

The Commonwealth of Massachusetts

**Human Resources Division
Civil Service Unit**

**Delegation of Labor Service
Administrative Manual**

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Human Resources Division
Civil Service Unit**

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**COMMONWEALTH OF MASSACHUSETTS
DELEGATION OF LABOR SERVICE
ADMINISTRATIVE MANUAL**

I. APPLICATION PROCESSING

Prior to the effective date of the implementation of the provisions of Personnel Administration Rule 20 for delegation of Labor Service, the Human Resources Division completes a renewal of registration for each municipality or state agency. This action renewed the registrations of applicants on the existing eligible lists (with the exception of Section 47A, formerly Chapter 778, applicants who are not required to renew) in compliance with Chapter 31, Section 28, which restricts the eligibility of applicants on the Labor Service lists to a period of five years from the date of registration, with a provision for a renewal of registration for an additional five years.

A standard Renewal of Registration notice with a date of issuance was mailed or emailed to each applicant on the Labor Service List for your municipality or state agency who registered within a six-month period from the date they applied. The eligibility records of those applicants who responded within the thirty-day response period were all renewed for a period of five years from the date of issuance of the renewal letter. If an applicant responded with updated information, their eligibility record was edited to reflect the change.

Municipalities and state agencies may develop a coding structure to track a complete main file of eligibility records on a weekly or other basis to be determined by the Labor Service liaison. The data should be set up to include additional information such as position title(s), veteran preference, veteran-related preference or non-veteran status, (whichever is applicable), and the conditions of employment which the applicant will accept, such as permanent and/or temporary work on a full-time, part-time, or intermittent basis.

The municipality or state agency must maintain and update the main file on a consistent basis as it will be the primary source of research in determining the appropriate action to be taken when processing newly received applications as outlined in the following pages. It is a retrieval name file of basic identifying data for each Labor Service applicant registered for your organization.

This manual is a guide to all Civil Service City/Towns and State Agencies who titles fall under Chapter 31 and Chapter 30 of the Massachusetts General Laws. Unless other wise stated, all actions are to be taken by the Labor Service Liaison as designed by the Appointing Authority of a City/Town or State Agency.

STEP 1 - Check for Prior Application

When a new application is received, the Labor Service liaison's first action should be to check the main file to determine if the applicant has previously filed an application. Taking the time to review newly received applications will eliminate duplications in registration and will help to ensure that each applicant has only one Labor Service Number on the regular list.

If an applicant has a prior labor service number, which is still active and valid, the information on the new application received should be checked against the existing eligibility record. If the application reflects a change in address, a request to add other position title(s), change in conditions of employment they will accept (such as temporary or permanent work), the fact that they are now a veteran, (DD214 or Commanding Officer Letter must be attached), or *any* other pertinent change, the existing eligibility record

must be updated in the main file. If the position title requested requires experience, the applicant will need to provide supporting documentation which must be processed for positions in Class II or Class III in Step 10.

If no previous labor service number is found, the application should be treated as new and processed as outlined in Step 2.

When a Section 47A application is received from an applicant who is determined to be a disadvantaged person under the provisions of Chapter 31, Section 47A, the application will be marked "Section 47A" and treated as a new application as outlined in Step 2 even though the applicant may already have a labor service number for the regular list. This is the only instance in which an applicant may have two labor service numbers for the same organization, because a Section 47A applicant must file separate applications if they wish to be registered on both the Section 47A list and the regular list.

STEP 2 - Review Application for Completeness

Once the Labor Service liaison reviews the main file and verifies that no earlier application is on file for the regular list or that the application is for the Section 47A list, the Labor Service liaison reviews the application to determine that the application is complete. If the application is incomplete, the applicant must be notified with an explanation.

STEP 3 - Review of Eligibility

The Labor Service liaison reviews the application to determine the position title(s) for which the applicant wishes to register. Personnel Administration Rules (PAR).19 states that the Labor Service shall be divided into three classes as follows:

- [Class I Laborers](#) - includes all entry-level position titles requiring no experience, which are included in the Classification Plan for your organization.
- [Class II Skilled Laborers](#) - includes all position titles generally requiring one year's experience, practical tests, or licenses by statute, which is included in the Classification Plan for your organization.
- [Class III Mechanics and Craftsmen](#) - includes all position titles generally requiring two years' experience, practical tests or licenses by statute, which are included in the Classification Plan for your organization.

The position title or titles for which the applicant is applying should be coordinated exactly with the terminology of the classification position titles included in Class I, Class II and Class III in the Classification Plan for your organization. Section 47A applications are to be accepted and registered for position titles included in Class I only in a Classification Plan.

STEP 4 - Experience Requirements

There are no experience requirements for position titles included in Class I. Applicants who have submitted an application for Class I position(s) must be registered.

When an applicant wishes to be registered for any position title other than in Class I, they must meet the minimum experience requirements established by the Personnel Administrator for the particular position title in Class II and/or Class III, pass a practical test if required, or exhibit a current license if required by statute.

The minimum experience requirements, administration of a practical test, or possession of a current license required by statute for position titles in Class II and Class III have been indicated in the Classification Plan at delegation. As additional titles are added to the Classification Plan, the Labor Service liaison will be informed

of the appropriate class and the experience or other requirements, if any, established for that position. Education or training cannot be substituted for the experience requirements, unless specifically designated by the Personnel Administrator.

If an applicant is found to be unqualified for the position title for which they applied, the name of the applicant shall not be placed on the eligible list. If an applicant applies only for a position title in Class II or Class III, which requires a minimum of experience, and the applicant's responses on the application do not indicate that they has been employed in a related occupation for the required time, the application should not be processed and a notification should be generated informing the applicant that it does not appear that they has the necessary experience to qualify for the position.

STEP 5 - Veterans' Preference

Chapter 31, Section 28, provides for absolute preference of veterans over all other applicants on Labor Service eligible lists. An applicant who states that they have served or are currently active in the armed forces of the United States must submit a copy of the FORM DD214 (Verification of Discharge from Military Service) or a Commanding Officer Letter which must detail current assignment and dates of service. The Labor Service liaison will then determine if the applicant is entitled to veterans' preference, as defined in MGL Chapter 31, Section 1 and G.L. Chapter 4, Section 7, 43rd clause.

Section 7 of Chapter 4 defines "Wartime Service," the periods of active service required, and specifies that the discharge must have been honorable or issued "under honorable conditions." There is no separate provision in the law for special disabled veterans' preference. A more explicit summary of wartime service and the periods of actual service required as well as an explanation of certain conditions under which a person would not be entitled to veterans' preference is available on [HRD's website](#).

Chapter 31, Section 28, also states in part that: "The names of surviving spouses or surviving parents of veterans who were killed in action or died from service-connected disability, incurred in wartime service who present proof from official sources of such facts, satisfactory to the Administrator, and who have not remarried, shall be placed on the, registers for the titles in the Labor Service for which they apply and qualify above the names of all other applicants but below the names of veterans." If an applicant claims this preference, a notification must be emailed to the applicant requesting the information necessary to determine whether the applicant is entitled to such preference.

STEP 6 - Registering and Numbering Application

After the application has been reviewed and determined acceptable by the Labor Service liaison, it must be numbered, in order of the date and time of its receipt, in accordance with the individual sequential numbering system established for each organization. Beginning on the effective date of delegation, the Labor Service liaison is responsible for utilizing a labor service numbering system as stated above when processing applications. Immediately upon assignment of a labor service number to an application, the liaison must notify the applicant by mail or email.

STEP 7 - Add Name to Main file

The applicant's name and all necessary identifying data should be added to the main file.

STEP 8 - Weekly Record of Applications

It is recommended that Labor Service liaisons keep a weekly record of applicants registered on file. This is extremely helpful in locating and reconstructing an eligibility record in terms of position titles and conditions of employment in the event an applicant is restored to the eligible list.

STEP 9 - Constructing a New Main Record

The new main record must contain the applicant's name, address, email, application date, position title(s), and conditions of employment that the applicant will accept (for example: permanent and temporary work on a full time, part time or intermittent basis), racial/ethnic identification, veterans identification (if applicable) and date on which the applicant's five year period of eligibility will expire.

STEP 10 - Verification of Experience (Responsibility of the Appointing Authority)

The name of an applicant may be immediately placed on the eligible list for any position titles in Class I.

At the time of interview with the hiring department, the applicant must show any proof of experience, current licenses, certificates or educational substitutes that they are claiming.

STEP 11 - Gender and Racial/Ethnic Indicator

For purposes of certification in instances where the use of PAR.10 has been approved, it is necessary to indicate on all main files, the indicators defining the gender and racial/ethnic origin of the applicant:

Sex:	Male or Female
Racial/Ethnic Origin:	White, Black or African American, Hispanic/Latino, Asian/Island Pacific or American Indian.

II. ESTABLISHMENT OF ELIGIBLE LISTS

It will be the responsibility of the Labor Service liaison to ensure establishment and maintenance of Labor Service eligible (registration) lists in compliance with Civil Service law and rules. Appropriate procedures for establishment of each type of list are detailed below.

PART A - ORDER OF PLACEMENT ON REGULAR ELIGIBLE LISTS

Section 28 of Chapter 31 provides that persons who apply for Labor Service employment shall be registered and placed on the eligible lists for positions in the classes for which they apply and qualify for a period of not more than five years from their individual dates of application in the following order:

STEP 1 - Applicants who are determined to be veterans are placed ahead of all other applicants on the respective eligible lists for positions for which they are registered and qualified. The placement of each veteran's name will be determined within this group by the date of each individual's application and labor service number.

STEP 2 - Section 28, Chapter 31 provides that the names of surviving spouses or surviving parents of veterans who were killed in action or died from service-connected disability incurred in wartime service and who have

not remarried shall be placed on the eligible lists for positions for which they are registered and qualified above the names of all other applicants but below the names of veteran applicants. The order of placement within this group is determined by the date of the individual's application and labor service number.

STEP 3 - All other applicants shall be placed on the lists for positions for which they are registered and qualified below the names of veterans and surviving parents or spouses of veterans. Order of placement within this group will be determined by the date of the individual's application and labor service number.

STEP 4 - The names of Section 47A applicants shall be placed on the special list of Section 47A applicants for the Class I positions for which they register in the same order as described for the regular list in Steps 1, 2 and 3 above.

PART B - REMOVAL FROM THE REGULAR ELIGIBLE LIST

Under certain circumstances, the Labor Service liaison may remove an applicant's name from the labor service lists or from certification consideration for labor service employment within the organization. These actions must be accompanied by properly filed documentation of the reasons for removal. It is the Labor Service liaison's responsibility to ensure the accuracy and retention of all such supporting documentation, and all such actions must also be entered on the applicant's main file.

Acceptable reasons for such removal are as follows:

1. If an applicant is found to be unfit or unqualified to perform the duties of the position which they seek, their name will be removed from the eligible list and the reasons entered on their main file in accordance with PAR.19(3)(b). This is also applicable to an applicant on the special list of Section 47A applicants.
2. If a certified applicant fails to respond, or declines the employment offered three times without satisfactory written reasons provided, or fails to report for work after signifying a willingness to accept, their name will be removed from the eligible list unless a satisfactory explanation is given in accordance with PAR.19(3). It is important that the Labor Service liaison enforce removal for any of these reasons uniformly. This is also applicable to an applicant on the special list of Section 47A applicants.
3. The name of an applicant appointed to a permanent full-time position after certification from an eligible list must be removed from the eligible list for all position titles for which they have applied, in accordance with the provisions of PAR.19(3).
4. The name of an applicant who fails to renew their labor service application within the six-month period immediately following the expiration date of their period of eligibility shall be removed from the eligible list(s). Such applicants must file new applications and be treated as new applicants.
5. The Personnel Administrator may also remove an applicant from an organization's eligible list. PAR.03 provides that the Personnel Administrator may cancel an application, suspend the same pending investigation, refuse to certify an otherwise eligible candidate, remove their name from any eligible list, or declare their appointment invalid upon proof of any of the following conditions after a hearing held by the Personnel Administrator. All such actions must also be entered into the applicant's main file.

(a) Dismissal of the applicant from public service, or their resignation pending charges, if the event occurred within the preceding five years and there is no convincing evidence of rehabilitation.

(b) Evidence of conduct within five years showing lack of the essential qualifications under this rule without convincing evidence of rehabilitation.

(c) The knowingly making of a material false statement by any person in their application or practical test and any connivance by them at any material false statement made in accompanying certificates, or the commission of or attempt to commit any fraud against Civil Service law or rule, of any complicity by or benefit to them in any such fraud before, during, or after application.

(d) Whenever an appointing authority finds that an applicant fails to meet entrance requirements and that finding has been sustained by the Personnel Administrator's review.

(e) Whenever the Personnel Administrator determines, from the application or from any investigation made by the Administrator, and whether before or after acceptance of the application or after appointment, that the applicant is not qualified.

Should the Labor Service liaison have reason and evidence to believe that any of the above circumstances exist regarding an applicant for Labor Service in their organization, the liaison should forward the Personnel Administrator, through the Human Resources Division's Civil Service Unit, a request for action, together with copies of all supporting documentation.

The names of applicants removed from the eligible list as outlined in items (a) through (e) above may only be restored to the eligible list as a result of a favorable decision by the Personnel Administrator or the Civil Service Commission, whichever is applicable, rendered as a result of a hearing or investigation relative to the reasons for removal from the eligible list. Labor Service liaisons will be informed in writing of such restorations.

PART C - RESTORATION TO THE REGULAR ELIGIBLE LIST

The Labor Service liaison may, at their own discretion, restore to the appropriate eligible list any applicant whose name was removed for reasons #2 cited above, provided that:

1. A written request for such restoration is received from the applicant within six months from the date of removal, and
2. The written request contains compelling reason for reversal of the original decision to remove the applicant's name, i.e., statement of valid reason for failure to respond or for a declination, etc.

PART D - REEMPLOYMENT LISTS (M.G.L. CHAPTER 31, SECTION 40)

Although the reemployment list is not involved in processing applications, it is an integral part of the certification process. As such, it is covered in greater detail in that portion of the manual dealing with certification and appointment. Generally, however, the Labor Service liaison should be aware that:

Section 40 provides that whenever a person is separated from a permanent position in the Official or Labor Service due to lack of work or lack of money or for abolition of position, their name shall be placed on the reemployment list.

The Human Resource Division will be responsible for maintaining the Statewide reemployment lists. The delegated Appointing Authority along with the Labor Service liaison is instructed to submit both the

[reemployment/reinstatement](#) and [Absence & Termination](#) notice forms when action is taken to layoff an employee.

STEP 1 - In accordance with the Labor Service reemployment policy, the name of such a person shall be placed on the reemployment list for the same position title which they held, for appropriate or similar titles in the same class as that from which separation was made, and for appropriate position titles in a lower class or classes, in order to provide broader opportunities for reemployment. The name of a person separated from a permanent position in the Official Service who once held a permanent position in the Labor Service may, upon their written request, be placed on a reemployment list for Labor Service for appropriate position(s) in the same class from which they were separated or in a lower class.

STEP 2 - Notation should be made on the main file that the applicant has been placed on the reemployment list for a period of not more than two years from the date of separation from the permanent position.

STEP 3 - Order of placement on the reemployment lists for any position title is determined by individual dates of seniority. Because more than one person may be involved in layoff situations, it is essential that the seniority date of each affected former employee be entered into the main file.

STEP 4 - The name of any person placed on the reemployment list shall remain thereon until they are appointed to a permanent position after certification from such list or for two years from the date of separation from their permanent position. The Labor Service liaison should remove an individual's name from the reemployment list upon such appointment or after two years have lapsed since the date of separation. If the individual is reinstated to a permanent position before being certified from the reemployment list or prior to the expiration of their two year period of eligibility, their name may be removed from the reemployment list.

III. APPOINTMENTS NOT MADE FROM ELIGIBLE LIST

The Labor Service liaison assumes responsibility for ensuring that all appointments to the Classified Labor Service positions within their organization are made in accordance with Civil Service Law and Rules.

The great majority of Labor Service appointments will be made from an established eligible list, whether regular, Section 47A or PAR.10. In certain specific instances, however, appointments may be made from sources other than the eligible lists. These instances are outlined below.

PART A - PROVISIONAL APPOINTMENTS

M.G.L. Chapter 31, Sections 6, 12 and 13 and PAR.19(4) provide that an Appointing Authority may make a provisional appointment to an entry level position (Class I) when no list is in existence for the title, or to a position in Class II or Class III, provided that a promotional bulletin is first posted in accordance with Section 29 of Chapter 31 by the Appointing Authority and the Appointing Authority certifies that as a result of the posting no permanent employee in the Department is qualified and willing to accept the position. Applicants appointed provisionally must meet the minimum entrance experience requirements established for the position. The Labor Service liaison must, in accordance with the provisions of Section 26 of Chapter 31, ensure that, whenever a person other than a veteran is appointed provisionally, the Appointing Authority includes a statement to the effect that they are unable to obtain the services of a veteran for the provisional appointment in the form utilized to make provisional appointments. A [provisional appointment form](#) with the signatures of the Appointing Authority and the Labor Service liaison must be attached to the requisition and retained in the correspondence file. All provisional appointments should be entered against the requisition number.

Whenever a permanent vacancy cannot be filled due to lack of an eligible list or of qualified candidates for promotion, or whenever a title is subsequently added to a class in a Classification Plan, it is the responsibility of the Labor Service liaison under PAR.20(2) to advertise the vacancy and position requirements within the organization, internally and externally. The advertisement should clearly explain the required application/registration procedures.

The Labor Service liaison should ensure that the provisional appointee files an application for registration for the position to which they have been provisionally appointed and certify the applicant's name for appointment from the eligible list.

PART B - APPOINTMENT OF AN INTELLECTUALLY DISABLED PERSON

Under the provisions of Section 47 of Chapter 31, whenever an Appointing Authority submits a requisition to fill a temporary position in Labor Service and they attach a request that approval be given for the employment of a person with an intellectual disability in the position, the Administrator may, notwithstanding the provisions of Chapter 31 or any other law, approve the request provided that the Appointing Authority certifies that in their opinion the duties of the position may be performed by a person with an intellectual disability.

In order to make such an appointment, the Labor Service liaison should obtain a copy of the requisition with the name of the individual and a certificate from the Massachusetts Rehabilitation Commission stating that the person has an intellectual disability.

The following documentation must also be forwarded:

1. A statement by the Appointing Authority as to the specific position title, class and duties to be assigned to the person with an intellectual disability who is to be employed and the title of the person who is to be their immediate supervisor.
2. A statement by the Appointing Authority that prior to employing the intellectually disabled person they have obtained a certificate from the Massachusetts Rehabilitation Commission indicating that the individual (a) can satisfactorily perform the duties of the position, (b) is qualified to work without hazard to themselves or to others, and (c) is socially competent to maintain themselves in a work environment.
3. A commitment by the Appointing Authority that they will fully utilize the services of the Massachusetts Rehabilitation Commission for assistance as the employee's immediate supervisor in the training and supervision of the employee and for post-placement counseling to the employee.
4. A statement that the Appointing Authority will not terminate an intellectually disabled person's employment without prior notification to the Massachusetts Rehabilitation Commission.

When it has been determined that all requirements have been complied with, the Appointing Authority should prepare a [notification of employment form](#), and report and process the appointment. An employee main file must be prepared and the requisition and approval of appointment calendared for three years from the effective date of appointment.

At the expiration of the three-year period, the position shall be deemed to be a permanent one. The Appointing Authority will submit a new requisition for a permanent position and an employment form will be prepared and approved on that basis. It will not be necessary for the Appointing Authority to submit another written agreement. These documents on file with the original temporary requisition will be transferred to the permanent requisition.

The permanent appointment under Section 47, Chapter 31 should be entered on the employee's main file and the name of the person should be added to the roster of the department for the particular position in the appropriate class.

PART C - APPOINTMENT OF AN INDIVIDUAL HOLDING THE MEDAL OF HONOR OR DISTINGUISHED SERVICE CROSS

A person who has received a Congressional Medal of Honor as provided in Section 26, Chapter 31 might apply to the Personnel Administrator for an appointment to Civil Service without examination or registration. When filling out the application, they shall state on oath the information generally required on an application such as name, address, and date of birth, copy of DD214 from military service and position title. Age, loss of limb or other disability, which does not in fact incapacitate shall not disqualify the person for appointment or employment under this section. The Appointing Authority may requisition for the names of any such veterans and appoint or employ any of them.

A person who has received a Distinguished Service Cross or Navy Cross may, upon recommendation of the Personnel Administrator and with the approval of the Civil Service Commission, fill out an application and be appointed under the same conditions as are provided in the case of a person who has received a Medal of Honor.

Letters requesting appointment of such persons should be submitted by the Labor Service liaison, together with their applications, to the Personnel Administrator through the Civil Service Unit, at the Human Resources Division, for decision and direction.

PART D - SEASONAL POSITIONS EXEMPTED

Chapter 31, Section 48 and PAR.02 provide that a "seasonal position" requiring the services of an incumbent, on either a full-time or less than full-time basis, beginning no earlier than May 1 and ending no later than September 30 in any calendar year, or beginning no later than November 1 and ending no later than April 1 in any 12 month period, shall be exempted from the Civil Service Law.

IV. REQUISITION, CERTIFICATION, AND APPOINTMENT PROCEDURES

PART A - SUMMARY OF REQUISITION PROCESSING PROCEDURES

When a vacancy occurs in a Labor Service position, the Appointing Authority must submit a requisition to the Labor Service liaison. The Labor Service liaison must record all requisitions when received. It is essential that the Labor Service liaison review the requisition to ensure that all information is accurate and complete. Requisitions, which are incomplete, should be returned to the Appointing Authority for correction. The Labor Service liaison should verify the following information on the requisition:

STEP 1 - Proper Job Title

The Labor Service liaison should verify that the position title is a title included in the Classification Plan for that organization.

If the title is in the Classification Manual but not presently in the organization's Classification Plan, the Appointing Authority must submit a [Position Description \(Form 30\)](#) with the requisition. The Labor Service

liaison should then forward copies of the Requisition and Form 30 to the Civil Service Unit of the Human Resources Division. The Classification Plan will then be updated to include the title in the appropriate class.

If the title is neither in the Plan, nor in the Classification Manual, copies of the Requisition and Form 30 should be forwarded to the Civil Service Unit, Human Resources Division for review of the feasibility of adding the title to the Manual.

If the position is to be filled through the promotional process (as indicated by the Appointing Authority on the Requisition Form, under "Labor Service"), all present titles, which the proposed promotee will retain, should be identified and included in the position title.

STEP 2 - Salary Rate

If the Appointing Authority indicates their intention to fill the position through certification from the eligible list, the minimum applicable salary rate should be stated on the requisition.

However, if the Appointing Authority indicates that the position will be filled through the promotional process, the salary rate specified should be the actual rate that will be paid to the employee on the effective date of their promotion.

STEP 3 - Type of Employment

The Labor Service liaison will then check to ensure that the requisition is complete and accurate as to the type of employment, i.e., permanent, temporary, fulltime, part-time or intermittent. If the hours of employment are unusual, such as split shifts, night work, etc., this should be stated in detail.

When the Appointing Authority submits a temporary requisition and the vacancy is newly created, it must include a detailed statement to explain why the position is temporary. The date employment is to end should be stated on the requisition.

STEP 4 - Duties of Position

A brief statement of duties should be included and reviewed to verify that the position title selected conforms to the duties and general definition set forth in the Classification Manual.

STEP 5 - Qualifications Required

(a) - If an Appointing Authority requests a certification under PAR.19(2) of persons having experience in the Department, that request should be noted on the requisition. Appointment preference will be given to persons who have served at least one year after certification in a temporary capacity in the same department and the same position title for which the vacancy exists, provided such persons have not been discharged for cause or have not resigned with charges pending. In the case of persons appointed temporarily after certification on an intermittent or part-time basis, the Appointing Authority is required to submit proof to the Labor Service liaison that such persons have accrued periods of employment on a part-time or intermittent basis equivalent to one year of full-time employment. If the position is in Class II or Class III, the Appointing Authority must state that they have been unable to fill the position through the promotional posting procedure as provided in Section 29 of Chapter 31 and PAR. 19(5).

(b) If a practical test is required for the position, the Appointing Authority should so note on the requisition.

(c) If an Appointing Authority requests Bilingual Selective Certification under PAR.08(6), that request must be specified under "qualifications required." A request for [Bilingual Selective Certification Questionnaire](#) must

be completed by the Appointing Authority and filed with the requisition. The Labor Service liaison must forward a copy of the requisition and completed form to the Civil Service Unit for appropriate action.

STEP 6 - Gender Preference

Check to determine whether the Appointing Authority has identified a particular gender required under Section 21 of Chapter 31 to perform the specific duties of the position. If a particular gender is designated, a request for [Selective Certification Questionnaire](#) must be completed by the Appointing Authority and filed with the requisition for processing. The Labor Service liaison should forward copies of the requisition, the Selective Certification Questionnaire, and any related correspondence to the Civil Service Unit for review and appropriate action. Once reviewed, HRD Civil Service will forward the request of a gender selective certification to MCAD for review. No action should be taken on the requisition until the MCAD and HRD Civil Service renders a decision and forwards the decision to the Labor Service liaison.

STEP 7 - Licenses Required by Law

If a license is required by statute to perform the duties of a particular position, the Appointing Authority must specify the type and class of license required. This information is particularly important when acting on requisitions for Motor Equipment Operators.

STEP 8 - For Labor Service Positions - Heavy Work Required

It is important that the Appointing Authority specify whether heavy work is involved in the performance of the duties of any position, particularly that of Class I Laborers, so that certified applicants will be informed of this requirement when notified to appear for interview. It is the Labor Service liaison's responsibility to ensure that the Notice to Appear for vacancy contains this information.

STEP 9 - Promotion

a. Requisitions received for Labor Service position titles in Class II and/or Class III must first be filled by the promotional procedures provided in Section 29 of Chapter 31 and PAR. 19(5) for Classified Labor Service. The Appointing Authority must state:

- (1) The dates the promotional bulletin was posted for that position,
- (2) The locations of the posting, and
- (3) The name and present title of the employee proposed for promotion.

Or

b. If this information has not been provided, or the information is incomplete, the Appointing Authority must be informed that no action can be taken on this requisition until the Labor Service liaison receives written verification of the Appointing Authority's compliance with the provisions of Section 29.

c. If the required promotional bulletin has been posted and as a result of the posting no employees in the same or a lower class are qualified and willing to accept the position, the Labor Service liaison may certify from the eligible list established for the particular position.

STEP 10 - Remarks

This section is used when an Appointing Authority requests the use of PAR.10. The protected group for which the certification is requested must be specified as either minorities or females, and an approved affirmative

action plan must be on file at the Massachusetts Commission Against Discrimination. A copy of the requisition must be forwarded to the Civil Service Unit together with the following information:

- a. A written request for certification to be made under PAR.10.
- b. The current Affirmative Action Profile (EEO4 summary) of the organization, including the total number of employees with permanent Civil Service status within the organization workforce, but not including provisional employees.
- c. Unofficial eligible list and protected group list for the desired position title.

This section is also used by an Appointing Authority to indicate any present titles held by an employee that are to be discontinued upon their promotion.

STEP 11 - Acknowledgment of Appointing Authority

- a. The Labor Service liaison should verify that the Appointing Authority is authorized by law to make appointments has acknowledged the requisition.
- b. If the person to whom applicants are to report to if interested in the vacancy designated is not the Appointing Authority, provide the title and specific location of the individual to whom applicants must report.

PART B - PROCESSING THE REQUISITION

The Labor Service liaison shall ensure that a requisition is on file to fill all vacancy positions in Labor Service according to the Civil Service Laws and Rules.

STEP 1 - Requisition Number

Record the number assigned to the requisition on the requisition. If PAR.10 certification is requested, the notation "PAR.10" should also be noted on the requisition. The number assigned to a requisition must appear on all subsequent certifications, appointment forms, and all other correspondence pertaining to the requisition.

STEP 2 - Requisition Recording

The requisition content must be documented, as it provides a tracking system and record of all Labor Service actions processed. The following items must be recorded:

- The requisition number assigned by the Labor Service liaison.
- The date of the requisition.
- The department and division of the department, if applicable, in which the vacancy exists.
- The number of vacancies.
- Kind of Work:
 - Position Title
 - Type of vacancy (i.e., permanent, temporary, full-time, part-time or intermittent)
 - Salary rate to be paid

Under "Action Taken":

If a Notification of a Provisional Appointment made by the Appointing Authority is submitted with the requisition, the information

contained therein, i.e., name of provisional appointment and the effective date of employment, should be recorded.

In order to respond to inquiries made prior to the Appointing Authority taking formal action, record any actions proposed by the Appointing Authority such as a request for the use of PAR.10, a certification for experience in the department under PAR.19(2), the name of a proposed promotee, or a practical test.

STEP 3 - Roster Verification

All employees in approved Labor Service positions under Civil Service are listed on departmental rosters, which should be used as a reference to ensure that a requested vacancy is valid under Civil Service Law. It is important that the roster sheets turned over to the Labor Service liaison be kept current.

a. Previous Incumbent. Check all positions not newly created for the following information:

- (1) Proper type of employment: If the previous incumbent was permanent, the requisition should be submitted for a permanent vacancy. If the previous incumbent has temporarily vacated their permanent position due to leave of absence, illness or provisional promotion to a higher-level position, the requisition should be on a temporary basis, and the duration of the vacancy so noted.
- (2) If a conflict of information exists, resolution or clarification of the existing problem should be obtained from the Appointing Authority. Status or Position Check. A check must be made to determine if any person in the same job title and department or division of a department has layoff, abolition of position, or permanent intermittent or permanent part-time status in that order.
- (3) If there are any employees with a layoff or abolition of position status in the same position title, under Section 39 of Chapter 31, they are entitled to primary consideration for either permanent or temporary positions. The department should be informed of the reinstatement rights of those individuals. Such persons must be reinstated before any new appointment is made, through either the certification or the promotion process. The Appointing Authority should submit a formal request for reinstatement.
- (4) If there are no employees with layoff or abolition of position status, employees with permanent intermittent or permanent part-time status holding the same position title are then considered for full-time employment in either a permanent or temporary full-time vacancy as outlined in PAR.08(6). If there are such employees, their names must be certified, in order of their dates of seniority, before any other names can be certified from the eligible list, or any request for promotions processed. If several employees have the same seniority date, their names must be certified within their common seniority date in order of their standing on the eligible list from which they were appointed to the intermittent or part-time position. No certification may be made from an eligible list unless all permanent intermittent or permanent part-time employees in the same position title in the same department have been certified and either failed to respond for the interview, declined the full-time position, or have been appointed.

A list of such employees should be prepared by the Labor Service liaison and attached to the requisition when creating the certification for submission to the Appointing Authority and creating the notices of vacancy to be emailed to the employees.

STEP 4 - Provisional Appointment

The Labor Service liaison must check to ensure that the Provisional Appointment Form is attached to the requisition and is completely filled out to satisfy veteran selection and records processing requirements. Check

to ensure that a current Form 30 (Position Description Form) has been submitted with the requisition and that the position title and date of requisition are specified.

Check to ensure the Provisional Appointment Form or letter from the Appointing Authority coincides with “Type of Employment” on the requisition:

a. If a permanent requisition is submitted with a provisional appointment, the Labor Service liaison must indicate directly on the Provisional Appointment Form that the appointment is either effective pending the establishment of an eligible list if no list is in existence, or pending certification if a list exists.

b. If a temporary requisition is submitted with a provisional appointment, the Labor Service liaison must note that the approval is “provisional” only for the period specified as the duration of the vacancy pending either the establishment of an eligible list or pending certification from an existing list.

c. Appointing Authorities must notify the Labor Service liaison of a provisional appointment using the Notification of Provisional Appointment Form, unless, the Human Resources Division has approved a locally developed substitute. Appointing Authorities should no longer receive notifications to terminate or to extend a provisional appointment until such time as an eligible list is generated for the title and a certification is to be used. However, it will be the responsibility of the Labor Service liaison to ensure termination of all provisionals when an appropriate eligible list is established and a certification processed.

d. The Labor Service liaison will check the applicant’s main file to determine if the provisional appointee is on the eligible list, and if not registered, shall request the individual to fill out an application immediately.

e. If no eligible list exists, the requisition should be placed in the Labor Service liaison’s active file to await the establishment of an eligible list of applicants as a result of subsequent applications. When an eligible list for that title is established within an organization, a certification of names should be prepared and the procedures outlined in (f) below relative to provisional appointees should be followed.

f. When an eligible list is already in existence, or after a new list has been established, the Labor Service liaison reviews correspondence from the active file to process the certification:

- (1) Gather correspondence for provisionals currently employed in the same title as that for which the list has been established.
- (2) All provisional appointees not high enough on the eligible list to be included in the certification, or those provisional appointees who are included in the certification but are not among those highest on the certification willing to accept as provided in the ratio of selection for the number of vacancies under PAR.15, must be terminated when selections for appointment are made by the Appointing Authority.

After the materials have been reviewed and evaluated, the Labor Service liaison should initiate the certification of names from the eligible list.

PART C - PREPARATION OF CERTIFICATION: GENERAL INFORMATION (PAR. 08)

STEP 1 - Certification

The Certification is a standard form used to prepare eligible certifications to Appointing Authorities. It may be either typed manually or generated from a computer printout for the various types of certifications, which are described in the following pages.

An applicable designation for veteran must be indicated after the labor service number.

If a medical examination is required for local purposes by an organization, this information should be included in the vacancy notices sent to applicants.

The following should be included in the appropriate areas at the top of the first page of the [Certification](#):

- a. Certification Number and Date
- b. Position Title, Working Title, Number of Vacancies
- c. Hiring Manager Name, Hiring Manager Title, Department/Division, Street Address, City, State, Zip Code
- d. Date of Signing Period, Office Hours
- e. Desired Start Date
- f. Job Type--Permanent or Temporary or Intermittent or Full-Time or Part Time
- g. List Type--Open Competitive or Departmental Promotional or Reemployment
- h. Selective Certification--Gender or Bilingual
- i. Conditions of Employment
- j. Minimum Salary, Maximum Salary
- k. New Position--Yes or No
- l. Licenses Required
- m. Physical Exam Required--Yes or No
- n. Comments, Attachments

Next, the Appointing Authority is to create the list of candidates, either an [Entry Level Certification](#) or [Promotional Certification](#).

- 1) All documentation supporting actions of all applicants such as;
 - (i) Failed to respond to vacancy notice
 - (ii) Declined appointment
 - (iii) Willing to accept
 - (iv) Bypassed
 - (v) Selected(b) must be maintained by the Appointing Authority.
- 2) Notification of Employment Form on which the Appointing Authority will report appointments.

STEP 2 - Recording of Certification

When the process is completed, the Labor Service liaison should retain a copy of the certification with the requisition, calendared for six weeks pending receipt of the report from the Appointing Authority. The date of certification and number of names certified should be recorded against the requisition number in a tracking log.

STEP 3 - Vacancy Notice

A Vacancy Notice must be mailed or emailed to each eligible person listed on the certification.

The [Vacancy Notice](#) must contain all of the information listed below:

- a. Position title of vacancy to be filled
- b. Date certification was issued
- c. Certification Number
- d. Candidate Name
- e. Labor service number of Candidate followed by the appropriate indicator of any veteran preference or date of seniority when applicable

- f. Hiring Department information, such as date, time, and place eligible persons are to report if interested in position
- g. Type of license required by statute, if any. If a current license is required by statute, the certification and Vacancy Notices should include it, i.e., “applicants must exhibit a current valid Class 2 Massachusetts Motor Vehicle Operator’s License”
- h. Conditions of employment (permanent or temporary on a full-time, part-time, part-time or intermittent basis) and any other pertinent information such as split shifts or unusual hours of employment, heavy work, etc.
- i. If the municipality requires a physical examination, this should also be indicated
- j. Salary to be paid including any salary differentials

STEP 4 - Return of Certification by Appointing Authority (PAR.09)

Within six weeks from the date of any certification, the Appointing Authority in accordance with PAR.09 must process the certification and return to the Labor Service liaison’s office indicating next to each name whether the applicant failed to respond, declined appointment, was willing to accept or was selected for appointment, or any other applicant action. Also, if the Appointing Authority concludes as provided in PAR.09(2) that the appointment of a person whose name has been certified would be detrimental to the public interest, the Appointing Authority may submit to the Labor Service liaison a written statement detailing its specific reasons. The Labor Service liaison will refer all such statements and related materials to the Human Resources Division, Civil Service Unit for appropriate action, which may include removal of the applicant from eligible list or not certifying the applicant’s name to the Appointing Authority.

When the Appointing Authority records the process of the certification, it must also include an account of all applicants on the certification who have signed indicating that they are willing to accept appointment, regardless of the Appointing Authority’s intention to appoint them.

STEP 5 - Extension of Certification

If the Appointing Authority is unable to complete the certification within six weeks, they may submit a written request to the Labor Service liaison for an extension, specifying the reasons for the request. An extension may be granted if the eligible list has not changed to the extent that the certification would be affected. Otherwise a new certification may be processed.

If no report is received on the certification from the Appointing Authority within the six week period, and no extension has been requested, the Labor Service liaison shall forward to the Appointing Authority a form letter requesting that the Appointing Authority inform the Labor Service liaison of what actions have been taken. This is calendared for three weeks for follow-up. After three weeks, if no reply is received, the Appointing Authority must be notified in writing that the requisition has been cancelled, and the services of any provisional appointees employed in the vacancies must be terminated within a specific time period.

STEP 6 - Certification with Less Than Three Applicants Willing to Accept (Section 27)

Chapter 31, Section 27, states that whenever the Labor Service liaison generates a certification of names of persons eligible for appointment or promotion, and the eligible list contains the names of at least three persons willing to accept, the Appointing Authority shall select and appoint from the eligible list in accordance with the civil service law and rules. If a certified eligible list includes less than three names, the Appointing Authority may select and appoint from the list at its own discretion.

If the Appointing Authority does not make an appointment from a certification of less than three names, it shall notify the Labor Service liaison of its intention to leave the position unfilled until such time as an eligible list of at

least three persons willing to accept is established, or, if the Appointing Authority wishes to fill the position by a person whose name does not appear on said eligible list, the Appointing Authority shall certify to the Labor Service liaison that each person on the list who reported for an employment interview as directed by the Labor Service liaison was interviewed and considered for appointment. The Appointing Authority shall state sound and sufficient reasons, satisfactory to the Labor Service liaison why the certification of less than three names was not adequate to make a proper selection. No provisional appointment shall be approved or continued following a certification by the Labor Service liaison if the list contains the names of three persons who are eligible and “willing to accept.”

PART D: CERTIFICATION OF PERMANENT INTERMITTENT AND PERMANENT PART-TIME EMPLOYEES TO BE SUBMITTED FOR FULL-TIME POSITIONS (PAR. 08(9))

STEP 1 - Before action is taken on a requisition for full-time employment, the Labor Service liaison must determine if there are any permanent intermittent or permanent part-time employees in the same position title and the same department or division of a department where the vacancies exist. If there are any such employees, their names must be certified in order of their respective dates of seniority beginning with the earliest date before any names can be certified from the eligible list or any request for promotions processed. If several employees have the same seniority date, their names must be certified within their common seniority date in order of their standing on the eligible list from which they were appointed to the intermittent or part-time position.

STEP 2 - The Appointing Authority will provide the employees’ email or mailing addresses to the Labor Service liaison, so the liaison can communicate certification and vacancy announcements. It is the Appointing Authority’s responsibility to notify the Labor Service liaison of any subsequent changes in the email or mailing addresses of the employees so that information can be kept updated and accurate.

STEP 3 - The Appointing Authority should prepare a list of the names of those employees and attach it to the requisition prior to Labor Service liaison creating the certification and vacancy notices.

STEP 4 - The certification information including the date of certification, the number of names certified and the type of certification submitted, for example, “certified from roster of permanent part-time or permanent intermittent employees,” PAR.08(9) should be noted against the applicable requisition number.

STEP 5 - The Appointing Authority must submit the report on the certification within six weeks from its date as specified in PAR.08 and the ratio of selection for appointments must be exercised as provided in PAR.09.

STEP 6 - No certification may be made from a regular eligible list unless all permanent intermittent or permanent part-time employees in the same position title in the same department have been notified and failed to respond for interview, declined the full-time position, or were selected for appointment.

PART E: CERTIFICATION FROM REEMPLOYMENT LIST

STEP 1 - When a requisition is received from an Appointing Authority to fill a vacancy, on either a temporary or permanent basis, in an entry-level Class I position title or in a Class II and/or Class III title, the Appointing Authority must certify that they have been unable to fill the position through the promotion process as in Chapter 31, Section 29, and PAR. 19(5). The names of persons appearing on the reemployment list for that title are certified before any names are certified from the regular list. The Appointing Authority must verify if a reemployment list exists for the position being filled. All lists are available on the website under the [eligible list](#) display.

STEP 2 - The names certified from a reemployment list shall be listed in order of their dates of seniority, in the positions from which they were separated, beginning with the earliest such date. This list and vacancy notices

to persons on list will be generated by the Human Resources Division and forwarded to the Appointing Authority.

STEP 3 - A report on the certification by the Appointing Authority must be submitted to the Human Resource Division within six weeks from its date, and the ratio of selection for appointment as provided in PAR.09 must be exercised and reviewed.

PART F - CERTIFICATION OF PERSONS WITH EXPERIENCE IN THE DEPARTMENT (PAR. 19(2))

The Labor Service liaison must ensure that the Appointing Authority has submitted all information to process a certification under these rules. To prepare a certification of persons experienced in the department, it will be necessary to:

STEP 1 - Review the department's employment records for employees in a particular title to determine those having accrued the equivalent of one year of full-time employment. All temporary appointments and extensions of temporary appointments approved on a full-time, intermittent or part-time basis, as a result of certification from the eligible list, are to be reviewed. Starting with the veteran applicants, the Labor Service liaison will prepare a list of those applicants who appear to be eligible for certification. It will be necessary to verify the periods these applicants were actually employed with their employment history. Many temporary appointees resign or are terminated for other reasons before completing the authorized periods of their employment, and therefore may not have gained the twelve months of full-time employment necessary for certification under this rule.

If there is an insufficient number of veterans who have accrued the necessary experience, the same screening procedure should be followed with: first, the employment records of surviving spouses or surviving parents who received preference, and lastly, with the employment records of non-veteran applicants.

STEP 2 - The names of applicants who have been employed on an intermittent or part-time basis who appear to be eligible must be submitted to the Appointing Authority for review of the actual time they were employed, to determine whether or not they have accrued sufficient periods of employment on an intermittent or part-time basis equivalent to one year of full-time employment. The applicant may have accrued the twelve months of full-time employment necessary to meet the provisions of the rule over a period of years. The Appointing Authority should then relay this information to the Labor Service liaison.

STEP 3 - After employee records have been verified regarding full-time employment, and the necessary information has been received from the Appointing Authority relative to intermittent and part-time employment, a certification of names of applicants having the necessary twelve months of full-time employment will be prepared.

The names of applicants will appear in order of their standing on the eligible list reflected by their labor service number, with the names of experienced veterans (indicated by "*" after the labor service number) appearing first, followed by the names of those experienced applicants given preference as a surviving spouse or parent, etc., (indicated by "***" after the labor service number), and lastly, experienced non-veterans.

STEP 4 - The Appointing Authority must process the certification within six weeks from its date. If the Appointing Authority requests an extension of time, the Labor Service liaison may extend the time limit in accordance with the provisions of PAR.08(2).

STEP 5 - The certification information including the date of certification, the number of names certified and the type of certification submitted, for example, "experienced in the department under the provisions of PAR.19(2)," should be entered against the applicable requisition number.

STEP 6 - If accepted by vote of the City Council or legal administrative body, pursuant to Chapter 31, [Section 57](#), year-round temporary positions in the classified Labor Service for which compensation has been paid for a continuous period of two years shall be deemed to be a permanent position. Certification to fill such positions shall first be made of persons with experience in the same position title and in the same department or division of a department under PAR.19(2). The Labor Service liaison should verify whether this section is in effect in their organization and process accordingly.

A person who has had temporary service after certification for at least two years and who receives a permanent appointment in the same position title and in the same department or division of a department in which they had such temporary employment, shall not be subject to a probationary period.

PART G: PREPARING A CERTIFICATION FROM ELIGIBLE LIST TO ENTRY-LEVEL CLASS I POSITIONS, (PAR. 08 and .09)

STEP 1 - To fill a permanent or temporary vacancy on a full-time, intermittent, or part-time basis in a Class I position included in the Classification Plan for the organization when a roster check does not indicate any conditions which would preclude certification from the appropriate eligible list, a certification of eligible applicants established as a result of registration will be prepared.

STEP 2 - The names of applicants will appear in order of their respective standing on the eligible list for the position title, by labor service number, first the names of veterans (indicated by “*” after the labor service number), followed by the names of applicants given preference as a surviving spouse or single parent, etc., under the provisions of Chapter 815, of the Acts of 1977, (indicated by “****” after the labor service number), and last non-veteran applicants. The number of names certified will be governed by the number of vacancies, the related ratio of selection provided in PAR.09 and by the experience of the Appointing Authority in filling vacancies in the same position title with similar conditions of employment from previous certifications.

STEP 3 - If there is a Special List of Section 47A applicants established for the position title in addition to the regular list, the same number of names eligible Section 47A applicants (or a lesser number if the entire list) shall also be submitted in order of their respective standings on that list, on a separate certification headed “Section 47A List” bearing the same date as the certification from the regular list. (See Step 2)

STEP 4 - A certification request form should be processed for the regular list for that title, as well as the Section 47A list, if one has been established. If both lists are generated, instructions for implementing Section 47A is to be sent by the Labor Service liaison to the Appointing Authority with the certifications explaining that the two lists are to be considered as one certification of names, and outlining the procedures for making selections for appointment as provided in PAR.09.

STEP 5 - If it is determined by a local authority that a pre-employment physical examination is required and will be administered under local jurisdiction for a particular position title, the requirement should be so stated on the certification and in the Vacancy Notices emailed to the applicants.

STEP 6 - The certification information including the date of certification, the number of names certified from the regular list and from the Section 47A list (if two certifications were generated), should be entered against the applicable requisition number.

STEP 7 - The Appointing Authority must make a report on the certification within six weeks of its date. If the Appointing Authority is unable to make a selection for appointment within this period they may request an extension of time which may be granted provided that there have been no changes in the eligible list which would affect the certification.

PART H: PREPARING A CERTIFICATION FROM THE ELIGIBLE LIST FOR A CLASS II OR CLASS III POSITION, PAR. 08 AND .09

STEP 1 - If a permanent or temporary full-time Class II or Class III vacancy exists in a title included in the Classification Plan, the roster should be checked to determine if there are any permanent intermittent or permanent part-time employees in that department or division of the department whose names should first be certified for the full-time position in order of their dates of seniority.

STEP 2 - The Labor Service liaison is to determine if a promotional bulletin was posted in accordance with, Section 29, Chapter 31. If the Appointing Authority has certified that, after such posting, no employee in a lower grade is qualified and willing to accept the position, then a certification from an eligible list is requested.

STEP 3 - A certification of eligible applicants in order of their standing on the appropriate eligible list (as outlined in, Part G: Certification to Entry-Level Class I Positions) should be generated and attached to the requisition, prior to forwarding to the Appointing Authority. The Vacancy Notices are then generated and emailed or mailed to the applicants. If a current license is required by statute, the certification submitted to the Appointing Authority and the Vacancy Notices sent to the applicants should include a statement to that effect.

STEP 4 - The certification information, including the date of certification and the number of names certified, should be entered against the applicable requisition number.

STEP 5 - The Appointing Authority must process the certification within six weeks from its creation date. If the Appointing Authority is unable to make the selections within this period, an extension of the time may be given if there has been no change which affects the certification in the eligible list.

PART I: SELECTING FOR APPOINTMENT FROM PAR.08 AND PAR.09

It is important to remember that the number of vacancies determines the number of names certified, and the order in which appointments must be made. The following procedures must be followed in the certification process.

When names have been certified to an Appointing Authority under PAR.09, and the number of appointments to be made is n, the Appointing Authority may appoint only from among the first (2n + 1) persons named in the certification willing to accept appointment, e.g.,

When the number of appointments to be made (vacancies) is:

the Appointing Authority may appoint only from among the first:

1 _____	3
2 _____	5
3 _____	7
4 _____	9
5 _____	11

persons named in the certification willing to accept.

In order to assist the Appointing Authority in the number of persons it may select for appointment in relation to the number of appointments to be made, a certification which lists the names of eligible applicants in order of their standing should be completed and returned to the Labor Service liaison.

PART J: SELECTION FOR APPOINTMENT USING SECTION 47A SPECIAL LIST

STEP 1 – The Labor Service liaison creates two separate certifications are prepared, one from the “regular” list and the other from the Section 47A eligible list. As a result of the hiring process the Appointing Authority should document those applicants who are willing to accept the positions, failed to respond, declined appointment, bypassed, selected, etc.

STEP 2 - The Appointing Authority should then prepare documentation from which the final selections will be made by merging the regular and Section 47A lists as follows: The first name will be the first person on the “regular” list who is willing to accept. The second name will be the first person on the Section 47A list willing to accept. The third name will be the second person on the “regular” list that is willing to accept. The fourth name will be the second person on the Section 47A list that is willing to accept. The Appointing Authority will follow this method for the entire list or until the names on either list are exhausted. If it is no longer possible to alternate names, because one list has been exhausted, but the number of vacancies allows for the certification to have more names, the remaining names on the unexhausted list must be placed on the certification for the opportunity to be considered.

PART K: CERTIFICATIONS UNDER PAR.10 FOR MINORITIES OR FEMALES

STEP 1 - After the expiration of the ten-day posting period of notice of intent to use PAR.10 by the Appointing Authority, it will be necessary to prepare two certifications. One certification under PAR.08 will contain the names of applicants in order of their standings on the eligible list established for the particular position title for which requisition was made as outlined in Part G or Part H.

The names of eligible applicants on a special list for Section 47A applicants would also be certified in the event of a vacancy in an entry level position.

STEP 2 - The second certification will contain an equal number of names of applicants who are members of the protected group (either minority or female) requested by the Appointing Authority under PAR.10 in order of their standings on the eligible list established for the particular position title. The number of appointments to be made will govern the number of names certified from each list. The certification of names of eligible applicants under PAR.08 merged with the Section 47A eligible applicants, if applicable, will be indicated as “Regular Group” on the Certification submitted to the Appointing Authority. The certification of names of a protected group or groups requested will be indicated as a “PAR.10 Group” on the accompanying certification and submitted to the Appointing Authority.

STEP 3 - The certifications submitted to the Appointing Authority must document the process for PAR.10, which states the number of names of applicants appearing highest on each certification who are willing to accept and from which the Appointing Authority must make his selections in accordance with the number of appointments to be made.

STEP 4 - The certification information including the date of certification, the number of names certified from the regular list, the Section 47A list, if applicable, and the Protected Groups, should be entered against the applicable requisition number.

STEP 5 - The Appointing Authority must process and return the certification to the Labor Service liaison within six weeks from its issue date as provided in PAR.10.

PART L: APPROVAL OF APPOINTMENTS

STEP 1 - The Labor Service liaison will review each page of the completed certification returned by the Appointing Authority to ensure that a notation has been made for each applicant; i.e., failed to respond, declined, willing to accept, and/or selected for appointment. If this information is incomplete the Labor Service liaison must return the document for completion but retain a copy in their files until the completed correspondence is received.

STEP 2 - The selections for appointment must be reviewed by the Labor Service liaison to ensure that they meet the provisions of PAR.09 or PAR.10, whichever is applicable. The listing of all applicants willing to accept, as well as those selected for appointment as provided by the Appointing Authority, must be verified. If any discrepancies are found, an explanation must be obtained from the Appointing Authority.

STEP 3 - If the number of selections for appointment exceeds the number of vacancies on the original requisition, the Appointing Authority must amend the requisition indicating whether the additional positions are newly created; and, if not, the cause of the vacancies. The Labor Service liaison will verify the status of any previous incumbents to determine the validity of the vacancies.

STEP 4 - If a pre-employment physical examination is required by the organization, a Notification of Employment is processed for those selected for appointment who pass such examination. If no pre-employment physical is required, the Notification of Employment is forwarded to the Labor Service liaison.

STEP 5 - The Labor Service liaison reviews the Notification of Employment against the requisition to ensure that no substantive changes have occurred.

STEP 6 - Before approving an appointment, the Labor Service liaison must ensure that the following information is present:

- Appointee's Address
- Appointee's Signature and Appointing Authority's Signature
- Date employment begins. Appointments from an eligible list must be effective on or after the date of the certification.
- Appointment must take effect within thirty days of receipt of appointment.

The applicant information must also be verified with main eligibility record to establish proper identification of the appointee.

STEP 7 - Check the completed copy of the certification, to ensure that appointments are made in proper order, that the signature agrees with the name on the certification list and that the department has checked the selected box beside the correct name(s).

STEP 8 - If the appointment is in order, note approval with the date of approval.

STEP 9 - After the Notification of Employment Forms have been approved, all documentation should be retained in the Labor Service liaison's file. Copies may be sent to another designated authority, if required.

STEP 10 - The names of the appointees, as well as the date of appointment and veteran status, must be recorded against the applicable requisition number. Actions must be next recorded on employee records (new or existing), and on the Departmental Rosters.

PART M: RECORDING CHANGES TO ELIGIBLE LIST

STEP 1 - Permanent Appointment

The name of an applicant who has been appointed to a permanent position after certification from an eligible list is removed from all lists for position titles for which they are registered and/or qualified on their original registration number.

The name of a person appointed from a reemployment List will be removed from all reemployment lists for all position titles for which they were placed.

The name of an applicant appointed to a permanent full-time entry-level position from a Section 47A list will be removed from that list. If the applicant is also registered on the regular list, they will also be removed from that list for all position titles for which they have registered and qualified.

The name of a permanent intermittent or part-time employee appointed to a permanent full-time position from a roster certification, if still on the active list under their original registration number, will be removed from all eligible lists for all position titles.

STEP 2 - Appointments While in Military Service

In accordance with the provisions of Chapter 708, Section 3, Acts of 1941, any person certified and appointed to a permanent position while in military service shall be permanently employed in such positions subject to serving a probationary period; provided that they report in writing their willingness to accept the appointment to the Appointing Authority within 90 days after their discharge of military service. The appointment of such person must be recorded with a notation "in military service" and their name should be removed from the eligible list for all other position titles for which they have registered and/or qualified.

The appointment must also be entered against the requisition number with a notation "appointed while in military service."

The name of the appointee is then added to the roster for the particular position title in Class I, II or III with a notation "appointed while in military service."

STEP 3 - Military Substitute Appointment

The name of a person appointed to a military substitute position is retained on the eligible list for certification to a permanent position. In accordance with the provisions of Chapter 708, Section 2, Acts of 1941, they may continue to serve as a military substitute until the incumbent is reinstated or until the time within which the incumbent's rights to be reinstated has expired. If the incumbent is not reinstated within the time limitations provided, the military substitute shall continue in the position and their seniority rights shall date from their appointment as a military substitute, in which case they shall be considered to have been appointed on a permanent basis, and their name will then be removed from the eligible list.

STEP 4 - Temporary Appointments

The name of a person appointed to a position on a temporary basis will be retained on the eligible list for certification to a permanent position or to a temporary position in a higher class for which they are registered and qualified.

The appointment will also be entered against the requisition number.

STEP 5 - Revocation of an Appointment

In accordance with PAR.08(2), the Personnel Administrator may, before or after an appointment has been made, cancel a certification if they find that the certification was made in error, or that any person certified was placed on the eligible list through mistake or fraud; and, if a person has been appointed from such certification, the Personnel Administrator may revoke the appointment and order the person's discharge.

STEP 6 - General Updating of Eligible Lists

It is important that eligible lists reflect up-to-date information.

PAR.19(3) provides that if any person certified fails to respond for interview, declines the employment offered, or fails to report for work after signifying their willingness to accept, their name shall be removed from the eligible list by the Labor Service liaison. If the applicant gives a satisfactory explanation in writing within six (6) months from the date of removal, their name may be restored to the eligible list. If the request is not made within six (6) months, the applicant must file a new application and be treated as a new applicant. The policies and procedures established for the implementation of this rule are dependent upon the conditions of employment for which the applicant was certified.

a. Permanent Certification

The name of a certified applicant who fails to respond to a permanent position must be removed from the eligible list by the Labor Service liaison. A notation is entered on the eligible list, for example, "10.12.78 - removed from list (note eligible list title) from requisition number (list the three requisition #'s)." The name of an applicant who declines a permanent position will be marked DNC - "Do not certify," on the eligible list if the applicant so requests in writing. An applicant may decline if satisfactory written reasons are provided within six months. Following three unexcused declinations, the name of the applicant shall be removed from the active file.

Enter a notation on the eligible record, such as "10.12.78 - DNC - declined appointment (requisition #'s)."

b. Permanent Intermittent and Permanent Part-time Certification

If an applicant fails to respond or declines a permanent intermittent or permanent part-time position, enter a notation including the date, such as "10.12.78 - DNC for intermittent or part-time work (whichever is applicable) and (requisition #'s)."

c. Temporary Certification

If an applicant fails to respond or declines a temporary position, enter a notation on the applicant's eligible record that includes the date, for example: "10.12.78 - Do not certify for temporary work (requisition #'s)." The applicant remains eligible for certification for a permanent position.

V. PROMOTIONAL PROCEDURES FOR CLASS II AND CLASS III POSITION TITLES

PART A: Processing Permanent and Temporary Promotions or Changes in Employment

STEP 1 - Posting of the Promotional Bulletin

The Appointing Authority must post a promotional bulletin prior to making any request to the Labor Service liaison for

- (1) approval of a promotional appointment of a permanent employee in the Labor Service to a higher title in such service, or for approval of a change in employment of a permanent employee within such service from one position to a temporary, or
- (2) permanent position which is not higher, but which has requirements for appointment which are substantially dissimilar to those of the position from which the change is being made.

The bulletin must be posted in the department or divisions of a department (if applicable) for a period of at least five (5) working days in a location where it can be seen by all employees eligible for such promotional appointment or change in employment. Requisitions from the Appointing Authority should be reviewed to ensure that they contain a statement verifying that the posting requirements have been satisfied, indicating the date, location and result of the posting. There is no standard format for a promotional bulletin, however, it is essential that any posting contains all of the following information relative to the vacant position:

- a. Title of position to be filled.
- b. The salary to be paid, including any differentials.
- c. The location of the position.
- d. Any pertinent information relative to special qualifications or licenses required by Statute.
- e. Type of vacancy - whether permanent or temporary and, if temporary, the probable duration of the vacancy.
- f. The last date for applying for the position.

The Appointing Authority should verify the completeness and accuracy of this information with the Labor Service liaison prior to authorizing the posting.

STEP 2 - Emailing the Promotional Bulletin

The Appointing Authority must also email a copy of the promotional bulletin to any employee on sick or military leave, on vacation, or off the payroll during the entire period of the posting of the bulletin. The Labor Service liaison should verify compliance with this requirement.

STEP 3 - Selection for Promotion or Change of Employment

PAR.19(5) provides that promotions and changes of position in Labor Service shall be made from those employees in same or lower grade or grades, who have the required qualifications and serve in eligible titles as determined by the Personnel Administrator and who have indicated their willingness to accept the position. If there are less than three employees qualified and willing to accept, selection may be made from the lesser number.

If there is only one vacancy, selection must be made from among the first three employees with greatest length of service who, in the opinion of the Appointing Authority, have the required qualifications and who have indicated their willingness to accept. In making their selections, the Appointing Authority is not required to determine qualifications on the basis of the experience or practical test requirements established for the registration of applicants for original appointment. The requirement of a license imposed by statute for a particular position, however, must be adhered to in the selection for promotion. If there is more than one vacancy, selection is made from the same number of those with the greatest length of service, qualified and willing to accept, as provided in making selections for appointment under PAR.09(1).

STEP 4 - Review of the Requisition

After posting the Promotional Bulletin, the Appointing Authority should complete and forward to the Labor Service liaison a requisition for the vacancy. The Labor Service liaison reviews the requisition, numbers, and enters it.

a. Title

If it is the intention of the Appointing Authority to retain the promotee's present title(s), as well as the promotional title, the present title(s) as well as the new title requested should be included in "title of position." Titles must be accepted Classification titles included in the organization's classification plan.

b. Incumbent

The Labor Service liaison should review the history record to verify the status of the previous incumbent and the reason for absence or termination given in the requisition. If the requisition specifies a permanent vacancy, and the previous incumbent is on a leave of absence, is out of work on workers compensation, or has been given a temporary or provisional promotion to a higher-level position, the Labor Service liaison must inform the Appointing Authority that the vacancy may be filled only on a temporary basis.

If the requisition indicates that the previous permanent incumbent has resigned or retired, and the employee history record does not so indicate, the liaison should verify the termination with the Appointing Authority. The requisition should not be processed until an appropriate Termination Notice has been recorded. Similarly, if the requisition submitted is to fill a temporary vacancy, the record of the previous incumbent must be carefully checked to verify the cause of the vacancy.

c. Roster

The Labor Service liaison will next review the roster for the specific department or division of the department in the particular position to which the promotion is being requested to determine:

- (1) if there are any employees who have been laid off for lack of work or funds, they should receive first consideration for reinstatement.
- (2) if the position is to be filled on a full-time basis, whether there are any permanent intermittent or permanent part-time employees holding the same position title who should be certified in order of their dates of seniority for the full-time vacancy, as provided in PAR.19(2).

If neither of these conditions exists, the Labor Service liaison may proceed with processing the request for promotion.

d. Report on Posting of Promotional Bulletin

The Labor Service liaison should carefully review the requisition to ensure that the Appointing Authority has completed the following information on the requisition.

As previously indicated, the Appointing Authority must certify that it has posted a Promotional Bulletin for five (5) working days prior to filing the requisition and indicate the dates and exact places of posting. The Appointing Authority must also certify that as a result of the posting the employee selected for promotion is one of the three (or more - see PAR.09) employees in the lower grade with earliest seniority dates who has the required qualifications and has indicated a willingness to accept the position.

The Appointing Authority must state the name and title of the present position of the proposed promotee. The Labor Service liaison should verify this information with the employee main file.

If there are discrepancies in the present position titles of the promotee indicated on the requisition, the promotion should be delayed pending resolution of the discrepancies with the Appointing Authority.

It is not necessary for the Appointing Authority to submit a copy of the posted Promotional Bulletin, although the Labor Service liaison may wish to request such documentation.

STEP 5 - Approval of Promotion or Change

In order to be consistent with the provisions of Section 29, Chapter 31, approval should be given for a “promotion” in the case of an employee being promoted from a position title in a lower class to position title in a higher class. If an employee receives a change in employment from a position title in one class to a position title in the same class, the duties of which are so substantially dissimilar as to preclude a transfer under Section 35, Chapter 31, the approval should be worded as a “change in position.”

Once the Labor Service liaison determines that the proposed promotion or change is in order, they may approve it. Such approval should include the present titles, if any, which the employee is to retain; the new title; the effective date of the promotion; and the salary to be paid, including differentials for the individual titles held, if applicable.

There is no printed form for use in approving promotions and changes. The Labor Service liaison may prepare a standard form letter that includes the pertinent information relative to each promotion and retain the letter in the employee’s file. This letter should be addressed and sent to the employee and a copy provided to the Appointing Authority.

STEP 6 - Recording Promotion or Change

Enter information relative to the approved promotion on the employee main file of the promotee and add the name of the promotee to the departmental roster in the particular position title in Class II or Class III, whichever is applicable. The effective date of the promotion must be within thirty days from the date of receipt of notification.

PART B - PROVISIONAL PROMOTIONS DURING PROBATIONARY PERIOD

If the Appointing Authority requests the promotion of an employee who has not completed the service of their six (6) month probationary period, but certifies that such employee is the only one who has responded to the posting of the Promotional Bulletin for the position, the employee may be approved for provisional promotion from the date requested through the completion of the probationary period, in accordance with the provisions of Section 15, Chapter 31.

When the Labor Service liaison has reviewed the supporting documentation for the provisional promotion to ensure that all is in order, approval and processing may proceed as outlined above.

PART C: TRANSFER OF AN EMPLOYEE FROM THE OFFICIAL SERVICE TO LABOR SERVICE

If, as a result of the posting of the Promotional Bulletin, the Appointing Authority wishes to transfer an employee in the Classified Official Service to a position in the Classified Labor Service in the same department or division of a department, the Appointing Authority shall request the transfer on a [Transfer Form](#) without filing a requisition. The transfer forms must be accompanied by a statement signed by the Appointing Authority certifying that they posted a Promotional Bulletin for the position as required by Section 29 of Chapter 31 and as a result of the posting, requests the transfer of the employee from Official Service who meets the conditions described below (M.G.L. Chapter 31, Section 36).

1. The employee must have been employed on a permanent basis after certification in the Official Service for at least one year.
2. The employee must have the necessary minimum qualifications to fill the position, as outlined in the Promotional Bulletin.
3. If the employee is to retain their Official Service title in addition to the Labor Service title requested, both titles must be included in the applicable area on the transfer forms, and the form must be signed by the employee, indicating their consent to the transfer, and also by the Appointing Authority authorized by law to make appointments. Dual titles are permitted if employee will perform partial duties of both.

If all the necessary requirements described above have been met, the transfer may be approved, notwithstanding that the employee being transferred is not on an eligible list for employment in the Labor Service, or is not in a position on said eligible list to be reached in certification.

After approval, the transfer should be entered against the applicable correspondence number and updated on the employee main file. The name of the employee is then added to the roster for the particular position in Class II or Class III of the Labor Service employees in the department. If the employee is to retain their Official Service position title, their name will also remain on the Official Service roster.

PART D - POSTING OF PROMOTIONAL BULLETIN AFTER APPROVAL

In accordance with the provisions of Section 29, Chapter 31, the Appointing Authority in a department must, within fourteen (14) days after the approval of a promotion or change in position of a Labor Service employee or transfer of an Official Service employee under Section 36, Chapter 31, post the following information regarding such employee in all areas under their control, where five or more Civil Service employees start their tour of duty:

The name, permanent title(s), position title(s) to which promotional appointment, change in position or transfer under Section 36 was made, and the date from which length of service was computed for purposes of determining seniority.

PART E: REVOCATION OF PROMOTIONS OR TRANSFERS UNDER SECTION 36, CHAPTER 31

The Personnel Administrator may revoke a promotion; change in position or a transfer under Section 36 after approval if they are furnished evidence satisfactory to them that the action taken is not in accordance with the provisions of Civil Service Law and Rules.

A Labor Service liaison who has reason to believe or, who receives a complaint to the effect that a promotional appointment, change in position or transfer under Section 36 does not meet the provisions of Civil Service Law and Rules may refuse to approve such action.

VI. MAINTENANCE OF PERSONNEL RECORDS

The Labor Service liaison will be responsible for the establishment and administration of proper procedures for three major functions relating to personnel records. These function are: maintenance of the employee record, processing and approval of personnel actions, and maintenance of departmental rosters. Each area of responsibility is discussed in detail in the following sections.

PART A: EMPLOYEE RECORD

The importance of maintaining complete and accurate personnel information on an Employee Record cannot be overemphasized. These records will be used by the Labor Service liaison within organizations and, in some instances, by the Human Resources Division and the Civil Service Commission to determine eligibility, and to process actions in the following areas:

1. Eligibility for promotion.
2. Determination of seniority date to establish order of precedence in layoff and abolition of position.
3. Verification of eligibility for reinstatement.
4. Verification of current status of position.
5. Recording of essential personnel data such as leaves of absence, layoff, and abolition of position, suspension for cause, terminations during the probationary period and terminations under the provisions of Sections 37 and 38 of Chapter 31.
6. Determine eligibility for transfer.
7. Retention of information relative to collective bargaining issues.
8. Legal documentation in appeal processes and in many other areas.

Every personnel action must be recorded on an Employee Record.

At the time of implementation, the Labor Service liaison receives from the Human Resources Division the official record for Labor Service employees currently employed within the organization. Discrepancies in information locally maintained, should be brought immediately to the attention of the Human Resources Division's Civil Service Unit.

Immediately upon implementation, the Labor Service liaison assumes responsibility for ensuring the preparation and maintenance of an Employee Record for all current and future Labor Service employees of the organization. The following basic information must be recorded for every Labor Service employee:

1. Identification of the City/Town or Agency.
2. Name: Surname, given name, initial, if any.
3. Email address.
4. Home address.
5. Veteran/Disabled Veteran Status.
6. Date of Seniority (for permanent employees).
7. Department (or Division within a Department if established by statute or ordinance).
8. Type of Service (Indicate Labor).
9. Status (Indicate permanent, temporary, military substitute, provisional, emergency).
10. Type of Employment (Indicate full-time, intermittent, part-time, or recurrent).
11. Title of Position.
12. Salary.

The Employee Record should be maintained by department. The Human Resources Division suggests that Employee Records for provisional employees be maintained separately from those of permanent employees.

Changes in the information originally recorded, as well as personnel actions in any of the areas specified below, must also be clearly noted on an Employee Record.

1. Appointments (permanent, temporary, and provisional)
2. Transfers (permanent and temporary)
3. Promotions (permanent, temporary, and provisional)
4. Reinstatements (permanent and temporary)

5. Extensions and expirations of temporary and provisional employment
6. Assignments
7. Changes in duties
8. Changes in name or address
9. Demotions
10. Layoffs (Section 39)
11. Abolition of positions
12. Absences due to injury
13. Change in veteran status
14. Leaves of absences (Section 37)
15. Military Service
16. Suspensions for cause
17. Discharge for cause
18. Registrations
19. Retirements
20. Deaths
21. Any decisions of the Labor Service liaison, Personnel Administrator, or Civil Service Commission affecting employees

PART B: PERSONNEL TRANSACTIONS

Immediately upon implementation of PAR.20, the Labor Service liaison assumes the authority to process and approve a wide range of personnel actions, which previously required the approval of the Personnel Administrator. It is the responsibility of the Labor Service liaison to ensure that all such actions are taken in accordance with Civil Service Law and Rules. Procedures should be developed within the organization to ensure that the Labor Service liaison cannot finalize personnel actions in areas listed above without review, recording, and approval.

The Labor Service liaison may approve actions in four broad categories: (1) vacancy processing, (2) appointments and promotions, (3) employment actions, and (4) actions relating to termination and discharge.

Processing vacancies, appointments, and promotions are largely covered in other sections of this manual. It should be carefully noted, however, that results of any appointment or promotion process must be noted on the appropriate Employee Record. Appointments and promotions must also be noted on the appropriate departmental roster, as discussed later in this section.

The Labor Service liaison may approve, and process category (3), employment actions, without reference to the Human Resources Division. Appropriate procedures are discussed below.

1. Leave of Absence (MGL Chapter 31 Sec. 37, 38 and PAR.13)

The Labor Service liaison should process an employee's request for a leave of absence only after approval by the appropriate Department Head or Appointing Authority, and requests should be made for a specific period. For leave of more than 14 days a written request must be filed with the Appointing Authority. For any period longer than three (3) months except for illness as evidenced by the certificate of a registered physician or election to office, the employee must request prior approval by the Labor Service liaison.

An Appointing Authority may grant a leave of absence for personal reasons for a permanently appointed employee who is still serving the probationary period. Such a leave is granted at the discretion of the Appointing Authority; however, any employee who is given such a leave of absence, must, upon return to the position, complete the unexpired portion of such probationary period.

Once the Labor Service liaison has determined that a leave of absence may be approved, the following information should be noted on an Employee Record:

- a. Last date of paid employment
- b. Reason for the leave
- c. Period of the leave (a calendar card should also be prepared)
- d. Correspondence file number or identifying documents

2. Military service

The Labor Service liaison should ensure that the following information is noted on an Employee Record:

- a. Last date of paid employment
- b. Reason for the leave
- c. Name of the military substitute, if any
- d. Correspondence file number or identifying documents

3. Worker's Compensation for Injury

A permanent employee who is injured in the performance of duty and who is paid compensation under General Laws, Chapter 152, is entitled to be absent during his/her probationary period, but no formal leave of absence is necessary in such a case. In any instance of absence due to work-incurred injury, the Labor Service liaison should note the following on an Employee Record:

- a. Last date of paid employment
- b. Circumstances for the leave
- c. Correspondence file number or identifying documents

4. Suspension for Cause (MGL Chapter 31 Sec. 41 and 42)

The following information should be noted on an Employee Record:

- a. Last date of paid employment
- b. Period of the suspension and anticipated date of return to work
- c. Correspondence number or identifying documents

5. Layoff for Lack of Work or Money/Position Abolished (MGL Chapter 31 Sec. 39 through 45)

The Labor Service liaison's first responsibility upon being notified of an action in this category is to verify that the layoff or abolition of position is in accordance with M.G.L Chapter 31, Section 39 and has been effected through the provisions of M.G.L. Chapter 31, Section 41.

If it is determined that the action accords with Sections 39 and 41 the Labor Service liaison should proceed as follows:

- a. The name of any permanent full-time or part-time employee, who has been terminated as a result of a layoff or abolition of position, must be forwarded to the Human Resources Division, Civil Service Unit. HRD will place the effected employee on a Statewide reemployment list according to M.G.L. Chapter 31, Section 40. The Labor Service liaison should remove the employee from the seniority roster.

- b. The name of a seasonal, permanent intermittent, or permanent recurrent employee who is laid off due to lack of work or money should be retained on the roster, and is not placed on the reemployment list.
- c. Seasonal, permanent intermittent, or permanent recurrent employees laid off during their probationary period due to lack of work or money are retained on the seniority roster.

In any action involving lack of work or money or abolition of position, the Labor Service liaison should ensure that adequate documentation related to the circumstances of the action is retained in the file.

An Employee Record for each affected employee should contain a notification of:

- a. Last date of paid employment
- b. Action taken
- c. Correspondence file number

6. Terminations

Whether a termination is voluntary or involuntary, the Labor Service liaison is responsible for ensuring that the appropriate Department Head or Appointing Authority has prepared and submitted a complete [Form 56](#). No position vacancy resulting from a termination of any kind should be filled until the Form 56 has been submitted, and notation of the action made on the previous employee's record. An Employee Record should indicate the following:

- a. Resignation:
 - (1) Date of the resignation.
 - (2) Indication that the action was a resignation and notation of the reason, if given.
 - (3) Last date of paid employment.
 - (4) Correspondence file number or identifying document.
- b. Retirement/Pension/Death:
 - (1) Date of the action.
 - (2) Nature of the action.
 - (3) Last date of paid employment.
 - (4) Correspondence file number or identifying document.
- c. Expiration of Temporary or Provisional Employment:
 - (1) Last date of paid employment.
 - (2) Reason for the termination (establishment of an eligible list, end of funding period for temporary employment, etc.).
- d. Discharge for Cause:
 - (1) Last date of paid employment.
 - (2) Reason for the termination. For a temporary employee, documentation should be forwarded to the Human Resources Division's Civil Service Unit for a determination by the Personnel Administrator as to whether the employee's name should be removed from the eligible list.
 - (3) The correspondence number or identifying documents.

7. Reinstatements (MGL Chapter 31 Sec. 39 and 46)

Reinstatement of a person separated from their position may, at the discretion of the Labor Service liaison, be allowed to the same or another departmental unit in a position having the same title or a lower title in the same series, provided that the Appointing Authority provides in writing the reasons why such a reinstatement would be in the public interest. No request for reinstatement can be approved after a separation from service in such position for over five (5) years if a suitable eligible list exists containing the names of two (2) or more persons available for appointment or promotion to such position.

Specific instances of reinstatement require the following documentation and notation on an Employee Record:

a. Reinstatement After Leave of Absence

- (1) Effective date.
- (2) Action taken.
- (3) Correspondence number.
- (4) Date of seniority recomputed in accordance with Section 33 if the absence was in excess of six (6) months. (Continuity of service is not considered to have been interrupted by an absence from the payroll of more than six (6) months, if absence was due to personal illness or educational leave.)

b. Reinstatement After Military Service

Prior to approving such action, the Labor Service liaison must receive a copy of the employee's Honorable Discharge or Release from Active Duty and the Physician's Certificate required by the Statute of 1941, Chapter 708, Sections 2 and 3.

The record should contain:

- (1) Effective date.
- (2) Action taken.
- (3) Record the employee as a Veteran if eligible under Civil Service Law (or verify previous status as Veteran if already established).
- (4) The correspondence file number.
- (5) Seniority date is not affected if the action conforms to the statute cited above and Section 33.

c. Reinstatement after Injury/Worker's Compensation Case

If an employee out on Worker's Compensation is receiving partial pay, reinstatement forms are not required, but the date the employee resumed work should be furnished and posted. An Employee Record should contain:

- (1) Effective date.
- (2) Action taken.
- (3) Correspondence file number.
- (4) Seniority Date is not affected if the action conforms to M.G.L. Chapter 31, Section 33.

d. Reinstatement After Suspension for Cause

An Employee Record should contain:

- (1) Effective date.
- (2) Action taken.
- (3) Correspondence file number.

- (4) Seniority Date must be recomputed if the absence from the payroll was for more than six (6) months.

e. Reinstatement After Layoff/Lack of Work or Money/Position Abolished (Permanent Employees)

The Labor Service liaison should verify that the action of reinstatement is in accordance with M.G.L. Chapter 31, Section 39. On an Employee Record:

- (1) Note the effective date.
- (2) The action taken.
- (3) The correspondence number or identifying documents.

In the above instance the Labor Service liaison will retain an Employee Record in the active file and on the seniority roster for five (5) years from the date of the above action. The Labor Service liaison will submit the employee for reinstatement in the same department in accordance with seniority in service if a position in the same category is to be filled in that department. If an employee is reinstated within a two-year period from the date of above action, the employee's name is to be removed from the reemployment list; otherwise it will be removed at the expiration of the two-year period.

f. Reinstatement After Discharge

Note on the reactivated employee record:

- (1) Name of the Department/Division.
- (2) Effective date.
- (3) Action taken.
- (4) Status to which the employee is reinstated.
- (5) Type of employment.
- (6) Title of the position.
- (7) Salary.
- (8) Correspondence number.
- (9) Seniority date must be recomputed if the employee was absent from the payroll in excess of six (6) months.

8. Emergency Service After Retirement (Form 10 and 10A)

M.G.L. Chapter 32, Section 91(a) provides for emergency service after retirement for a period not to exceed one year in any position. Such action is taken after certification by the Appointing Authority and the Labor Service liaison if the position is subject to Civil Service Law, and must also be certified by the City Manager in a city having a Plan D or Plan E Charter, by the Mayor in any other city or in the case of a town employee, by the Board of Selectmen. Such certification shall state that:

- (1) An emergency exists.
- (2) A vacancy exists.
- (3) There is no person having the same or similar skills for such position.

The Labor Service liaison should note that if a suitable eligible list exists to fill the position, the request for emergency service could not be approved. In the event that there is no such list, the Labor Service liaison shall attach the above certification to a [Form 10A](#).

The statute permits employment:

- (1) Of any retired person regardless of age or whether actually receiving a pension, or of any employee about to be retired.
- (2) At the same or a different position in the same or a different agency or department.
- (3) Whether or not such emergency immediately follows the date of retirement.

The Labor Service liaison may approve further emergency service of a retired employee who was employed in emergency service for less than one year and who terminated such services, so that they may again be employed under the same conditions, provided that the total emergency service does not exceed one year.

The Employee Record should include the following information:

- (1) Name of the Department or Division.
- (2) Indication of type of appointment.
- (3) Effective date.
- (4) Type of service.
- (5) Type of employment.
- (6) Title of position.
- (7) Salary.
- (8) Approved period of employment.
- (9) Correspondence number.

9. Temporary Employment After Retirement (Form 10 only)

M.G.L. Chapter 32, Section 91(b) provides for temporary employment after retirement for not more than 1,200 hours in any calendar year. Such a person must have had Civil Service status in the position requested.

Note on the Employee Record:

- (1) Name of department or division.
- (2) Indication that this is temporary employment after retirement.
- (3) Effective date.
- (4) Type of service.
- (5) Type of employment.
- (6) Title of the position.
- (7) Salary.
- (8) Approved period of employment.
- (9) Correspondence number.

10. Transfer - Permanent or Temporary (Form 9)

Only permanent employees who have completed the probationary period (i.e., are tenured) are eligible for transfer. A transfer is a change in service from one department to a similar position in another department, or from one division to another division in the same department if such divisions have been established by statute, ordinance, or by-law. If no divisions have been so established, a move from one area to another in the same department without a change in title is considered an assignment rather than a transfer. Transfers may also be made from one municipality to another, and to or from a state agency in the Commonwealth. An Employee Record should contain the following information:

- (1) Name of department or division.

- (2) Action taken.
- (3) Type of service.
- (4) Effective date of the action.
- (5) Status.
- (6) Type of employment.
- (7) Title of the position.
- (8) Salary.
- (9) Approved periods of employment if temporary.
- (10) Correspondence file number.

An employee who requests a transfer from one department to another in the same or another municipality or to the Commonwealth, should have their date of seniority recomputed (and noted on the roster and Employee Record) from the date of the transfer until the completion of three (3) years of service in the department to which the employee has transferred. At that time, the employee will revert to the seniority date held prior to the transfer.

In the case of a transfer, which has not been requested by an employee, the employee's seniority date does not change. Seniority is not affected if the functions of a position occupied by a person holding permanent status under Civil Service Law and Rules is transferred to another department, division, board, or commission.

11. Assignment

An assignment is an action taken by the Appointing Authority which does not involve a change in duties or title, but rather is an extension of the employee's duties and which bears a close relationship to their position. In some instances, there may be additional compensation of a reasonable amount attached to such an assignment. It is within the authority of the Appointing Authority to make or terminate an assignment. Records should indicate:

- (1) The action is an assignment.
- (2) Date the assignment begins.
- (3) Nature of the assignment.
- (4) Additional compensation provided, if any.
- (5) Period if specified (otherwise considered to be indefinite).
- (6) Correspondence number.

12. Emergency Service Appointments (Form 28A)

The Labor Service liaison should approve an emergency appointment only when the Appointing Authority has clearly set forth the reasons why such an appointment is essential to the public good. Employment under these circumstances must not exceed 30 working days (or 240 hours if employed on an hourly basis) in a sixty calendar-day period. An emergency appointment may be renewed only once in a twelve-month period, except where public health or safety is demonstrably involved. Only in such instances may a second renewal be permitted in a twelve-month period.

In the case of an original appointment of a laborer, however, an extension of fifteen days may be approved effective immediately following the thirty-day appointment, but no further emergency employment of that individual may be permitted until one year has elapsed from the date of the thirty-day appointment.

As a rule, emergency employment need not be posted on an Employee Record. Exceptions are made when:

- a. The emergency appointment serves as a restoration to the payroll for computing the seniority date for a former permanent employee because of continuous service in the same department to the date of

permanent reinstatement or subsequent permanent appointment, regardless of whether the intervening employment was on an emergency, provisional, or temporary basis prior to acquiring permanent status again.

- b. An employee receives an emergency appointment at another title in the course of their regular employment.

In these instances, an Employee Record should be prepared containing the following information:

- (1) Name of department/division.
- (2) Indication that the action is an emergency appointment.
- (3) Date on which employment actually begins.
- (4) Title of position.
- (5) Salary.
- (6) Approved period of employment.
- (7) Identifying document number for cross-reference purposes.

13. Appointment - Permanent and Temporary Appointments

This is defined as an appointment after certification from an eligible list to full-time, intermittent, part-time, or recurrent employment. An Employee Record should include:

- (1) Name of department/division.
- (2) Indication that it is an appointment.
- (3) Date employment begins.
- (4) Type of service.
- (5) Status.
- (6) Type of employment.
- (7) Title of position.
- (8) Salary.
- (9) Type of eligible list - whether established from a list of registered applicants, a reemployment list, or a part-time, intermittent, and/or roster list.
- (10) Approved period of employment if temporary, including end date.
- (11) If a military substitute appointment, name of person on military leave.
 - a. Correspondence file number or identifying documents

14. Provisional Appointments (Form 15)

Provisional appointments are made when there is no suitable list. They may be made on a full-time, intermittent, part-time, or recurrent basis. A provisional record should include:

- (1) Name of department/division.
- (2) Indication that it is an appointment.
- (3) Date employment begins.
- (4) Type of service.
- (5) Status.
- (6) Type of employment.
- (7) Title of position.
- (8) Salary.
- (9) Approved provisional appointment pending establishment of eligible list.

- (10) Notified by Appointing Authority of provisional appointment made "by AA pending establishment of eligible list."
- (11) Approved provisional appointment with period of employment if on a temporary basis.
- (12) Correspondence file number or identifying documents.

15. Extension of Temporary and Provisional Employment

- (1) Date extension begins.
- (2) Period of extension.
- (3) Correspondence file number or identifying documents.

16. Promotion - Permanent or Temporary

A promotion is made in accordance with the provisions of General Laws, Chapter 31, Section 29. An Employee Record should note:

- (1) Name of department/division.
- (2) Indication that it is a promotion.
- (3) Effective date of promotion.
- (4) Type of service.
- (5) Status.
- (6) Type of employment.
- (7) Title of position.
- (8) Salary.
- (9) Approved period of employment, if temporary, including end date.
- (10) Correspondence file number or identifying documents.

17. Provisional Promotion

A provisional promotion is approved on this basis only if requirements of General Laws, Chapter 31, Section 29 have been met, or if the promotion takes place while the employee is serving the probationary period in connection with their permanent appointment. Such a provisional promotion will be authorized until the completion of the probationary period when, if requested, the promotion will be approved on a permanent or temporary basis.

18. Extension of Temporary and Provisional Employment or Promotion

An Employee Record should note:

- (1) Date extension begins.
- (2) Period of extension.
- (3) Correspondence file number or identifying documents.

19. Changes in Duties

Any substantive change in an employee's duties would require proper action in conformance with the applicable Civil Service statute. The Classification Plan states that inasmuch as an employee may be required, as part of their regular duties, to perform duties of a higher level within the same series on a temporary basis, any extra compensation for the performance of such duties for a temporary period not exceeding thirty days shall be considered compensation for the performance of regular duties.

20. Changes in Name

Change in name of an employee should be entered on an Employee Record, and on the appropriate roster of employees.

21. Decisions

Decisions of the Personnel Administrator, as well as decisions rendered by the Civil Service Commission, concerning an organization's employee, should be posted on the employee's record noting the information pertinent to the case.

22. Resignation Because of Illness

When a permanent employee resigns because of illness, they may, if so requests in writing, have their name placed on the reemployment list for a two-year period from the date of such resignation.

PART C - EMPLOYEE ROSTERS

Upon delegation of Labor Service to an organization, the Labor Service liaison receives copies of the Human Resources Division's Employee Rosters. Maintenance of the rosters, which list every individual lawfully employed in a Labor Service position covered by Civil Service by class of service and department, is a statutory requirement under Chapter 31, Section 71. With the implementation of PAR.20 and PAR.21, an organization assumes responsibility for accurate maintenance of the rosters in accordance with Civil Service Law.

1. Roster Format

Rosters are prepared and maintained alphabetically for every department established by statute or ordinance within the organization.

Departmental sections are prefaced by a list indicating all Labor Service titles approved within the Classification Plan for that Department, the Classification Code Number for each title and the letter code assigned to each title for use throughout the departmental roster.

Each departmental section is then divided into four (4) listings of employees: Permanent, Intermittent, Temporary, and Provisional.

a. Permanent Employees

Permanent employees are listed on the roster sheet chronologically in order of seniority date. Each employee is listed last name first. The appropriate title code from the Departmental preface sheet is indicated by the employee's name to show current position occupied. Veteran's status if any (V = veteran; DV = disabled veteran) and gender are indicated in the appropriate column. The "Remarks" section is used for notation of provisional promotions, disciplinary actions, and other explanatory information pertaining to or affecting the status of that employee. Termination of a permanent employee is indicated in the "Remarks" along with the reason for separation from service.

b. Permanent Intermittent Employees

Permanent intermittent employees are listed on the roster chronologically in the order of seniority date in the same manner as the permanent employees with the same information included. In Labor Service the permanent intermittent rosters are filed behind the permanent (full-time) roster in their respective classes, i.e., Classes I, II, and III.

c. Temporary and Provisional Employees

Following the permanent roster or the permanent intermittent roster (if there is one) for each department are the rosters listing temporary (after certification) and provisional employees. Each of these rosters lists employees alphabetically with title, and date and period of approved employment. Additions to or deletions from the list of approved classification titles should also be noted.

PART D - SECTION 67 ANNUAL REPORTS

Careful maintenance of the Employee Departmental Rosters will greatly simplify the task of responding to the annual statutory requirement of M.G.L. Chapter 31, Section 67.

Section 67 requires that each municipality annually prepare and provide to the Personnel Administrator a list of all Civil Service employees in each of its departments as of January 2 of each year. The Section 67 reports are ordinarily required to be submitted on or before March 1 of the same year.

Upon implementation of PAR.20 or .21, the Labor Service liaison assumes responsibility for the submission of the [Section 67 Report](#) for all Labor Service employees in every department within their organization.

Preparation of the report should originate in the office of each appropriate Department Head or Appointing Authority. Simultaneously, the Appointing Authority must ensure that copies of the list are posted in all areas where five (5) or more Civil Service employees begin their tour of duty. The date of posting must be clearly indicated on the list and the posting will remain accessible to employees in the public area identified for at least one year.

PART E - SENIORITY

1. Computation of Seniority

Seniority of a Civil Service employee is defined as their ranking based on length of service. This is computed in accordance with M.G.L. Chapter 31, Section 33, which specifies the seniority date to be the first date of full-time employment as a permanent employee, including the required probationary period, in the departmental unit.

However, a wide range of circumstances or personnel actions may operate to affect or to change the seniority date of a permanent employee. Such instances would include voluntary transfers, returns to service after resignation, disciplinary action, or leaves of absence.

- a. Absence of less than six (6) months will not affect seniority.
- b. Absence from the payroll for a period of more than six (6) months will not affect the seniority date of the employee, if that absence was the result of:
 - (1) Military service, illness, educational leave, abolition of position or layoff because of lack of work or money.
 - (2) Injuries received in the performance of duty for which compensation was paid pursuant to Chapter 152, providing that the employee notifies the Appointing Authority in writing no later than six (6) months after the final payment of such compensation that they are ready, willing, and able to do their former work and files with the Appointing Authority a physician's certificate indicating that they are able to perform the duties of their position in an efficient manner and is then restored to the payroll.

In the instances cited above, continuity of service is not considered to have been interrupted even if the employee has been absent from the payroll for more than six (6) months.

- c. In other instances of absence from the payroll of more than six (6) months, the length of service is ordinarily computed from the date of restoration to the payroll unless the employee performs continuous service upon their restoration for a period of twice the length of their absence from the payroll. At the completion of that period, length of service should be recalculated by adding the period of the absence to the date of original employment.

When computing dates of seniority of employees:

- 1 Month = 30 days
- 1 Year = 12 months

One day (*) is deducted from period of absence to compensate for fact that a person was employed on both days, i.e., resignation date and reinstatement date.

Below are specific examples of some more complicated calculations involving changed seniority date.

The Labor Service liaison is responsible for ensuring the accurate recording of all Labor Service employee seniority dates and for changes in those dates. Changes in seniority date should be noted on both an employee record and on the appropriate departmental roster. Changes to seniority date which may be temporary and which will revert to another date after a defined period of service should also be noted.

2. Reinstatement in Same Department

- a. Example of Absence greater than six months:

- 1.15.70 Permanent appointment (probationary period served)
- 8.23.73 Resigned
- 11.20.77 Reinstatement (must be at same title at which permanent status was established or permanent appointment at same or different title)

<u>Year</u>	<u>Month</u>	<u>Day</u>	
	10	30	
77	11	20	Restoration date
73	8	23	Termination date
4	2	27	
		-1*	
4	2	26	<u>Absence</u>
		X2	
8	4	52	Twice period of absence
77	11	20	Restoration date and current seniority date
85	15	72	
1	2		
86	5	12	= 5.12.86, Date eligible for earlier seniority date
<hr/>			
70	1	15	Original appointment date
4	2	26	<u>Absence</u>
74	3	41	

c. Example of Absence from payroll less than six months

- 5.6.72 Permanent Appointment (probationary period served)
- 7.5.77 Resigned
- 12.5.77 Reinstated or reappointed in same department.

Absence from payroll was for less than six months; therefore, upon reinstatement on 12.5.77 in same department, employee was eligible immediately for the date of seniority of 5.6.72.

Employee Record: Note record beside date of seniority: 5.6.72

Roster: Record in chronological sequence in "Date of Seniority" column using date of 5.6.72 with pertinent information in other columns on same line.

d. Example of Original Probationary Period Not Completed

- 4.11.68 Permanent appointment (probationary period not completed, so no credit is given for this employment when computing seniority in service)
- 8.30.68 Resigned
- 9.11.69 Permanent appointment
- Date of seniority is 9.11.69

Employee Record: Note record beside date of seniority: 9.11.69.

Roster: Record in chronological sequence in "Date of Seniority" Column using date of 9.11.69 with pertinent information in other columns on same line.

3. Reinstatement to a Different Department

When reinstatement is made pursuant to M.G.L. Chapter 31, Section 46, and the employee is restored to employment in a departmental unit other than that in which they worked previously as a full-time employee, seniority date upon reinstatement is computed from the date of that reinstatement until the employee has provided continuous service in the new unit for three years or twice the length of their absence from the payroll, whichever is greater. At that time, the seniority date is computed based on the earlier service.

a. Example of Reinstatement in a Different Department - After Absence from Payroll Less Than Six Months

- 5.6.72 Permanent appointments - Assessing Department (probationary period served)
- 7.5.77 Resigned
- 12.5.77 Reinstated in Public Works Department

Date of seniority is 12.5.77 until 12.5.80 when it will be 5.6.72 due to requirements of General Laws, Chapter 31, Section 33 which states that in case of reinstatement in a department in which a person formerly had a permanent Civil Service status, seniority shall be computed as set forth in Section 33. In the event of a reinstatement in a department other than that in which a person formerly had a permanent Civil Service status, seniority shall be computed from date of reinstatement for three years or twice the length of absence from the payroll, whichever is greater.

Employee Record: Note in record beside date of seniority:

5.6.72 Date of seniority is 12.5.77 until 12.5.80

Roster: Record in chronological sequence in "Date of Seniority" column using date of 5.6.72 with pertinent information in other columns on same line; note the following with date of seniority:

Date of Seniority is 12.5.77 until 12.5.80

4. Changes in Appointment/Same Department/Same Appointing Authority

If employment of a permanent full-time employee changes through either an original or a promotional appointment or transfer from one departmental unit of the Commonwealth to another under the same Appointing Authority, or from one division or departmental unit to another within the same city or town, their seniority date will be that which was used to compute length of service immediately prior to the appointment or transfer.

5. Changes in Appointment/Different Department/Change in Municipality

If the employment of a permanent full-time employee changes as a result of an original or promotional appointment from one departmental unit of the Commonwealth to another, not under the same Appointing Authority, or from one departmental unit to another not within the same department in a city or town, or from one city to another, from a city or town to the Commonwealth, or from the Commonwealth, to a city or town, the seniority date is computed from the date of such change in employment. However, once the employee completes one year of continuous service in the new employment, the date used to compute the employee's length of service immediately prior to the change is then used.

- a. Example of permanent appointment or promotion in different department after absence from payroll less than six months (seniority delayed one year):

7.13.76 Permanent appointment (probationary period served Auditing Department)
9.15.77 Resigned
12.23.77 Permanent appointment or promotion - Park Department

Date of seniority in Park Department is 12.23.77 until 12.23.78 when it will be 7.13.76.

Employee Record: Note in record beside date of seniority.

7.13.76 Date of Seniority is 12.23.77 until 12.23.78

Roster: Record in chronological sequence in "Date of Seniority" column using date of 7.13.76 with pertinent information in other columns on same line; note the following with date of seniority:

Date of Seniority is 12.23.77 until 12.23.78

6. Involuntary Transfer

There is no change in seniority date for an employee whose employment is changed without their request from one departmental unit of the Commonwealth to another not under the same Appointing Authority, from one departmental unit to another not within the same department, from one city or town to another, from the Commonwealth to a city or town, or from a city or town to the Commonwealth.

7. Voluntary Transfer

If a transfer as described in Item 5 is made, but is made upon the request of the employee, seniority date is computed from the effective date of that transfer. However, once the employee completes three years of continuous service in the new employment, the earlier date used to compute seniority immediately prior to the transfer is then used.

8. Position Changed from Non-Civil Service to Civil Service (MGL Chapter 31 Section 56)

Where a permanent officer or employee in any departmental unit had formerly occupied in the same departmental unit a non-Civil Service office or position which is subsequently made a Civil Service position by statute, or by rule, or by acceptance by a city or town of provisions of this chapter or any other statute, the date which shall be used in computing length of service of such officer or employee for purposes of determining seniority shall be the earliest date of continuous employment which has not been interrupted by an absence from the payroll other than an absence specified in clauses (1) and (2) of the first paragraph of Section 33. However, when an incumbent acquires by statute permanent Civil Service status in a position which, previous to the effective date of such statute, had become a Civil Service position, the date from which their length of service shall be computed shall be the effective date of such statute, unless otherwise specifically provided therein.

9. Less than Full-Time Appointments

When appointed to a permanent full-time position, a permanent appointee to a less than full-time position (i.e., intermittent, part-time, recurrent, reserve or call service) receives the date of such full-time appointment as the date of seniority.

If such permanent full-time employee reverts to a less than full-time position on a permanent basis in the same department and at the same title as previously held on the less than full-time basis and continuity of service has not been interrupted by an absence from the payroll greater than six months, the date of seniority reverts to the date of original appointment to the less than full-time position. Similarly, if an employee receives another permanent appointment on a less than full-time basis in the same department, the date of seniority is computed from the original date of permanent appointment to the less than full-time position, or if such permanent appointment is in another department, and continuity of service has not been interrupted, then after one year, the date of seniority would be computed from the date of original appointment to the less than full-time position.

If the status of a full-time employee is changed to less than full-time status in the same department, the date of seniority is the date of such change both for seniority and certification purposes. If such employee is returned to full-time status in the same department either by appointment from the list of less than full-time employees or by reinstatement and continuity of service has not been interrupted, the date of seniority reverts to the original date of the full-time appointment.

Cafeteria Helpers in the School Department are not employed during the summer months. If permanent full-time Cafeteria employees resign at the beginning of the new school year, their absence is computed from the date the form was prepared (if no actual date of resignation is specified) rather than from the last date of paid employment at the end of the previous school year.

In the case of permanent Cafeteria employees and other permanent employees appointed on an intermittent, reserve or call basis, the absence is computed from the date the form was prepared (if no actual date of resignation is specified) rather than from the last date of paid employment which may have been months prior to the submission of the form, as such employees would not have a regular schedule of employment but would be employed on an "as needed" basis. If the available information indicates that such permanent intermittent, reserve, or call employee was not employed of their own volition due to reasons that would interrupt continuity of service, then the absence is computed from the last date of paid employment.

In the case of permanent part-time employees who normally have a fixed schedule of employment, if an absence exceeds six months and interrupts continuity of service, the absence is computed from the last date of paid employment upon subsequent appointment or reinstatement to a less than full-time basis.

VI. GENERAL INFORMATION

PART A: AUDIT

A random audit of Labor Service functions delegated to each organization under the requirements of PAR.20 and PAR.21 may be conducted. The audit will include review of any or all documentation related to the Labor Service functions and responsibilities of the local Labor Service liaison. A formal written report of audit findings will be forwarded within four weeks of the audit, simultaneously to the local Labor Service liaison, the Appointing Authority of an organization and the Personnel Administrator.

A written response by the local Labor Service liaison to the audit report findings citing specific corrective measures-taken (if required) should be forwarded to the Civil Service Unit within three weeks from receipt of the audit findings.

PART B: CLASSIFICATION PLAN

The Classification Plan is a list of all job titles available for use by Municipalities and State Agencies. Appointing Authorities are required to select from the Classification Plan the job title that has the duties, level of responsibility and qualification requirements most similar to those of the position being classified. The Classification Plan is administered by the Human Resources Division. The Classification Plan contains a list of all current approved municipal and State position titles, is available to Appointing Authorities. Any City/ Town or Agency may apply the occupational and title definitions listed in the plan, within the review and approval of the Human Resources Division.

The Classification Plan lists occupational series and job titles that were developed to standardize titles and is based on a review of position descriptions, requisitions and input from officials. The Plan is not a classification system for salary purposes so there is no uniformity of pay rates or grade levels. Therefore, the same position may have different salaries and grade levels in different Appointing Authority's departments. A guide is available on the [Civil Service website](#).

Determination of an appropriate title should be based on the following:

1. All those performing essentially the same work should have the same job title,
2. The title should reflect the major duties required and should:
 - a. Be as brief as possible and in logical form; i.e., Electrical Lineperson, not Lineperson Electrical, and
 - b. Indicate the skill and supervisory level of the job.

Frequently used titles throughout the Classification Plan for Labor Service positions are:

1. Helper: performs laboring duties in direct support of a journeyman in a particular trade or craft. Journeyman Helpers are NOT apprentices working toward journeyman status in a particular trade. Titles are constructed by prefixing the word "Helper" by a journeyman trade title such as Carpenter Helper, Electrician Helper.

2. Apprentice: performs duties of higher skill to assist the journeyman craftsman and learn that trade. An apprentice attends classes as part of the apprenticeship program.
3. Working Foreman: works and supervises journeyman craftsmen and lower skilled workers, makes work assignments, enforces regulations and discipline, reviews work of the crew for compliance with instructions and conformance with accepted trade practices. The Working Foreman is skilled and works in the trade supervised. The title is derived from the occupation supervised; i.e., Working Foreman Carpenter, Working Foreman Laborer.

Other definitions include:

1. Class: All positions similar in:
 - a. Kind of work
 - b. Level of difficulty and responsibility
 - c. Qualification requirements to warrant similar pay
2. Occupational/Series: One or more classes of similar specialized positions but with differing responsibilities or difficulties.
3. Occupational Group: Series of occupations divided into classes of positions in related trades or activities.

The Personnel Administrator must approve additions to the Classification Plan of positions subject to Civil Service Law and Rule in each City/Town and State Agency. The procedures for requesting the addition of a new title are described below.

Each City/Town or State Agency having positions covered under Civil Service law and rule has its own individual Classification Plan of titles. This plan lists each title by the title of position and classification code number.

Upon receipt of a requisition, the Labor Service liaison must ensure that the title of the requested vacancy is found in the Classification Plan for their organization. If the title is not found in the Plan, the Labor Service liaison should review the Position Description Form 30 attached to the requisition to find a suitable title based on that description from those listed in the guide. Should an organization find a position title it wishes to add to its existing approved plan, it should notify the Human Resources Division. All documents including requisitions, employee record cards, and certificates, must indicate the correct classification title.

If an appropriate title cannot be found in the Plan, the organization may request the creation of a proposed new title. The written request must be accompanied by the requisition and Position Description Form 30 and should be addressed to the Human Resources Division.

The Human Resources Division works with the Appointing Authority to determine the need for the title by undertaking an intensive review. Frequently, the Human Resources Division may suggest using an existing Classification Plan title with similar responsibilities rather than creating a new title. The Human Resources Division will notify the Labor Service liaison of its determination on the proposed new title in writing.

The Human Resources Division must adhere to these procedures when determining whether to add a new title. Questions regarding classification should be directed to the Human Resources Division's Classification and Compensation Unit email address at HRD.ClassAndComp@mass.gov or Civil Service Unit at civilservice@mass.gov.