

**COMMONWEALTH OF MASSACHUSETTS**

**CIVIL SERVICE COMMISSION**  
100 Cambridge Street, Suite 200  
Boston, MA 02114  
(617) 979-1900

**LAWRENCE BATEMAN,**  
*Appellant*

v.

**TOWN OF WINCHESTER,**  
*Respondent*

Docket Number: G2-25-032

Appearance for Appellant: Galen Gilbert, Esq.  
92 State Street, Suite 705  
Boston, MA 02109

Appearance for Respondent: Michael Downey, Esq.  
Morgan, Brown and Joy  
28 State Street, 16<sup>th</sup> Floor  
Boston, MA 02109

Commissioner: Christopher C. Bowman

**ORDER**

On January 29, 2025, the Appellant, Lawrence Bateman (Appellant), a firefighter in the Town of Winchester (Town)'s Fire Department (WFD), filed a bypass appeal with the Civil Service Commission (Commission), contesting the Town's decision to bypass him for temporary promotional appointment to fire lieutenant in October 2023. That appeal was docketed under

Docket Number G2-25-032 and a remote pre-hearing was held by the Commission on April 8, 2025.<sup>1</sup>

On April 3, 2025, prior to the above-referenced pre-hearing conference, the Appellant filed a second appeal with the Commission, contesting the Town's decision to bypass him for permanent promotional appointment to fire lieutenant on March 31, 2025.

Solely as it relates to the appeal docketed under G2-25-032 (the temporary promotional appointment), the parties have jointly agreed to resolve this matter with the following order by the Commission:

- Forthwith, and on an ongoing basis, the Town shall comply with all civil service law and rules, including the requirement that candidates bypassed for appointment receive a written notice of bypass reasons before any appointment becomes effective.

Nothing in this order or disposition shall be construed as limiting the Appellant's ability to raise any relevant arguments as part of his other pending bypass appeal (the permanent promotion) docketed under G2-25-090, for which a full hearing has been scheduled. With the issuance of this order, the appeal docketed under G2-25-032 is closed.

CIVIL SERVICE COMMISSION

/s/ Christopher Bowman  
Christopher C. Bowman  
Chair

By a vote of the Civil Service Commission (Bowman, Chair; Dooley, Markey, McConney and Stein) on April 17, 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

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<sup>1</sup> The Appellant is in the process of being promoted to one of the still-existing vacancies for temporary fire lieutenant.

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:

Galen Gilbert, Esq. (for Appellant)

Michael Downey, Esq., (for Respondent)