

**COMMONWEALTH OF MASSACHUSETTS
CIVIL SERVICE COMMISSION**

One Ashburton Place: Room 503
Boston, MA 02108
(617) 727-2293

**JOANNE BRADSHAW et
al,**

Appellants

v.

**ATTLEBORO SCHOOL
DEPARTMENT,**

Respondent

Case No.: D-06-241 (BRADSHAW)
D-06-242 (GOMES)
D-06-243 (HEVERLY)
D-06-244 (PROIA)
D-06-245 (SYLVESTER)
D-06-246 (TROIANO)

DECISION

The Appellants filed this appeal with the Civil Service Commission seeking equitable relief pursuant to Chapter 310 of the Acts of 1993.

The parties agree that, due to inadvertence, none of the Appellants were permanently appointed to the positions they each hold provisionally, despite having taken and passed the applicable civil service examination.

The parties, with the assistance of the state's Human Resources Division (HRD), have reached a mutual agreement in which they ask the Commission to grant the Appellants permanency in their current position with a retroactive seniority date.

The Commission accepts the mutual agreement of the parties referenced in correspondence to the Commission dated May 15, 2007 and, pursuant to the powers of relief inherent in Chapter 534 of the Acts of 1976 as amended by Chapter 310 of the Acts of 1993, orders the Human Resources Division to take the following action:

The Civil Service Commission directs the Human Resources Division to:

- Certify Joanne Bradshaw, Colleen Heverly and Patricia Sylvester as permanent Senior Clerks, with a permanency date in the title of Senior Clerk of January 31, 1996;
- Certify Nancy Parker Gomes and Lucille Proia as permanent Clerk Typists, with a permanency date in the title of Senior Clerk Typist of January 31, 1996;
- Certify Theresa Troiano as permanent Senior Clerk, with a permanency date in the title of Senior Clerk Typist of July 31, 1989.

Civil Service Commission

Christopher C. Bowman
Commissioner

By vote of the Civil Service Commission (Bowman, Guerin, Marquis, Taylor, Commissioners) on May 17, 2007.

A True Record. Attest:

Commissioner

Either party may file a motion for reconsideration within ten days of the receipt of a Commission order or decision. The motion must identify a clerical or mechanical error in the decision or a significant factor the Agency or the Presiding Officer may have overlooked in deciding the case. A motion for reconsideration shall be deemed a motion for rehearing in accordance with G.L. c. 30A, § 14(1) for the purpose of tolling the time for appeal.

Under the provisions of G.L. c. 31, § 44, any party aggrieved by a final decision or order of the Commission may initiate proceedings for judicial review under G.L. c. 30A, § 14 in the superior court within thirty (30) days after receipt of such order or decision. Commencement of such proceeding shall not, unless specifically ordered by the court, operate as a stay of the Commission's order or decision.

Notice to:

Matthew D. Jones, Esq. (for Appellants)
Edward F. Lenox, Esq. (for Appointing Authority)
Martha O'Connor, Esq. (HRD)