

**COMMONWEALTH OF MASSACHUSETTS**

SUFFOLK, ss.

**CIVIL SERVICE COMMISSION**  
One Ashburton Place: Room 503  
Boston, MA 02108

KEVIN W. MAUNSELL,  
Appellant

v.

E-18-133

MASSACHUSETTS ENVIRONMENTAL POLICE,  
Respondent

Appearance for Appellant:

*Pro Se*  
Kevin W. Maunsell

Appearance for Respondent:

Thomas H. Costello, Esq.  
Executive Office of Energy &  
Environmental Affairs  
100 Cambridge Street: STE 900  
Boston, MA 02114

Commissioner:

Christopher C. Bowman

**ORDER OF DISMISSAL**

1. On July 12, 2018, Kevin W. Maunsell (Mr. Maunsell), an Environmental Police Officer C (EPO C) at the Massachusetts Environmental Police (MEP), which falls under the Executive Officer of Energy and Environmental Affairs (EEA), filed an appeal with the Civil Service Commission (Commission).
2. In his appeal, Mr. Maunsell stated in relevant part: “ ... Agency [MEP] continues to promote off old 2015 list, after revocation, in violation of MGL HRD rules and CBA even though a new eligibility list was established with release of scores on April 6, 2018.”
3. On September 4, 2018, I held a pre-hearing conference which was attended by Mr. Maunsell, a union representative, counsel for MEP and counsel for the state’s Human Resources Division (HRD).
4. At the pre-hearing conference, documents were presented showing that: a) the most recent EPO D promotional examination was held on February 16, 2018; b) examination results were issued by HRD on April 5, 2018; c) the new eligible list for CPO D was established on May

15, 2018; and d) no promotional appointments were made to CPO D from the prior eligible list on or after May 15, 2018.

5. For these reasons, Mr. Maunsell has not shown, nor would he be able to show, that MEP or HRD has violated the civil service law or rules related to promotional appointments and the expiration of eligible lists.

For all of the above reasons, Mr. Maunsell's appeal under Docket No. E-18-133 is hereby *dismissed*.

Civil Service Commission

/s/ Christopher Bowman

Christopher C. Bowman

Chairman

By a vote of the Civil Service Commission (Bowman, Chairman; Camuso, Ittleman, Stein and Tivnan, Commissioners) on September 13, 2018.

Either party may file a motion for reconsideration within ten days of the receipt of this Commission order or decision. Under the pertinent provisions of the Code of Mass. Regulations, 801 CMR 1.01(7)(l), the motion must identify a clerical or mechanical error in this order or decision or a significant factor the Agency or the Presiding Officer may have overlooked in deciding the case. A motion for reconsideration does not toll the statutorily prescribed thirty-day time limit for seeking judicial review of this Commission order or decision.

Under the provisions of G.L. c. 31, § 44, any party aggrieved by this Commission order or decision may initiate proceedings for judicial review under G.L. c. 30A, § 14 in the superior court within thirty (30) days after receipt of this order or decision. Commencement of such proceeding shall not, unless specifically ordered by the court, operate as a stay of this Commission order or decision. After initiating proceedings for judicial review in Superior Court, the plaintiff, or his / her attorney, is required to serve a copy of the summons and complaint upon the Boston office of the Attorney General of the Commonwealth, with a copy to the Civil Service Commission, in the time and in the manner prescribed by Mass. R. Civ. P. 4(d).

Notice:

Kevin W. Maunsell (Appellant)

Michael Downey, Esq. (HRD)

Thomas Costello, Esq. (for Respondent)