



City of Cambridge

1.

IN CITY COUNCIL

December 22, 1997

COUNCILLOR DUEHAY
COUNCILLOR DAVIS
COUNCILLOR GALLUCCIO
COUNCILLOR TRIANTAFILLOU

ORDERED: That all items pending before the City Council and not acted upon by the end of the 1997 legislative session be placed in the files of the City Clerk without prejudice, subject to recall by any member, provided that those proposed ordinances which have been passed to a second reading, advertised and listed under "Unfinished Business," and further provided that any items pending in committee may, at the discretion of the committee, be forwarded to the next City Council.

In City Council December 22, 1997.

Adopted by the affirmative vote of eight members.

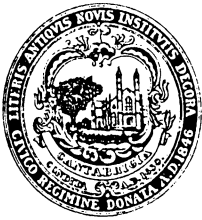
Attest:- D. Margaret Drury, City Clerk.

A true copy;

A handwritten signature in black ink, reading "D. Margaret Drury". The signature is written in a cursive style.

ATTEST:-

D. Margaret Drury
City Clerk



CITY OF CAMBRIDGE
795 MASSACHUSETTS AVENUE
CAMBRIDGE, MASSACHUSETTS 02139-2319
TEL. 617-349-4332
FAX. 617-349-4312

PERSONNEL DEPARTMENT
MICHAEL P. GARDNER
Director

July 23, 1997

To: Robert W. Healy
City Manager

From: Michael P. Gardner
Personnel Director 

Re: Council Order # 050, dated 6/16/97 Re: Report on Issues Surrounding the
Matter of Police Promotional Examinations

Scheduling of promotional examinations for police and fire positions is complicated and frequently controversial. Scheduling decisions are made by you only after thorough consultation with the department head. In consultation with Police Commissioner Watson you decided to call for police promotional examinations for the ranks of sergeant and lieutenant for the fall of 1998.

The principal reasons the City chose not to ask for new promotional examinations this fall were

1. The current lists have only been viable since July, 1996. Because of a legal challenge raised by the Cambridge Police Superior Officer's Association, the prior lists (from 1990 examinations) remained in effect until then. Rather than have the current lists expire with barely fifteen months of actual viability it seemed better to wait an additional year for examinations.
2. By the fall of 1998 more candidates will be eligible to take their next promotional examination for the first time (because they will have completed the minimum year(s) of service in the grade below) than would have been the case if the examinations had been held this fall. This will include more minorities and our only female superior officer. Delaying the examinations thus assists in creating more promotional opportunities for our underrepresented groups.
3. We do not expect significant new vacancies in these promotional positions in the near future. Calling for the examinations now might have resulted in creation of lists from which no one would be hired, resulting in significant frustration among those who invested the time and effort in the process. Delaying the examinations for another year should increase the

likelihood (though not guarantee) that the resulting lists will actually be used to fill vacancies.

The current police promotional eligible lists will not expire October 1, 1997 as stated in the City Council Order. The City has persuaded the Human Resources Division of the Executive Office of Administration and Finance of the Commonwealth (formerly the Department of Personnel Administration) that, because of the particular history of these eligible lists, their life will be extended until replaced by the results of the 1998 examination process. See a copy of a letter from Mr. James Hartnett, Personnel Administrator, attached.

The police contracts do not have any controlling language regarding provisional promotions. We do not make a practice of making provisional promotions in the Police and Fire Departments. We will not need to make provisional promotions in sworn ranks within the Police Department in 1998.



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE
HUMAN RESOURCES DIVISION
ONE ASHBURTON PLACE, BOSTON, MA 02108

JUL 21 10 53 AM '97

WILLIAM F. WELD
Governor

CHARLES D. BAKER
Secretary

ARGEO PAUL CELLUCCI
Lieutenant Governor

July 11, 1997

JAMES J. HARTNETT, JR.
Personnel Administrator

Michael Gardner
Personnel Director
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

Dear Mr. Gardner:

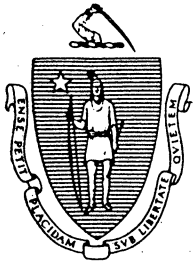
This is meant to clarify the status of the current eligible lists for Sergeant, Lieutenant and Captain, Cambridge Police Department. On October 5, 1994, then Personnel Administrator, Robert C. Dumont, wrote a letter (copy enclosed) to the Cambridge City Manager, Robert Healy, of the Personnel Administrator's determination that the eligible lists for promotion to Sergeant, Lieutenant and Captain, Cambridge Police Department, resulting from the promotional examinations administered in 1990 would remain in effect until seven calendar days following a decision of the Labor Relations Commission (LRC) in Case Number MUP-9171. The decision in the aforementioned case was rendered by the LRC on June 28, 1996. Therefore, consistent with the Personnel Administrator's determination, the eligible lists from the 1990 examinations were replaced by the lists from the 1994 examinations effective July 5, 1996.

Were it not for the special circumstances surrounding the case at the LRC, the lists from the 1994 examinations would have been established in January of 1995, and would also have been subject to revocation in October of 1997 according to the policy to revoke eligible lists three years after the applicable examination dates. Because the lists from the 1994 examinations did not become available for use until July 5, 1996, we will allow these lists to remain in existence until replaced by the lists resulting from the 1998 promotional examinations. If Cambridge opts not to participate in one or more of the examinations in 1998, we will revoke the eligible lists for the corresponding titles on July 5, 1998.

I hope this clarifies the issues relating to the police promotional exams for the City of Cambridge. Please direct any questions to Marc Chavanne, Director of Test Administration, at 727-3777, extension 310.

Sincerely,

James J. Hartnett, Jr.
Personnel Administrator



The Commonwealth of Massachusetts
Executive Office of Administration and Finance
Department of Personnel Administration

One Ashburton Place, Boston, MA 02108

WILLIAM F. WELD
Governor

ROBERT C. DUMONT
Personnel Administrator

ARGEO PAUL CELLUCCI
Lieutenant Governor

October 5, 1994

Mr. Robert Healy
City Manager
Office of the City Manager
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Cambridge Police Superior Officers Association v.
Department of Personnel Administration et al.,
Middlesex Superior Court, C.A. No. 94-05620
and
Murphy et al., v. Robert C. Dumont as Personnel
Administrator, Middlesex Superior Court, C.A. No. 94-05608

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OFFICE OF THE CITY MANAGER

Dear Mr. Healy:

I write to inform you that the Department of Personnel Administration has determined that the eligible lists for the City of Cambridge for promotions to police sergeant, captain and lieutenant shall remain in effect until seven calendar days after the Labor Relations Commission issues its decision in Case No. MUP - 9171: In the Matter of the City of Cambridge and Cambridge Superior Officers Association. This extension is conditioned upon the dismissal of the above-referenced cases.

Sincerely,

Robert C. Dumont
Personnel Administrator

cc: Mayor Kenneth Reeves
Michael P. Gardner, Personnel Director

RCD/LLW/JH:jh



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
FAX 349-4307



13.

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

August 4, 1997

To The Honorable, The City Council:

Please find attached a response to Awaiting Report Item No. 25, regarding issues surrounding the matter of police promotional examinations, received from Personnel Director Michael Gardner.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
attachment

Consent Agenda #13

Cal 15
5-814

Relative to Awaiting Report Item
Number Twenty-five, regarding
issues surrounding the matter
of police promotional examinations.

December 22, 1997

PLACED ON FILE

pursuant to
Order #1

In City Council August 4, 1997

Charter Right was
exercised by

Councillor Toomey
September 8, 1997

Tabled by Councillor
Toomey