

Commonwealth of Massachusetts

CIVIL SERVICE COMMISSION

100 Cambridge Street – Suite 200
Boston, MA 02114
617-979-1900

ROBERT F. AMENDOLA,
Appellant

v.

HUMAN RESOURCES DIVISION,
Respondent

Docket Number:

B2-25-185

Appearance for Appellant:

Robert F. Amendola, *pro se*

Appearance for Respondent:

Aezed Aftab, Esq.
Labor Counsel
Human Resources Division
100 Cambridge Street, Suite 600
Boston, MA 02114

Commissioner:

Paul M. Stein

SUMMARY OF DECISION

The Commission denied an examination appeal brought by a candidate who took the 2025 Statewide Fire Lieutenant promotional examination and who failed to show that he was entitled to more credits for his educational degrees than HRD awarded to him.

DECISION ON RESPONDENT’S MOTION FOR SUMMARY DECISION

On August 9, 2025, the Appellant, Robert F. Amendola, appealed to the Civil Service Commission (Commission), pursuant to G.L. c. 31, § 24, to contest the decision by the state’s Human Resources Division (HRD) to deny his request for review of his claim to credit for a “related” Master’s Degree on the Education, Certification, Training and

Experience (ECT&E) component of the 2025 Statewide Fire Lieutenant Examination. I held a remote pre-hearing conference on this appeal on September 9, 2025. HRD's Pre-Hearing Memorandum was deemed a Motion for Summary Decision and the Appellant's Pre-Hearing Memorandum was deemed an Opposition. Pursuant to Procedural Order, the Appellant supplemented his Pre-Hearing Memorandum on October 1, 2025, and HRD supplemented its Pre-Hearing Memorandum on October 14, 2025. After careful review of the information provided, HRD's Motion for Summary Decision is allowed, and the Appellant's appeal is dismissed.

UNDISPUTED FACTS

HRD submitted six exhibits with its Pre-Hearing Memorandum and Supplemental Memorandum. (*Resp.Exhs. 1 through 6*) The Appellant submitted nine exhibits with his Pre-Hearing Memorandum. (*App.Exhs. A through I*). Based on the submission of the parties, the following facts are not disputed:

1. On or about February 5, 2025, the Appellant applied to take the April 12, 2025 Statewide Fire Lieutenant Promotional Examination. (*HRD Pre-Hearing Memorandum*)
2. The Statewide Fire Lieutenant Promotional Examination contained a written component and a separate required ECT&E component; the latter included three sub-sections: Experience (52 maximum points), Certifications/Trainings/Licenses (28 maximum points), and Education [academic schooling] (20 maximum points). The credits awarded in the three sub-sections of the ECT&E component were combined, weighted and scaled to account for 20% of the total overall final exam score. (HRD Pre-Hearing Memorandum; Resp.Exh.5; Administrative Notice [[2025 Fire Lieutenant Score Guide](#)])

3. The Candidate Preparation Guide contained, in relevant part, the following information concerning the criteria for claiming Education credit as part of the ECT&E component:

Education

Candidates may receive credit for an associate, bachelor, master, and doctorate degrees from a regionally accredited higher education institution in the United States; or institutions . . .

Candidates can receive credit for one degree: related degree (listed below) or an unrelated degree . . . ([I]f the candidate received a related bachelor's and an unrelated master's degree, they should select the "related bachelor's degree" category to receive the most points). Related degrees are based on job analysis conducted with our subject matter experts. The degree must be earned/conferred before the exam date.

The related degrees in the fire service are:

- Biochemical Science
- Building Construction Engineering/Management
- Business Administration
- Business Management
- Chemical Engineering
- Chemistry
- Civil Engineering
- Communications
- Computer Science
- Emergency Management
- Executive/Organizational Leadership
- Fire Administration
- Fire Prevention Engineering
- Fire Safety
- Fire Service
- Fire Science
- Homeland Security/Security and Intelligence Studies
- Nursing
- Occupational Safety
- Paramedic Medicine
- Public Administration
- Psychology
- Social Work
- Structural Engineering

(Resp.Exh.5) (*emphasis added*)

4. The Statewide Fire Lieutenant Promotional ECT&E Claim form instructions (Q.9 &

Q.10) to candidates seeking ECT&E points for educational experience state:

QUESTION 9

Fire Departmental Promotional Education Claim Instructions: *For all Fire Departmental Promotional Exams, **HRD will grant ECT&E points only for whole and conferred degrees . . . and not for individual semester hours or degree credits. Semester hours earned in an unfinished degree program or in a non-degree (Certificate) program are not eligible for ECT&E credit.*** Only one degree can be claimed, claim your highest ranked degree for maximum credit. ***If you have multiple conferred degrees and have applied the same course credits from one degree to another, HRD will grant you full ECT&E points for one degree.*** HRD only recognizes degrees granted by: a) regionally accredited higher education institutions in the United States; or, b) institutions outside the United States granting degrees that are recognized by one of the United States regional accrediting agencies or that are transferable to a regionally accredited higher education institution in the United States. ***Please note that specializations/concentrations are NOT Majors and will not be credited as such.*** Verifying Education Claims: Applicants must submit either official transcript(s) from all institutions for which they are requesting credit OR unofficial transcript(s) AND diploma(s). Official transcripts must indicate that the degree was in fact conferred, the major/field in which the degree was conferred and the conferral date. During the HRD review process or during the life of the resulting eligible list(s) applicants must make original supporting documentation available should the issue of authenticity arise with the submitted copies. Select "Yes" to indicate that you have read and understood these instructions. **YES NO**

QUESTION 10

Education: As of April 12, 2025, if you have a related and/or unrelated conferred degree(s) from a regionally accredited college or university, choose the highest-ranked degree you have obtained. Below is a list of related degree fields. Related Degree Fields: Biochemical Science, Business Administration, Business Management, Chemistry, Communications, Computer Science, Emergency Management, Executive/Organizational Leadership, Engineering (Civil Engineering, Chemical Engineering, Structural Engineering, Building Construction, Fire Prevention Engineering), Fire Administration, Fire Safety, ***Fire Science, Fire Service, Homeland Security/ Security and Intelligence*** Studies, Nursing, Occupational Safety, Paramedic Medicine, Public Administration, Psychology, Social Work. Non-Related Degree Fields: All other fields. . . .

(App.Exh.B) (*emphasis added*)

5. The Candidate Preparation Guide also describes the separate ECT&E sub-section on Fire Training and Certifications:

Fire trainings and certifications will be accepted in a 3-tiered system. There will be three separate ECT&E questions that will capture the candidate's relevant and accepted certifications. Each tier corresponds to a different level of points of the ECT&E score. Tier 3 is lowest value of points and tier 1 is the highest value of points. Select the relevant certification held within each tier. There is no limit of certifications claimed per tier; however, the maximum number of total trainings and certifications a candidate can be awarded is eight.

Please note that all certifications must be ProBoard certified unless specifically noted. The only certifications accepted from FEMA/MEMA are specified below. No other certifications will be accepted for credit.

Thus, such non-degree so-called "continuing education" training certificates may qualify for ECT&E credit in the "Certifications/Training/Licenses" category if those certifications have been issued or approved either by a ProBoard or by FEMA/MEMA. Training certificates issued by a school, college or university are not accepted for training certificate credit. None of the approved ProBoard or FEMA/MEMA certificates in the Certifications/Training/Licenses sub-section include the topic of homeland security training. (*Resp.Exh.5*)

6. The Appellant participated in the written component of the Statewide Fire Lieutenant's Examination administered by HRD on April 12, 2025 and duly filed an on-line ECT&E claim form within the April 19, 2025 deadline. (*Undisputed Facts; HRD Pre-Hearing Memorandum*)

7. The Appellant's ECT&E claim included a diploma from a duly accredited institution of higher education [Westfield State University (WSU)], along with an official transcript,

establishing that, on December 30, 2023, he had been conferred with a Master of Science Degree (Criminal Justice). The WSU transcript listed 11 courses completed by the Appellant totaling 33 credit hours leading to a major in Criminal Justice. The WSU transcript (but not the Diploma) stated:

“Comments:

Completed Homeland Security Certificate

December 30, 2013

(*App.Exhs. C & F*)¹

8. The Appellant also provided a copy of his “Graduate Certificate in Homeland Security” dated 1/7/14. (*App.Exh. F*)

9. The Appellant also provided a diploma and transcript from Anna Marie College establishing that he had received a Bachelor of Science Degree, with a Major in Fire Science, on August 1, 2019. (*App.Exhs. G & H*)

10. Based on his belief that his WSU Master’s Degree qualified as a “related” degree in Homeland Security, the Appellant initially claimed that level of education as the “highest-ranked degree” he had obtained. (*Appellant’s Pre-Hearing Memorandum; HRD Pre-Hearing Memorandum*)

11. On June 12, 2025, HRD provided the Appellant with a score notice informing him that his Master’s Degree was not a “related” degree and awarded him zero points in the education category of the ECT&E component. (*HRD Pre-Hearing Memorandum*)

¹ Although not relevant to this appeal, the Appellant also provided a Diploma from WSU showing that, on May 19, 2012, he had been conferred with a Bachelor of Science degree in Criminal Justice. (*App.Exh. I*)

12. The Appellant duly requested an HRD review of his ECT&E score and, on July 24, 2025, the Appellant was issued a revised score notice which reflected 17 points of credit for his related bachelor's degree in Fire Science. (*App.Exh. A; HRD Pre-Hearing Memorandum*)

13. The ECT&E score guide provides that a "related master's degree" receives 20 ECT&E education points (out of a possible 20), whereas a "related bachelor's degree" receives 17 ECT&E education points. (*HRD Pre-Hearing Memorandum*)

14. In addition to his diplomas and transcripts, the Appellant provided an excerpt from the WSU 2012-2013 Graduate Catalogue containing a description of the "Homeland Security, Graduate Certificate" Program. The catalogue described this program, in part:

The graduate certificate is designed for students to gain a broad understanding of homeland security issues from a criminological framework. . . . The graduate certificate student gains an intensive knowledge of homeland security principles and applications for different fields including: law, criminal enforcement, terrorism and counter-terrorism analysis and infrastructure protection.

The program required completion of four out of eight specific three credit courses plus a "Homeland Security Capstone" course. (*App.Exh. D*)

15. According to the Appellant's WSU transcript, the four courses he chose in order to complete the Homeland Security Graduate Certificate Program are:

CRJU 0623 – Religion and the Criminal Justice System
CRJU 0627 – Federal Criminal Law – The Prosecution of Organized and White Collar Crime
CRJU 0631 – Multinational Crime
CRJU 0641 – Anti-Terrorism Law and Criminal Enforcement

(*App.Exh. C*)

APPLICABLE LEGAL STANDARD

A motion to dispose of an appeal, in whole or in part, via summary decision may be allowed by the Commission pursuant to 801 C.M.R. 1.01(7)(h) when, “viewing the evidence in the light most favorable to the non-moving party”, the undisputed material facts affirmatively demonstrate that the non-moving party has “no reasonable expectation” of prevailing on at least one “essential element of the case”. See, e.g., Milliken & Co. v. Duro Textiles LLC, 451 Mass. 547, 550 n.6 (2008); Maimonides School v. Coles, 71 Mass. App. Ct. 240, 249 (2008); Lydon v. Massachusetts Parole Bd, 18 MCSR 216 (2005). See also Mangino v. HRD, 27 MCSR 34 (2014) and cases cited (“The notion underlying the summary decision process in administrative proceedings parallels the civil practice under Mass.R.Civ.P.56; namely, when no genuine issues of material fact exist, the agency is not required to conduct a meaningless hearing.”); Morehouse v. Weymouth Fire Dept, 26 MCSR 176 (2013) (“a party may move for summary decision when . . . there is no genuine issue of fact relating to his or her claim or defense and the party is entitled to prevail as a matter of law.”)

ANALYSIS

The undisputed facts, viewed in a light most favorable to the Appellant, establish that this appeal must be dismissed.

Section 22 of Chapter 31 of the General Laws prescribes that “[t]he administrator [HRD] shall determine the passing requirements of examinations.” According to the Personnel Administration Rules (PAR) 6(1)(b), “[t]he grading of the subject of training and experience as a part of a promotional examination shall be based on a schedule approved by the administrator [HRD] which shall include credits for elements of training and experience related to the position for which the examination is held.” Pursuant to Section

24 of Chapter 31, “. . . the commission shall not allow credit for training or experience unless such training or experience was fully stated in the training and experience sheet filed by the applicant at the time designated by the administrator [HRD].”

The Commission repeatedly has held that consistency and equal treatment are fundamental as important hallmarks of the basic merit principles under civil service law. DiGiando v. HRD, 37 MCSR 252 (2024). The Commission generally has deferred to HRD’s expertise and discretion to establish reasonable requirements, consistent with basic merit principles, for crafting, administering, and scoring examinations. In particular, in deciding prior appeals, the Commission has concluded that, as a general rule, HRD’s insistence on compliance with its established examination requirements for claiming and scoring training and experience credits was neither arbitrary nor unreasonable. See Helms v. HRD, 38 MSCR 147 (2025); Bell v. HRD, 38 MSCR 44 (2025); Donovan v. HRD, 38 MCSR 60 (2025); Weaver v. HRD, 37 MCSR 313 (2024); Medeiros v. HRD, 37 MCSR 56 (2024); Dunn v. HRD, 37 MCSR (2024); Kiley v. HRD, 36 MCSR 442 (2024); Evans v. HRD, 35 MCSR 108 (2022); Turner v. HRD, 34 MCSR 249 (2022); Amato v. HRD, 34 MCSR 177 (2021); Wetherbee v. HRD, 34 MCSR 173 (2021); Russo v. HRD, 34 MCSR 156 (2021); Villavizar v. HRD, 34 MCSR 64 (2021); Holska v. HRD, 33 MCSR 282 (2020); Flynn v. HRD, 33 MCSR 237 (2020); Whoriskey v. HRD, 33 MCSR 158 (2020); Bucella v. HRD, 32 MCSR 226 (2019); Dupont v. HRD, 31 MCSR 184 (2018); Pavone v. HRD, 28 MCSR 611 (2015); and Carroll v. HRD, 27 MCSR 157 (2014).

First, a college or university “degree” carries a unique significance in academia. As the record in this appeal demonstrates, an academic “degree” is “conferred” under the authority of an accredited institution of higher learning by its Board of Trustees, on the

recommendation of the faculty, and is attested by the Chair of the Board of Trustees and the President of the institution. (See *App.Exhs. E, F & G & I*). The Appellant's "Homeland Security Certificate" is issued by the "Division of Graduate and Continuing Education" and attested to by its Dean. HRD has not acted unreasonably or arbitrarily to require that educational credit come from a degree conferred by the authority of the trustees of the institution, as opposed to another form of achievement, such as a "Certificate" that is not.

Second, the instructions in Q.9 on the ECT&E claim form, which each candidate is required to acknowledge he/she "read and understood", unambiguously explains that education ECT&E credits will be granted "only for whole and conferred degrees . . . and not for individual semester hours or degree credits. Semester hours earned in an unfinished degree program or in a non-degree (Certificate) program are not eligible for ECT&E credit . . . [and] specializations/concentrations are NOT Majors and will not be credited as such." (*App.Exh. B*) This limitation is not unreasonable, as illustrated here, where the "Homeland Security Certificate" required five courses and 15 credit hours, less than half what WSU requires for a master's degree.

Third, HRD points out that the relief that the Appellant seeks is to receive an additional 3 ECT&E points on his ECT&E raw score (17 Education points for a "related" bachelor's degree vs. 20 points for a "related master's degree"). As ECT&E points are worth no more than 20% of the overall final score, the weighted value of three additional education points is not likely to make any material change to the Appellant's overall final score. The Appellant contended that, even if true, an adjudication of this issue is necessary so that the

question is settled should it arise in the future. The fact-specific nature of this particular appeal makes that argument unpersuasive.

CONCLUSION

For the reasons stated above, HRD's Motion for Summary Decision is ***granted*** and the Appellant's appeal under Docket Number B2-25-185 is ***dismissed***.

Civil Service Commission

/s/ Paul M. Stein

Paul M. Stein
Commissioner

By vote of the Civil Service Commission (Bowman, Chair; Dooley, Markey, McConney, and Stein Commissioners) on November 13, 2025.

Either party may file a motion for reconsideration within ten days of 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:

Robert F. Amendola (Appellant)
Aezed Aftab, Esq. (for Respondent)