

**COMMONWEALTH OF MASSACHUSETTS
CIVIL SERVICE COMMISSION**

SUFFOLK, ss.

ALAN GOODRIDGE,
Appellant

v.

C-07-186

DEPARTMENT OF REVENUE,
Respondent

Appellant's Attorney:

Pro Se
Alan Goodridge

Respondent's Attorney:

Elizabeth Herriott Tierney, Esq.
100 Cambridge Street
P.O. Box 9557
Boston, MA 02114

Commissioner:

John J. Guerin, Jr.

DECISION

Pursuant to the provisions of G.L. c. 30, § 49, the Appellant, Alan Goodridge (hereinafter "Mr. Goodridge" or "Appellant"), is appealing the March 16, 2007 decision of the Human Resources Division (HRD) denying his request for reclassification from the position of Child Support Enforcement Specialist (CSES) C to the position of Child Support Investigator A/B. The appeal was timely filed and a hearing was held on September 4, 2007 at the offices of the Civil Service Commission (hereinafter "Commission"). One tape was made of the hearing. Proposed Decisions were submitted thereafter by the parties, as instructed.

FINDINGS OF FACT:

Based on the documents entered into evidence (Joint Exhibits 1 – 13 and Appellant’s Exhibits 1 – 7) and the testimony of Sandra Antonucci, Personnel Analyst II; Robert Crist, Regional Manager, Child Support Enforcement Division (“CSE”) Northern Region, and the Appellant, I make the following findings of fact:

1. Mr. Goodridge began working for the Department of Revenue (“Department” or “DOR”) in or about 1985 and has a civil service seniority date of July 10, 1979. Prior to July 1, 2001, Mr. Goodridge was employed as a Child Support Enforcement Worker (“CSEW”) II since April 1985. I find no information in the record to refute these facts. (Appellant’s Appeal Form)
2. Pursuant to a collective bargaining agreement between the Commonwealth and Local 509, S.E.I.U., the title CSEW II was changed to Child Support Enforcement Specialist (“CSES”) C effective July 1, 2001. (Stipulated Fact)
3. New class specifications for the CSES series were approved by the Personnel Administrator in 2001. The classification specifications provide that a CSES C “title is used for Child Support Enforcement Specialists who are first-level supervisors and/or non-supervisory employees performing the most complex assignments”. (Joint Exhibit 1)
4. The classification specifications further provide for all levels in the CSES series:

“Employees in this series evaluate and monitor child support cases to establish, modify, and enforce child support orders; prepare cases for court action; ensure compliance with child support agreements and court orders; conduct research to locate non-custodial parents and identify asset/income available to meet child support obligations; research cases involving failure to pay court-ordered child support; ...” (Id.)

5. In February 2005, the Child Support Enforcement Division underwent a business process redesign, which brought the child support cases into the regional offices and created what is known as “case owners.” (Testimony of Crist)
6. Case owners perform the duties and responsibilities contained on the 2001 CSES classification specifications under Child Support Case Manager. (Id.)
7. Case Manager is one path a Child Support Enforcement Specialist C may be assigned; the other is a Customer Service Representative. (Joint Exhibit 1)
8. On April 5, 2005, Mr. Goodridge submitted a reallocation request to the Department’s Human Resources Bureau (“HRB”), seeking to be reclassified as a Child Support Investigator A/B. (Joint Exhibit 3)
9. The classification specifications provide for all levels in the Child Support Investigator series:

“Employees in this series conduct investigations of delinquent child support cases and perform Child Support Case Management activities and additional responsibilities including identifying means to enforce child support orders in specific cases; selecting cases for high profile enforcement, including criminal or federal prosecution; perform field investigations of non-custodial parents who are not in compliance with court orders; plan, coordinate, or execute seizures; coordinate child support enforcement activities with law enforcement agencies as appropriate; perform complex financial and other asset investigations such as title searches or reviews to determine parents’ financial profiles; and may testify at agency or court hearings.” (Joint Exhibit 2)
10. At the time of his appeal, Mr. Goodridge worked in the Northern Regional office as a case owner on an enforcement team, as one of six employees: three CSES Cs and three CSES A/Bs. (Joint Exhibit 10)
11. At the time of his appeal, Mr. Goodridge was performing typical Case Manager duties within the CSES series, including implementing various manual and automated

- enforcement actions in order to get non-custodial parents to pay delinquent child support monies. (Testimony of Antonucci & Crist and Joint Exhibits 5 & 11)
12. After receiving Mr. Goodridge's reallocation request, the HRB conducted an interview, reviewed the applicable paperwork and determined that Mr. Goodridge was properly classified as a CSES C. (Joint Exhibit 6)
 13. On November 22, 2006, the HRB issued a preliminary denial of Mr. Goodridge's request to be reclassified to a Child Support Investigator A/B. (Joint Exhibit 6)
 14. On November 27, 2006, Mr. Goodridge issued a rebuttal to the HRB's preliminary decision. (Joint Exhibit 7)
 15. On December 8, 2006, the HRB issued its final decision, denying Mr. Goodridge's appeal. Mr. Goodridge opted to appeal this decision to the Human Resources Division ("HRD"). (Joint Exhibit 8)
 16. On March 16, 2007, the HRD concurred with the DOR's finding that Mr. Goodridge was appropriately classified as a Child Support Enforcement Specialist C. (Joint Exhibit 9)

CONCLUSION:

Mr. Goodridge has not met his burden of showing that he was improperly classified as a Child Support Enforcement Specialist C. He seeks reclassification to a Child Support Investigator A/B. Mr. Goodridge, however, does not perform any of the investigative or law enforcement work associated with the Child Support Investigator classification series. In addition, Mr. Goodridge does not select cases for high profile enforcement, but rather, on rare occasions, makes recommendations for high profile enforcement, such as criminal prosecution.

Therefore, he has not shown that he has performed the duties of a Child Support Investigator A/B more than 50% of the time as required for consideration to be reclassified into a higher position.

For all of the above stated findings of fact and conclusion, the appeal on Docket No. C-07-186 is hereby *dismissed*.

Civil Service Commission

John J. Guerin, Jr.
Commissioner

By vote of the Civil Service Commission (Bowman, Chairman; Taylor, Henderson, Marquis and Guerin, Commissioners) on January 3, 2008.

A true record. Attest:

Commissioner

Either party may file a motion for reconsideration within ten days of the receipt of a Commission order or decision. Under the pertinent provisions of the Code of Mass. Regulations, 801 CMR 1.01(7)(1), the motion must identify a clerical or mechanical error in the decision or a significant factor the Agency or the Presiding Officer may have overlooked in deciding the case. A motion for reconsideration shall be deemed a motion for rehearing in accordance with G.L. c. 30A, § 14(1) for the purpose of tolling the time for appeal.

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

Notice to:
Alan Goodridge
Elizabeth Herriott Tierney, Esq.