

**COMMONWEALTH OF MASSACHSETTS
CIVIL SERVICE COMMISSION**

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

ROGER LEVESQUE,
Appellant
v.

**CAMBRIDGE PUBLIC
SCHOOLS,**
Respondent

Case No.: G2-07-300

DECISION

The Appellant, Roger Levesque, filed this appeal with the Civil Service Commission pursuant to G.L. c.31, § 2(b) when he was bypassed for a senior custodian position which was filled on June 11, 2007. Subsequently, the Appellant was selected for another senior custodian position with a civil service appointment date of October 9, 2007.

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

The Civil Service Commission directs the Human Resources Division to change the Appellant's civil service seniority date in the position of senior custodian from October 9, 2007 to June 11, 2007.

This retroactive seniority date is not intended to provide the Appellant with any additional and/or retroactive compensation and should not be used to determine time served in the position of senior custodian in regard to eligibility for any future civil service promotional examinations.

Civil Service Commission

Christopher C. Bowman
Chairman

By vote of the Civil Service Commission (Bowman, Chairman; Guerin, Marquis and Taylor, Commissioners [Henderson –Absent]) on March 13, 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. 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:

Jaime DiPaola-Kenny, Esq. (for Appellant)

Daniel C. Brown, Esq. (for Appointing Authority)

John Marra, Esq. (HRD)