

COMMONWEALTH OF MASSACHUSETTS

CIVIL SERVICE COMMISSION

100 Cambridge Street, Suite 200

Boston, MA 02114

(617) 979-1900

**CHRISTOPHER ALLENDER and
TODD CALDERWOOD,**

Appellants

v.

CITY OF AMESBURY,

Respondent

Docket Numbers:

G2-23-236 (Allender)

G2-23-245 (Calderwood)

Appearance for Appellants:

Pro Se

Christopher Allender

Todd Calderwood

Appearance for Respondent:

Jared Collins, Esq. & David Jenkins, Esq.

KP Law, P.C.

101 Arch St., 12th Floor

Boston, MA 02110

Commissioner:

Shawn C. Dooley

FINAL DECISION AND ORDERS

[SECOND ADDENDUM TO INTERIM DECISION ISSUED ON OCTOBER 17, 2024]

Based upon the agreed-upon end product of negotiations between the City and the Appellant Christopher Allender, the City of Amesbury agrees to withdraw all Superior Court actions relevant to this matter, including the appeal of the Civil Service Commission's decision, and further agrees to promote Christopher Allender to the position of Lieutenant in the Amesbury Fire Department, as set forth in the following order.

Pursuant to this Commission's [Interim Decision](#) issued on October 17, 2024 (which is incorporated as if fully set forth herein) and superseding the addendum ordered on December 18, 2024, the Civil Service Commission, pursuant to G.L. c. 31, §§ 2 and 77, hereby ORDERS as follows:

Effective immediately, Christopher Allender, will be promoted to the position of Fire Lieutenant

in the Amesbury Fire Department.

The parties have also agreed to a series of other provisions which are referenced below for memorialization purposes only:

1. For the purposes of department seniority only, Lt. Allender will be retroactively promoted to Lieutenant with a department seniority date of October 11, 2023. No back pay/wages are to be granted.
2. The City shall return 12 hours of personal time to Lt. Allender.
3. Lt. Allender will be able to attend any trainings that were offered to the Officers' Group from October 2023 to present without usage of training bank hours (for equitability purposes); such trainings are to be limited to the Academy-offered active shooter training and Lt. Allender will be responsible for selecting and signing up for a scheduled offering on a mutually-agreeable date and time.
4. If the need for any other training courses becomes apparent, Lt. Allender will be responsible for demonstrating to the city evidence of the value of such a training for management consideration.
5. Lt. Christopher LeSage shall remain in his current position and his department seniority date remains: October 11, 2023.
6. Nothing in this order precludes Lt. Allender from pursuing a claim for attorney fees.

For the reasons stated in the Interim Decision, the appeal of the second-ranked candidate, Todd Calderwood, is moot and is hereby dismissed.

Civil Service Commission

/s/ Shawn C. Dooley
Shawn C. Dooley
Commissioner

By a 4-0 vote of the Civil Service Commission (Bowman, Chair; Dooley, McConney, and Stein, Commissioners [Markey – Absent]) on April 3, 2025.

Either party may file a motion for reconsideration within ten days of the receipt of this Commission order or decision. Under the pertinent provisions of the Code of Mass. Regulations, 801 CMR 1.01(7)(l), the motion must identify a clerical or mechanical error in this order or decision or a significant factor the Agency or the Presiding Officer may have overlooked in deciding the case. A motion for reconsideration does not toll the statutorily prescribed thirty-day time limit for seeking judicial review of this Commission order or decision.

Under the provisions of G.L. c. 31, § 44, any party aggrieved by this Commission order or decision may initiate proceedings for judicial review under G.L. c. 30A, § 14 in the superior court within thirty (30) days after receipt of

this order or decision. Commencement of such proceeding shall not, unless specifically ordered by the court, operate as a stay of this Commission order or decision. After initiating proceedings for judicial review in Superior Court, the plaintiff, or his / her attorney, is required to serve a copy of the summons and complaint upon the Boston office of the Attorney General of the Commonwealth, with a copy to the Civil Service Commission, in the time and in the manner prescribed by Mass. R. Civ. P. 4(d).

Notice to:

Christopher Allender (Appellant)

Todd Calderwood (Appellant)

David Jenkins, Esq. (for Respondent)

Ashlee Logan, Esq. (HRD)

Gary Nolan Esq.