



EXECUTIVE SUMMARY

A SIGNIFICANT SHIFT IS UNDERWAY as Massachusetts municipal police departments increasingly request exemptions from the Civil Service Law. **Worcester's recent petition to exempt the chief and deputy chief positions highlights this trend.** Understanding these dynamics is crucial as municipalities seek to balance merit, efficiency, and equity in their hiring and promotional practices.

This report outlines the intent and history of civil service laws, details the administration of Massachusetts' law, and

examines Worcester's petition alongside other civil service changes the City has discussed over the past 25 years. It also contextualizes the petition with findings from the Racial Equity Audit of the Worcester Police Department (WPD), relevant employment discrimination cases, and growing discontent with the state's system from other municipalities. It then compares civil service participation across the state, focusing on WPD and its peers. The report concludes with three recommendations for City leaders and the public to consider.

PAGES 3-4 | FROM FEDERAL BEGINNINGS TO STATE ADOPTION — THE ORIGINS OF CIVIL SERVICE LAWS

- Civil service laws were created to eliminate politically motivated employment decisions through merit-based standards for select public employees. Following the Pendleton Act, Massachusetts, New York, and Ohio adopted their own comprehensive civil service laws.
- In Massachusetts, the Civil Service Law is overseen by the Human Resources Division (HRD), which handles administrative responsibilities. The Civil Service Commission adjudicates hearings between municipalities and employees.
- The Legislature convened several special commissions in the twentieth century to evaluate civil service effectiveness and propose changes to the law. More recently, in 2020, another commission was assigned to study civil service and address the growing number of departments seeking exemptions through home rule petitions.

PAGES 4-11 | THE CITY PETITIONS TO EXEMPT KEY POSITIONS IN POLICE DEPARTMENT FROM CIVIL SERVICE

- Examines the City's home rule petition to exempt the police chief and deputy chiefs from civil service, which would eliminate the need for promotional exams, statutory candidate preferences, and the state's creation of candidate lists.
- Examines key instances when the City deliberated petitioning to remove these positions and reviews local policy discussions on civil service over the past 25 years.
- Analyzes the racial disparity in WPD's sworn staff and examines key employment discrimination lawsuits filed against the City of Worcester and Massachusetts Human Resources Division (HRD). These issues underscore the importance of creating a more diverse department, as well as the power that the City and state have to ensure equal treatment and realize equitable hiring outcomes.
- Summarizes key lessons the City, WPD, and the public can learn from the Racial Equity Audit and various employment discrimination cases related to civil service, such as:
 - **Personnel Administration Rule 10 (PAR 10) allows municipalities to appoint candidates from historically underserved backgrounds while maintaining merit-based principles under the Civil Service Law. The City, despite being contractually obligated to use this rule in the past, never did so.**
 - **While the relevant lawsuits pertained to promotions to sergeant, the City's petition would only exempt the chief and deputy chief positions from civil service.**

PAGES 11-13 | REASONS MUNICIPALITIES PURSUE EXEMPTIONS FROM CIVIL SERVICE

- Summarizes key reasons why many municipal police departments (and fire departments) petition to exempt positions from civil service: **inefficient hiring timelines, ineffective exams, and a rigid hiring formula (2N+1)**
- Underscores the common goals of state and municipal police and fire departments—such as merit-based hiring, impartial oversight, and efficiency—while highlighting the differing views on how to achieve these shared objectives.

PAGES 13-14 | GROUPING AND MAPPING POLICE DEPARTMENTS BY CIVIL SERVICE STATUS

- Uses HRD data and the Bureau's original qualitative analysis to identify municipal police departments participating in civil service and the positions covered. This section compares WPD to other departments by the number of sworn officers and civil service positions to identify peers with which Worcester would align if the City's petition succeeds.
- **Worcester would join other large police departments such as Boston, Cambridge, and Springfield, whose chiefs are not appointed through civil service.**
- However, Many large police departments, such as Lowell, Quincy, and Lynn, still fully participate in the system.

PAGES 14-22 | ONGOING DEVELOPMENTS AND CONCLUSION

- **Explains the City and patrol union's commission to study exempting the entire department from civil service, and the deputy chiefs' recent request for the Civil Service Commission to investigate whether the City is violating the law by not considering them.**
- **The Bureau recommends that the City:**
 - Develop clear criteria for police chief and deputy chief positions, including required qualifications and competencies, and a transparent appointment process, if the City's petition is approved.
 - Request HRD to utilize PAR 10 to increase the diversity of WPD supervisors.
 - Publish a report detailing the findings of the commission to study leaving civil service
 - **The Bureau offers questions for the City and the public to consider regarding the ongoing dispute between the deputy police chiefs and the City.**