

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

CIVIL SERVICE COMMISSION

One Ashburton Place: Room 503
Boston, MA 02108

DANIEL BAUSEMER,
Appellant

v.

B2-15-94

HUMAN RESOURCES DIVISION,
Respondent

Appearance for Appellant:

Pro Se
Daniel Bausemer

Appearance for Respondent:

Mark Detwiler, Esq.
Human Resources Division
One Ashburton Place: 211
Boston, MA

Commissioner:

Christopher C. Bowman

ORDER OF DISMISSAL

On May 20, 2015, the Appellant, Daniel Bausemer (Mr. Bausemer) pursuant to G.L. c. 31, §§ 22-24, filed an appeal with the Civil Service Commission (Commission), contesting the education and experience (E&E) credit he received for a recent promotional examination for Sergeant in the Boston Police Department (BPD).

On June 9, 2015, I held a pre-hearing conference, which was attended by Mr. Bausemer, counsel for HRD, HRD's Exam Administration Coordinator, counsel for the BPD and the BPD's Director of Human Resources.

In short, the basis of Mr. Bausemer's appeal is that he believes that, due to an error in how his education and experience was calculated, he did not receive the full 20% credit toward his score for the applicable education and experience.

At the pre-hearing, HRD's Exam Administration Coordinator explained how all candidates (including Mr. Bausemer)'s E&E scores were calculated. I also asked HRD to submit an affidavit documenting the methodology used and provided Mr. Bausemer with an opportunity to reply. HRD submitted the requested information, which I have reviewed, and Mr. Bausemer did not submit any reply.

Based on the information submitted by HRD, I have concluded that the calculations completed by HRD were accurate and uniformly applied to all candidates.

As such, this appeal is *dismissed*.

Civil Service Commission

/s/ Christopher Bowman
Christopher C. Bowman
Chairman

By vote of the Civil Service Commission (Bowman, Chairman; Ittleman, McDowell and Stein, Commissioners) on July 9, 2015.

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)(1), 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:
Daniel Bausemer (Appellant)
Mark Detwiler, Esq. (for Respondent)
Nicole Taub, Esq. (Boston Police Department)