hybrid hiring program to annually submit demographic reports under G.L. c. 31 § 67

---

**07** Permit municipalities to make appointments of entry-level candidates, conditional upon completion of an approved police academy

---

**08** Form a council or advisory board to monitor, store hiring data, and make recommendations to the civil service system as a whole

---

**09** Create scholarships for low-income applicants at police academies

# PROPOSED MASSACHUSETTS ALTERNATIVE PATHWAY LEGISLATION WOULD:

- 10 Expedite route for municipalities that have filed civil service exit legislation to hire via the alternate pathway

---

- 11 Provide support for community colleges via the creation of a trust for the funding of programs that would develop degrees in public safety fields subject to appropriations

---

- 12 Include Sunset provision for pilot program subject to renewal by HRD

*\*The Joint Committee on Public Service is continuing to review this concept and expects to refine the proposal during the coming weeks*



# PROPOSED CHANGES TO EXISTING CIVIL SERVICE PATHWAY:

- 01** — Create a dedicated state-wide diversity office within HRD that would be responsible for recruitment strategies and aiding municipalities in hiring; Veterans liaison at HRD
- 02** — Expand residency requirements for initial applicants
- 03** — Change 2n+1 to 3n+1 for civil service pathway
- 04** — Consider flexibility in request for language lists

*\*The Joint Committee on Public Service is continuing to review this concept and expects to refine the proposal during the coming weeks*



# CURRENT STATUS OF MUNICIPALITIES PLANNING TO LEAVE CIVIL SERVICE

Charlton	East Bridgewater
Attleboro	Natick
Arlington	Millbury
*Needham	Carver
*Hopedale	Montague
**Falmouth	Oxford
Gardner	Tewksbury
Great Barrington	East
Bellingham	Longmeadow
	*Wrentham

---

\* Communities exempting all positions in their fire department

\*\*Communities exempting all positions in their police and fire  
department

---

# BENEFITS OF REFORM PROPOSAL

These proposals are designed to:

- Preserve a unified civil service system that ensures due process protections and anti-nepotism interventions
- Enhance the chances that DEIB goals will be met through a continuous pipeline of diverse, qualified candidates
- Create a more robust partnership between state entities and municipalities leading to bolder outreach and recruitment initiatives
- Safeguard statutory preferences for candidates particularly well suited for public safety positions
- Not have any adverse impact on incumbents