

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

CIVIL SERVICE COMMISSION
One Ashburton Place, Room 503
Boston, MA 02108
(617) 727-2293

PAULA JOSEPHS,
Appellant
V.

Docket NO.: G1-11-57

BOSTON POLICE DEPARTMENT,
Respondent

Appellant:

Paula Josephs, *Pro se*

Respondent:

Jane E. DePalma, Atty.
Boston Police Department
Office of the Legal Advisor
One Schroeder Plaza
Boston, MA 02120

Commissioner:

Daniel M. Henderson

DECISION

Pursuant to the provisions of G.L. c. 31, s. 2(b), the Appellant, Paula Josephs, (hereafter "Josephs" or "Appellant"), seeks review of the decision proffered by the Respondent-Appointing Authority, Boston Police Department (hereafter, "Department" or "Appointing Authority" or "BPD"), for the bypass of the Appellant for original appointment to the position of Boston police officer. The reasons proffered by the Department for the bypass was that the Appellant, while working for the Department as a civilian in the Operations 911 call center, had requested accommodations in her schedule

in an effort to care for her ill child but had in fact been using the accommodations to take a second full time position without permission of the Department at Price Waterhouse Coopers. The Appellant had resigned from the Department only after being informed that the Department had learned that the Appellant was in violation of Departmental Rules; by working another full time job without permission and that charges had been filed against her in Internal Affairs. Based on these circumstances, the Department had “significant reservations about the [Appellant’s] integrity”, an integral requirement for a police officer and therefore bypassed her for appointment. A full hearing was held on May 4, 2011 at the offices of the Civil Service Commission, (hereafter “Commission”). Only the BPD filed a post hearing proposed decision in this matter.

FINDINGS OF FACT

Eleven (11) exhibits and were entered into evidence, the Commission case file, which included the pre-hearing conference stipulation and HRD document packet is in evidence. Based upon these documents entered into evidence and the testimony of:

For the Appointing Authority:

- Wayne Williams, Detective, Boston Police Department
- Devin Taylor, Assistant Director, Human Resources, Boston Police Department
- Robin Hunt, Director, Human Resources, Boston Police Department

For the Appellant:

- Paula Josephs

I make the following findings of facts:

1. The Appellant’s name appeared on the eligibility list, special Certification #207159 for gender selection (female) for 10 permanent fulltime police officers, requested by the BPD. *(Ex.1 and Commission case file)*

2. The Appellant was bypassed for selection by the BPD and persons whose names appeared lower than the Appellant on Certification #207159, were selected and appointed with an employment date of December 13, 2010 (*Ex. 1, testimony of Robin Hunt and Commission case file*)
3. The personnel administrator for the Commonwealth, (HRD) has the general responsibility for administration of the civil service laws pursuant to G.L. c. 31, § 5. Included among the administrator's responsibilities are the tasks of creating and administering the process that produces civil service eligibility lists. See G.L. c. 31, § 5. Acting in accordance with G.L. c. 31, § 5(l) however, the administrator may delegate those functions to State agencies, cities and towns. This view was supported by the Massachusetts Appeals Court. See Staverly v. City of Lowell, 71 Mass. App. Ct. 400, (2008). The administrator did notify cities and towns of the delegation of the administrative tasks and functions related to appointments and promotions from eligible lists and providing bypass and selection reasons in accordance with civil service law and rules. The administrator's delegation notification memo to the cities and towns was issued on August 7, 2009, with the delegated administrative functions and tasks to be effective for the cities and towns (appointing authorities) on September 1, 2009. (*Ex. 11, administrative notice*)
4. On May 18, 2010 the Appellant signed her Student Officer Application and submitted it to the Boston Police Department. Thereafter, Detective Wayne Williams undertook the Appellant's background investigation. (*Testimony of Detective Wayne Williams; Ex. 10*)

5. Detective Williams testified that he reviewed the Appellant's criminal history, previous employment history, driver history, etc. and determined that there was an area of concern surrounding the Appellant's Family Medical Leave while she had been employed by the Department as a civilian in the Operations Division 911 Call Center. Detective Williams submitted his findings on the Appellant's background investigation to Robin Hunt on August 26, 2010. (*Testimony of Detective Wayne Williams; Ex. 2*)
6. Detective Williams testified that he also noted and was concerned regarding the Appellant's: high amount of sick leave over the previous three years; her high debt ratio; and the doubling of her income in one year and hours worked due to working two or more jobs; and her RMV Driver's history. (*Testimony of Detective Wayne Williams; Ex. 2*)
7. Devin Taylor testified on behalf of the Boston Police Department at the hearing of this matter. Ms. Taylor has been the Assistant Director of the Boston Police Department's Human Resources Unit since 2008. She has been an employee of the Boston Police Department since 2001. Ms. Taylor's duties include supervising a staff of seven (7) and addressing all employee issues surrounding any type of leaves of absence including military leave and Family Medical Leave, (FMLA). Ms. Taylor also collaborates with the Boston Police Department Offices of Labor Relations and the Legal Advisor regarding a variety of employment-related matters. (*Testimony of Devin Taylor*)
8. Ms. Taylor first became familiar with the Appellant in February 2007 after the Appellant had been terminated from the Boston Police Academy due to academic

reasons. At that time, Ms. Taylor was the Director of Employment Services for the Boston Police Department, a position which oversaw all vacancies and managed the hiring and interviewing of new employees. Ms. Taylor, upon learning of the Appellant's circumstances, worked with Kelly Dinneen, Assistant Director of the Boston Police Department's Human Resources Unit at that time, to help out the Appellant by placing her into a civilian position within the Boston Police Department after her termination from the Boston Police Academy. The Appellant was hired and began working in a civilian position in the Boston Police Department Operations 911 Call Center in February 2007. *(Testimony of Devin Taylor)*

9. In August of 2007, the Appellant delivered twins prematurely and with multiple medical conditions. Ms. Dinneen worked closely with the Appellant during this time to accommodate her need to care for her babies. The Appellant was not yet eligible for leave under the Family Medical Leave Act since she had been employed for less than one year at the time the children were born, however she was eligible for maternity leave. Per a request made by the Appellant in September 2007, an agreement was reached allowing the Appellant to use her maternity leave time after the babies were released from the hospital. From August 2007 until September 2007, the Appellant used her accrued leave time and did not use any maternity leave until March of 2008 when her children were released from the hospital. *(Testimony of Devin Taylor)*

10. When Ms. Taylor became the Assistant Director of the Boston Police Department's Human Resources Unit in April of 2008, she met with Ms. Dinneen

and was updated on everything that had transpired with the Appellant up to that point. At that time, Ms. Taylor began meeting and speaking with the Appellant regularly to make continued accommodations in her work schedule and to assist her during this period. *(Testimony of Devin Taylor)*

11. The Appellant became eligible for Family Medical Leave at the end of May 2008.

The Boston Police Department approved the leave and made a further accommodation that is not typical in the Operations 911 Call Center. The Call Center operates 24/7 and schedule variations can be complicated and inconvenient. At the request of the Appellant, in order to provide her with time to care for her children, the Boston Police Department allowed her to work four (4) hour shifts rather than the regular, required eight (8) hour shifts. This allowed the Appellant to extend her Family Medical Leave. The Appellant began the four (4) hour shifts on June 18, 2008. The Appellant exhausted her Family Medical Leave in October 2008. *(Testimony of Devin Taylor)*

12. On September 25, 2008 the Appellant contacted Ms. Taylor to discuss her Family Medical Leave coming to an end. At that time, the Appellant also requested further accommodations, suggesting continued four (4) hour shifts. Ms. Taylor reached out to other divisions within the Boston Police Department to determine what options were available to the Appellant and to determine the Boston Police Department's ability to make further accommodations. It was determined that an extension of the four (4) hour work day was no longer an option due to staffing issues within the Operations Division. However, Ms. Taylor as a further accommodation was able to change the Appellant's work schedule by switching

her days off to Tuesday and Wednesday in an effort to make it easier for the Appellant to go to the hospital to participate in one of her children's medical care during the week. *(Testimony of Devin Taylor)*

13. The Operations 911 Call Center also made an accommodation for the Appellant by allowing her to come into work forty-five (45) minutes earlier than the start of the standard shift schedule and to leave forty-five (45) minutes earlier than end of the standard shift schedule that all employees are required to work. The Appellant's regular shift, which was standard for Operations 911 Call Takers, was from 12 a.m. until 8 a.m. This accommodation allowed the Appellant to work from 11:15 p.m. until 7:15 a.m. The Appellant had informed Ms. Taylor that she needed the accommodation in scheduling in order to go to the hospital for one of her children's medical treatments in the morning. *(Testimony of Devin Taylor)*
14. In February of 2009, Captain Pervis Ryans, Captain in the Boston Police Department Operations Division, met with Ms. Taylor to discuss a letter that he received from the Appellant's coworkers indicating frustration over the accommodations and special treatment that was being allowed for the Appellant. Ms. Taylor also received an anonymous call that the Appellant had been sleeping during her shifts. *(Testimony of Devin Taylor)*
15. Ms. Taylor discussed these concerns regarding the Appellant with Robin Hunt, Director of the Boston Police Department's Human Resources Unit. On February 27, 2009 Ms. Taylor then met with the Appellant to discuss these concerns and to confirm that the Appellant was complying with all rules and requirements of her position and of her accommodations. During the meeting, the Appellant stated

that she reported to work every night based on the accommodation that was made for her and she left early, based upon that same accommodation, to go visit her son who was still hospitalized. She also stated that she did not sleep during her shift. Ms. Taylor explained to the Appellant that coworkers' concerns were not an issue, so long as she was doing everything that her supervisors expected of her and complying with the accommodations that had been made for her. (*Testimony of Devin Taylor*)

16. In April of 2009, Captain Ryans again met with Ms. Taylor regarding a disclosure by a coworker that the Appellant was working a second full time position at Price Waterhouse Coopers Monday through Friday. Under Rule 102 of the Boston Police Department Rules and Procedures all employees of the Boston Police must obtain prior permission to work outside employment and were prohibited from working over twenty (20) additional hours.¹ (*Testimony of Devin Taylor; Ex. 5*)
17. During this period of February, 2009 up to the April, 2009 meeting, the Appellant never disclosed to anyone at the BPD that she was working a second fulltime job at Price Waterhouse Cooper. She had been employed as a fulltime receptionist at Price Waterhouse Cooper, Monday through Friday-8:30 AM to 5:30 PM since June, 2008, the date she first requested an accommodation of a reduction in her shift hours at the BPD from 8 hours to 4 hours. (*Testimony of Devin Taylor and Appellant*)

¹ Although at the time of the events in question, the maximum number of hours for outside employment was twenty (20), Rule 102 was amended by Special Order 10-016 on May 10, 2010 to allow for employees of the Boston Police Department to work up to thirty-two (32) hours per week outside employment. (*Ex. 5 and 6*)

18. The Appellant was aware of the Boston Police Department Rules and Procedures not only as a civilian employee but also as a recruit in the Police Academy in 2006. The Appellant had also signed an acknowledgment of having received the Boston Police Department Rules and Procedures. (*Testimony of Devin Taylor; Testimony of Paula Josephs; Ex. 7*)
19. Ms. Taylor then verified with the Boston Police Department Office of the Legal Advisor that no request for outside employment was submitted by the Appellant. Ms. Taylor then confirmed with Samantha Head of Price Waterhouse Coopers that the Appellant was a full time employee working from 8:30 a.m. until 5:30 p.m. Monday through Friday and had been doing so since June of 2008, the same time that the Appellant had first requested a reduction in her normal eight (8) hour shifts. (*Testimony of Devin Taylor*)
20. Ms. Taylor met with the Appellant again in May 2009 to discuss her violation of the outside employment policy of the Department. The Appellant was asked to submit a Form 26 explaining why she believed the Department should continue to accommodate her so that she could work an additional position without approval. The Department subsequently discontinued the forty-five (45) minute shift change that had previously been allowed to accommodate the Appellant's schedule with regard to caring for ill child. (*Testimony of Devin Taylor*)
21. The Appellant then submitted a formal request for outside employment which was approved on May 19, 2009. The approval permitted the Appellant to work no more than twenty (20) hours per week as was the Department's policy for all employees at that time. The Appellant provided a letter from Price Waterhouse

Coopers by fax, indicating that her hours would be reduced during the summer months to twenty-seven and one half (27.5) hours per week. However, this was still in excess of the Appellant's approved outside employment request that prohibited her from working over twenty (20) hours per week in addition to her full time position with the Department. *(Testimony of Devin Taylor)*

22. The Appellant faxed the Price Waterhouse Coopers letter on the 27.5 hours per week for the summer, to Devin Taylor. Later, the Appellant later called Ms. Taylor and asked her to "shred" that document. *(Testimony of Devin Taylor)*

23. Ms. Taylor confirmed that Price Waterhouse Coopers could not reduce the Appellant's hours below the twenty-seven and one half (27.5) hours per week due to company policy. At no time did the Appellant work less than twenty-seven and one half (27.5) hours at her additional position. At no time did the Appellant discontinue working at her additional position. The Appellant continued to violate the Department's outside employment policy from June 2008 when she took the additional position until the time she tendered her two week notice to the Department on June 25, 2009. *(Testimony of Devin Taylor; Testimony of Paula Josephs)*

24. A complaint was subsequently filed by Captain Ryans with the Internal Affairs Unit of the Department for the Appellant's violation of Rule 102, §33 of the Boston Police Department Rules and Procedures and an investigation ensued. Charges were sustained against the Appellant on June 4, 2009. *(Testimony of Devin Taylor; Ex. 4)*

25. The Appellant was unable to arrange an accommodation by both employers for her scheduled work hours at each employer. She gave her two week notice to the BPD on June 24, 2009 and resigned effective July 10, 2009. She had been employed simultaneously by both the BPD and Price Waterhouse Coopers since June, 2008; fulltime at the start until she negotiated a 27.5 hour schedule at Price Waterhouse Coopers for the summer of 2009. *(Testimony of Devin Taylor)*
26. Robin Hunt testified on behalf of the Boston Police Department at the hearing of this matter. She has been the Director of the Boston Police Department's Human Resources Unit since 2004 and has been an employee of the Boston Police Department since 1999. She has previously held the position of Deputy Director of Human Resources, as well. *(Testimony of Robin Hunt)*
27. Robin Hunt explained the hiring process in order to become a Boston Police Officer. The Department considers a candidate's entire background, including but not limited to the applicant's criminal history, driver history, military history, employment history, residency, etc. The Department considers each candidate on their own merit, on a case by case basis. *(Testimony of Robin Hunt)*
28. The results of the Appellant's background investigation were discussed by the Department's hiring committee during a "roundtable" discussion. Typically, the "roundtable" discussion involves the Commander of Recruit Investigations, the Director of Human Resources, a Deputy Superintendent from Internal Affairs, an attorney from the Legal Advisor's Office, and, on occasion, the detective who investigated the applicant. *(Testimony of Robin Hunt)*

29. Oftentimes, the issues of judgment and integrity arise regarding applicants. Ms. Hunt explained that, should the Department find that an applicant's judgment or integrity is in question at any time during the application process, this is can be grounds for bypass. It is of the utmost importance that the Boston Police Department hires only those candidates that have been completely honest during the hiring process. If a candidate for police officer has exhibited questionable integrity or judgment, the Department takes that very seriously and will bypass an individual for those reasons. *(Testimony of Robin Hunt)*
30. During the roundtable discussion of the Appellant, significant questions and reservations arose as to how the Appellant had conducted herself during her previous employment with the Department. Ms. Hunt requested that Ms. Taylor be present to explain to the roundtable the issues surrounding the Appellant's previous employment within the Department. *(Testimony of Robin Hunt)*
31. The Appellant's failure to abide by the outside employment rule while previously employed by the Department was not only an indication of lack of integrity and good judgment, but also a public safety concern. Ms. Hunt explained that honesty, truthfulness, good judgment and integrity are critical traits for a police officer. Additionally, Operations 911 call takers are closest to the public and must be mentally alert, exhibit good judgment and be capable of fulfilling the functions of the position in the interest of public safety. *(Testimony of Robin Hunt)*
32. Ms. Hunt testified that all Department employees are bound by the same rules including the rule regarding outside employment. Ms. Hunt testified that

Department employees receive the Rules and Procedures during new hire orientation and all employees are expected to be aware of them. The Appellant had received the rules and signed an acknowledgment. In addition, Ms. Hunt explained that the Appellant had received the Rules and Procedures while attending the Academy as well. (*Testimony of Robin Hunt; Ex. 7*)

33. All members of the roundtable discussion reviewed the Appellant's background history regarding prior employment with the Department and the Department chose to bypass the Appellant due to the concerns raised regarding her truthfulness, poor judgment and rule breaking. (*Testimony of Robin Hunt*)
34. The Appellant never appeared apologetic or remorseful for at the very least; taking advantage of people who had tried to help her. She presented a clear expectation that her statements and actions would be excused by the BPD and this hearing officer, due to her claimed circumstances. The BPD continued efforts to accommodate her supposed need to be at the hospital for her ill children were not appreciated. After her second job was revealed by a coworker, she continued to attempt to manipulate the BPD. She unashamedly asked Ms. Taylor to destroy the fax sent by her showing that she was working 27.5 hours per week at Price Waterhouse Coopers. The Appellant overlooked or minimized the seriousness of her continued nondisclosure and statement made to facilitate her working two full time jobs, with accommodations modifying her BPD work schedule. She felt that her statements, requests and nondisclosures should have been understood on the basis that they were "not malicious" but motivated by the stress caused by her claimed lack of income. She attempted to defend her continuing rule breaking of

not reporting and seeking permission from the BPD for her second job or for later working more than 20 hours per week at that second job on the technical ground that the BPD rules did not specify whether it was intended for both Police officers and civilian employees, stating categorically “all BPD employees”. She fails to realize that a police officer holds a special position of public trust and responsibility and judgment; a high standard of conduct or behavior. I do not find the Appellant to be a credible witness. *(Exhibits and testimony, testimony and demeanor of Appellant, reasonable inferences)*

35. The three Department witnesses: Detective Wayne Williams, Devin Taylor-Asst. Director of HR and Robin Hunt-Director of HR, all testified in a straight forward professional manner. I sensed neither bias nor ill feelings from them towards the Appellant. On the contrary, it appeared that they stated the facts in an uncritical and unembellished manner. They appeared to have good memories of the relevant events and answered they had a lack of knowledge or memory when appropriate. Devin Taylor especially had a clear detailed memory of relevant events derived from her long-term dealings with the Appellant. I find all three Department witnesses to be credible and accurate. *(Exhibits and testimony, testimony and demeanor of Department witnesses, reasonable inferences)*

36. In a letter to the Appellant, dated December 13, 2010, the Boston Police Department informed the Appellant of its decision to a bypass for all of those reasons stated herein. In sum, the reasons given were a lack of integrity, poor judgment, rules violations and other specified concerns. *(Ex. 1)*

CONCLUSION

A. STANDARD OF REVIEW

The role of the Civil Service Commission is to determine “whether the Appointing Authority has sustained its burden of proving that there was reasonable justification for the action taken by the Appointing Authority. City of Cambridge v. Civil Service Commission, 43 Mass. App. Ct. 300, 304 (1997); *See* Town of Watertown v. Arria, 16 Mass. App. Ct. 331 (1983); McIsaac v. Civil Service Commission, 38 Mass. App. Ct. 411 (2000); Police Department of Boston v. Collins, 48 Mass. App. Ct. 411 (2000); City of Leominster v. Stratton, 58 Mass. App. Ct. 726, 728 (2003). The Commission has held in numerous decisions that its function is not one of substituting judgment for that of the appointing authority. City of Cambridge, 43 Mass. App. Ct. at 304; School Committee of Salem v. Civil Service Commission, 348 Mass. 696, 699 (1965). Massachusetts General Law chapter 31, § 2(b) provides that “no administrator ... shall be reversed by the commissioner except upon a finding that such decision was not based upon a preponderance of evidence in the record.” An action is “justified” when “done upon adequate reasons sufficiently supported by credible evidence, when weighted by an unprejudiced mind, guided by common sense and by correct rules of law.” City of Cambridge, 43 Mass. App. Ct. at 304, quoting Selectman of Wakefield v. Judge of First Dist. Court of Eastern Middlesex, 262 Mass. 477, 482 (1928); Commissioner of Civil Service v. Municipal Court of City of Boston, 359 Mass. 211, 214 (1971).

Appointing Authorities are rightfully granted wide discretion when choosing individuals from a certified list of eligible candidates on a civil service list. The issue for the Commission is “not whether it would have acted as the appointing authority had acted, but whether, on the facts found by the Commission, there was reasonable

justification for the action taken by the Appointing Authority in the circumstances found by the Commission to have existed when the Appointing Authority made its decision.” Watertown v. Arria, 16 Mass. App. Ct. 331, 334 (1983). See Commissioners of Civil Service V. Municipal Ct. of Boston, 369 Mass. 84, 86 (1975) and Leominster v. Stratton, 58 Mass. App. Ct. 726, 727-728 (2003).

B. THE APPELLANT IS UNSUITABLE FOR APPOINTMENT AS A BOSTON POLICE OFFICER DUE TO HER DEMONSTRATED LACK OF JUDGMENT AND INTEGRITY AND HER FAILURE TO BE COMPLETELY HONEST DURING HER PREVIOUS EMPLOYMENT WITH THE DEPARTMENT

The Department reviews each and every candidate’s suitability for appointment to its force. This review includes not only the candidates’ application but also a background investigation to determine her character and fitness. A police officer, is an official in a special relationship with the public. Sworn to uphold the laws of the Commonwealth, write accurate reports and testify truthfully in court. A police officer is expected to adhere to certain high standards of conduct. A police officer is entrusted with a badge and a gun, and with that, an officer is given a lot of responsibility and power over the community. The Department must make sound decisions when hiring because the public’s safety is at issue and the City is liable for those persons under their employ. The Department has provided reasonable justification for bypassing the Appellant for appointment to the Boston Police Department due to the Appellant’s demonstrated lack of judgment and integrity and her inability to be completely truthful during her previous employment with the Department, which demonstrated her lack of fitness to serve as a Boston Police Officer.

As part of their sworn responsibilities, police officers are required to not only testify under oath in court but are also required to accurately report their involvement in a particular situation within Boston Police incident reports. The Department must hire only those persons who have shown the ability to be truthful and exercise good judgment, even when that may ultimately have a negative impact upon them or someone else. The Department was reasonable when it voiced its concern over the Appellant's failure to disclose her outside employment and her use of her children's health issues to manipulate her schedule in order to accommodate the additional position at Price Waterhouse Coopers. Her failure to abide by the rules that all employees of the Department are expected to follow demonstrates her lack of judgment.

When reviewing the Appellant's background investigation, the Boston Police Department had concerns about the fact that the Appellant had been less than forthcoming during her previous employment with the Department and had been unable or unwilling to fulfill the scheduling requirements of her position in the Operations 911 call center. (*Testimony of Robin Hunt*) As Ms. Hunt testified, the Department heavily considers a candidate's prior employment history when making hiring decisions. Police officers are expected to not only show up for their scheduled shifts but are often times ordered to perform mandatory overtime shifts. The Department is not in a position to hire a candidate who has not proven that she is dependable as evidenced by her failure to keep the regular schedule expected of all personnel in the Operations Division.

(*Testimony of Devin Taylor; Testimony of Robin Hunt*)

The Department has an obligation to treat all candidates equally and fairly. The Appellant's previous failure to disclose outside employment, the use of a family health

issue to alter a work scheduled in an effort to continue to work an additional position without the employer's knowledge or permission, and the implication of untruthfulness would have warranted the bypass of any other candidate. The Appellant was held to the same standard as all other candidates. The Department went through a great effort to employ the Appellant in a civilian position and arrange leave time for her, after she had been terminated from the Police Academy for academic reasons. Thereafter, the Department continued to expend time and effort to arrange a series of work schedule accommodations for her, based on her claim to need the accommodations to care for her ill children. The Department only learned later after co-worker complaints; that in fact she used the accommodations to facilitate her work schedule at a second fulltime job. The Appellant continued to hide her second fulltime job long after she came under suspicion and related Department complaints had been filed against her. Her continued nondisclosure, requests for accommodations and other statements made is all the less defensible since the Department had made great effort to employ her and then to accommodate her work schedule. The favorable treatment expended by the Department toward the Appellant caused resentment and complaints from her co-workers.

The issues of truthfulness, judgment and integrity are paramount for a police officer and the Appellant's conduct failed to meet the Department's standards. Not only has the Department met its burden of proving that the decision to bypass was reasonably justified, the Appellant has failed to show that the Department's decision to bypass was made with any political considerations, favoritism and/or bias.

Upon consideration, I find that a preponderance of the credible and reliable evidence in the record, shows that the Boston Police Department did have sound and

sufficient reasons for bypassing the Appellant, Paula Josephs, for selection as a police officer. For all of the above reasons, the appeal under Docket No. G1-11-57 is hereby *dismissed.*

Civil Service Commission,



Daniel M. Henderson,
Commissioner

By vote of the Civil Service Commission (Bowman, Chairman; Henderson, Marquis, McDowell and Stein, Commissioners) on June 16, 2011

A true record. Attest:



Commissioner

A motion for reconsideration may be filed by either Party within ten days of the receipt of a Commission order or decision. A motion for reconsideration shall be deemed a motion for rehearing in accordance with M.G.L. c. 30A § 14(1) for the purpose of tolling the time for appeal.

Any party aggrieved by a final decision or order of the Commission may initiate proceedings for judicial review under section 14 of chapter 30A 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:

Paula Josephs

Jane E. DePalma, Atty.-BPD

John Marra, Atty.-HRD