

**COMMONWEALTH OF MASSACHUSETTS**

SUFFOLK, ss.

**CIVIL SERVICE COMMISSION**

One Ashburton Place: Room 503  
Boston, MA 02108

RYAN HALSEY,  
Appellant

v.

G1-16-061

BOSTON FIRE DEPARTMENT,  
Respondent

Appearance for Appellant:

*Pro Se*  
Ryan Halsey

Appearance for Respondent:

Louis Scapicchio, Esq.  
City of Boston  
Office of Labor Relations  
Boston City Hall: Room 624  
Boston, MA 02201

Commissioner:

Christopher C. Bowman

**ORDER OF DISMISSAL WITH FUTURE EFFECTIVE DATE**

On March 31, 2016, the Appellant, Ryan Halsey (Mr. Halsey), pursuant to G.L. c. 31, § 2(b), filed an appeal with the Civil Service Commission (Commission), contesting his non-selection to the labor service position of line person in the City of Boston (City)'s Fire Department.

On April 12, 2016, I held a pre-hearing conference which was attended by Mr. Halsey and counsel for the City.

Based on the statements of the parties and the documents submitted, I find the following to be undisputed:

1. On August 6, 2014, Mr. Halsey's name appeared on the labor service roster for line person.
2. On October 14, 2014, the state's Human Resources Division (HRD) issued Roster Certification No. 02419 to the City of Boston from which it could appoint four (4) line persons. Mr. Halsey's name appeared second on the Certification among those willing to accept appointment.
3. On March 7, 2016, the City notified HRD that Mr. Halsey was being bypassed for appointment as he did not meet the minimum qualifications for the position of line person.
4. According to the City, candidates for line person must have two years of full-time or equivalent part-time, paid experience in maintenance and repair of power, lighting, communication and signals.
5. At the pre-hearing, Mr. Halsey submitted a resume which, according to him, shows that he possesses the required experience.
6. Subsequent vacancies have arisen in the City's Fire Department for the position of line person since this bypass. The City is in the process of considering candidates, including Mr. Halsey.

By mutual agreement of the parties, the instant appeal is dismissed nisi with an effective date of August 29, 2016, by which time the City expects to have completed its next hiring round for line person positions.

If Mr. Halsey is not appointed as a line person during the next hiring round, he may, prior to August 29, 2016, file a request to re-open this appeal. Absent a request to re-

open this appeal on or before August 29, 2016, this appeal under Docket No. G1-16-061 will be *dismissed effective August 29, 2016*.

Civil Service Commission

/s/ Christopher Bowman  
Christopher C. Bowman  
Chairman

By vote of the Civil Service Commission (Bowman, Camuso, Ittleman, Stein and Tivnan, Commissioners) on April 28, 2016.

Either party may file a motion for reconsideration within ten days of the effective date of this Commission order or decision. Under the pertinent provisions of the Code of Mass. Regulations, 801 CMR 1.01(7)(1), 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 of the effective date 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 to:  
Ryan Halsey (Appellant)  
Louis Scapicchio, Esq. (for Respondent)