

**COMMONWEALTH OF MASSACHUSETTS  
CIVIL SERVICE COMMISSION**

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

**PEDRO J. LOPEZ, SR.,**

*Appellant*

v.

**CITY OF LAWRENCE,**

*Respondent*

**Case No.:** E-10-140

**DECISION ON REQUEST FOR RELIEF UNDER  
CHAPTER 310 OF THE ACTS OF 1993**

The Appellant, Pedro J. Lopez, Sr., filed this appeal with the Civil Service Commission under G.L. c. 31, § 2(b) and asks the Commission, pursuant to Chapter 310 of the Acts of 1993, to adjust his civil service seniority date as a permanent full-time Lawrence police officer *from* January 1, 1998 *to* January 9, 1994.<sup>1</sup>

It appears to be undisputed that Mr. Lopez began working as a permanent full-time police officer in the *City of Newton* on January 9, 1994. He subsequently requested and received a lateral transfer and became a permanent full-time police officer in the *City of Lawrence* on December 10, 1997.

G.L. c. 31, § 33 states in relevant part:

“If the employment of [a civil service employee] is changed by transfer ...from one city or town to another ... the length of service of such employee shall be computed in the following manner: (1) if the transfer was made upon the request of the employee, the length of service shall be computed from the date of such transfer, but if the employee completes three years of service in the new employment, from the date which was used to compute the employee’s length of service immediately prior to the transfer ...”

As the Appellant has completed three years of service with the City of Lawrence, his civil service seniority date should be January 9, 1994, the date he began as a permanent full-time police officer in City of Newton.

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, the Commission orders the Human Resources Division, or

---

<sup>1</sup> This appeal was filed on or about the same time that several other Lawrence police officers filed appeals seeking retroactive seniority dates for unrelated reasons. For purposes of judicial economy, Mr. Lopez’s appeal was heard at the end of the hearing on June 29, 2010 regarding the other appeals. Prior to the other officers leaving the hearing, I asked Mr. Lopez to indicate the retroactive seniority date he was seeking, to which he replied December 10, 1997. As this date would not impact the other officers present, they opted to excuse themselves from this portion of the proceeding. After reviewing the record and applicable statute, it became clear that the Appellant was entitled a civil service seniority date of January 9, 1994.

the City of Lawrence in its delegated capacity, to adjust the Appellant's civil service seniority date as a permanent full-time Lawrence police officer to January 9, 1994.

Civil Service Commission

Christopher C. Bowman  
Chairman

By vote of the Civil Service Commission (Bowman, Chairman; Henderson, Marquis, Stein and McDowell, Commissioners) on July 1, 2010.

A True Record. Attest:

---

Commissioner

Either party may file a motion for reconsideration within ten days of the receipt of this 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:

Pedro J. Lopez, Sr. (Appellant)

Anne Randazzo, Esq. (for City of Lawrence)

Tsuyoshi Fukuda, Esq. (for HRD)