

**COMMONWEALTH OF MASSACHUSETTS
CIVIL SERVICE COMMISSION**

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

RICHARD LINEHAN,

Appellant

v.

**CITY OF BROCKTON,
HUMAN RESOURCES
DIVISION, WILLIAM
HALLISEY & DAVID
DICKINSON,**

Respondents

Case No.: I-12-77

PROCEDURAL ORDER

On February 24, 2012, the Appellant, Richard Linehan, filed an appeal with the Civil Service Commission (Commission), asking the Commission to investigate matters related to the make-up examination for Brockton Police Lieutenant and Brockton Police Captain, administered by the state's Human Resources Division (HRD) in June 2011.

The Appellant's appeal was docketed as Richard Linehan v. City of Brockton, CSC Case No. I-12-77.

On April 17, 2012, a pre-hearing conference was held at the offices of the Commission, which was attended by the Appellant, counsel for the Appellant, counsel for HRD and counsel for the City of Brockton.

The Appellant's request for investigation is related to the following prior Commission decision:

- David Dickinson & William Hallisey v. Human Resources Division, CSC Case Nos. E-10-274 & E-10-278 (April 21, 2011).

In Dickinson and Hallisey, the Commission concluded that HRD had erred by denying Mr. Dickinson and Mr. Hallisey the right to sit for promotional examinations administered in October 2010 and ordered HRD to permit Mr. Dickinson to sit for a make-up police lieutenant promotional examination and for Mr. Hallisey to sit for a make-up police lieutenant and captain examination.

In June 2011, Mr. Dickinson and Mr. Hallisey sat for the make-up examinations referenced above.

Here, as part of his request for investigation, Mr. Linehan alleges that Mr. Dickinson and Mr. Hallisey were given an unfair advantage because: a) a large number of the questions from the October 2010 examination were repeated, verbatim, on the June 2011 make-up

examination; and b) Mr. Linehan and Mr. Hallisey became aware of the questions and correct answers through various means including blogs maintained by private vendors that prepare candidates for civil service examinations.

Mr. Dickinson and Mr. Hallisey took the make-up examination(s), received a higher score than Mr. Linehan, and were subsequently promoted.

As part of the pre-hearing conference, I issued the following preliminary orders referenced below:

1. The state's Human Resources Division is hereby joined as a Respondent to CSC Case No. I-12-77.
2. David Dickinson and William Hallisey are hereby joined as Respondents to CSC Case No. I-12-77.
3. The parties are responsible for ensuring that all communication, including correspondence already submitted to the Commission, is copied to all other parties.
4. HRD has ten (10) days to determine, based on the information available at this time, whether it will conduct its own investigation of the issues raised regarding the June 2011 make-up examination.
5. After receiving HRD's reply, the Commission, as appropriate, may issue further orders related to whether it will conduct a further investigation of this matter at this time.

Civil Service Commission

Christopher C. Bowman
Chairman
April 18, 2012

Notice to:
Judith Cohen, Esq. (for Appellant)
Andrew Levrault, Esq. (for HRD)
Katherine Feodoroff, Esq. (for City of Brockton)
David Dickinson (joined as Respondent)
William Hallisey (joined as Respondent)