

Commonwealth of Massachusetts

Civil Service Commission

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

JOSEPH P. CALLAHAN,
Appellant

v.

HUMAN RESOURCES DIVISION,
Respondent

Docket Number: B2-25-154

Appearance for Appellant: John J. McGlone, Esq.
Giarusso Norton Cooley & McGlone
308 Victory Road
Quincy, MA 02171

Appearance for Respondent: Michael J. Owens, Esq.
Human Resources Division
100 Cambridge Street, Suite 600
Boston MA 02114

Commissioner: Paul M. Stein

Decision

On July 2, 2025, the Appellant, Joseph P. Callahan, a Fire Lieutenant in the Quincy Fire Department (QFD), filed this appeal with the Civil Service Commission (Commission) to contest the action of the Human Resources Division (HRD) in establishing the current eligible list for Quincy Fire Captain from the scores of candidates on the 2024 Statewide Fire Captain examination. Specifically, the Appellant contests the alleged erroneous crediting to a candidate ranked higher on that list of certain “outside experience” points on the

Experience, Certification, Training and Education (ECT&E) component of the examination that the other candidate purportedly is not eligible to receive.

Undisputed Facts

This request for investigation was consolidated for purposes of initial consideration with a request for investigation filed by another QFD Fire Lieutenant, Douglas Trude, CSC Tracking I-25-153 (Trude Petition for Investigation) which asserted substantially the same complaint.

On July 29, 2025, I held a combined Pre-Hearing Conference in this matter and a Show Cause Conference in the Trude Petition for Investigation. HRD reported that it was in the process of conducting an audit of the ECT&E credits that the Appellant and the Petitioner alleged were erroneously granted to the other candidate. The Appellant and the Petitioner agreed that the Commission should defer further action in this request for investigation, and in the Callahan Appeal, pending HRD's completion of its audit.

On September 5, 2025, HRD reported that it had completed the audit and issued the following report:

HRD completed an audit of the [candidate's name redacted] outside supervisor experience claim. As a result of that audit, the claimed experience could not be verified to a level sufficient to HRD's requirements. Accordingly, HRD rescinded the previous award of credit for that claimed experience and issued [the candidate] an updated score notice yesterday, September 4, 2025. I spoke with [Appellant's] Counsel yesterday and made him aware. This matter is now resolved from HRD's standpoint and it is HRD's position the matter should be withdrawn . . . or dismissed by the Commission as the issue brought by the Petitioners[sic] is now moot.

Counsel for the Appellant replied with an email criticizing HRD's handling of the matter generally and raising questions about the other candidate's request for the credit in question to begin with, but did not dispute that the initial issue involving that candidate was resolved.

Analysis

Based on HRD's September 5, 2025 report, I find that the Appellant's appeal is now moot. Accordingly, I recommend that the Commission vote to dismiss the appeal.

Conclusion

For the reasons set forth above, the appeal under Docket Number G1-25-154 is dismissed as moot.

Civil Service Commission

/s/ Paul M Stein

Paul M. Stein

Commissioner

By vote of the Civil Service (Bowman, Chair; Dooley, Markey, McConney and Stein, Commissioners) on October 30, 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 C.M.R. § 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:

John J. McGlone, Esq. (Appellant)

Michael J. Owens, Esq. (for Respondent)