

# Belmont Police and Civil Service

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# Why Should Town Meeting Discuss Civil Service?

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- Belmont adopted Civil Service for the Police Department in 1915 by TM vote



- **TM vote is needed to leave**

# Civil Service is a Problem for the Police Department

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- Police officer applicant pool not big enough
  - Unable to fill positions
  - Requires lots of forced overtime, bad for efficiency and morale
- Applicant pool not diverse
- No competition to ensure the most desirable applicants
- Costly
  - Hiring costs
  - Archaic and bureaucratic
  - Modern collective bargaining agreements and comprehensive policies work better

# Now is the Time to Consider Leaving Civil Service

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- One of the biggest remaining issues identified by Structural Change Impact Group
- Would complement other important recent structural changes, e.g., elected Light Board, appointed Treasurer
- Studied by Select Board since at least 2020
- Would help efficiency as we try to reduce size and frequency of operating budget overrides

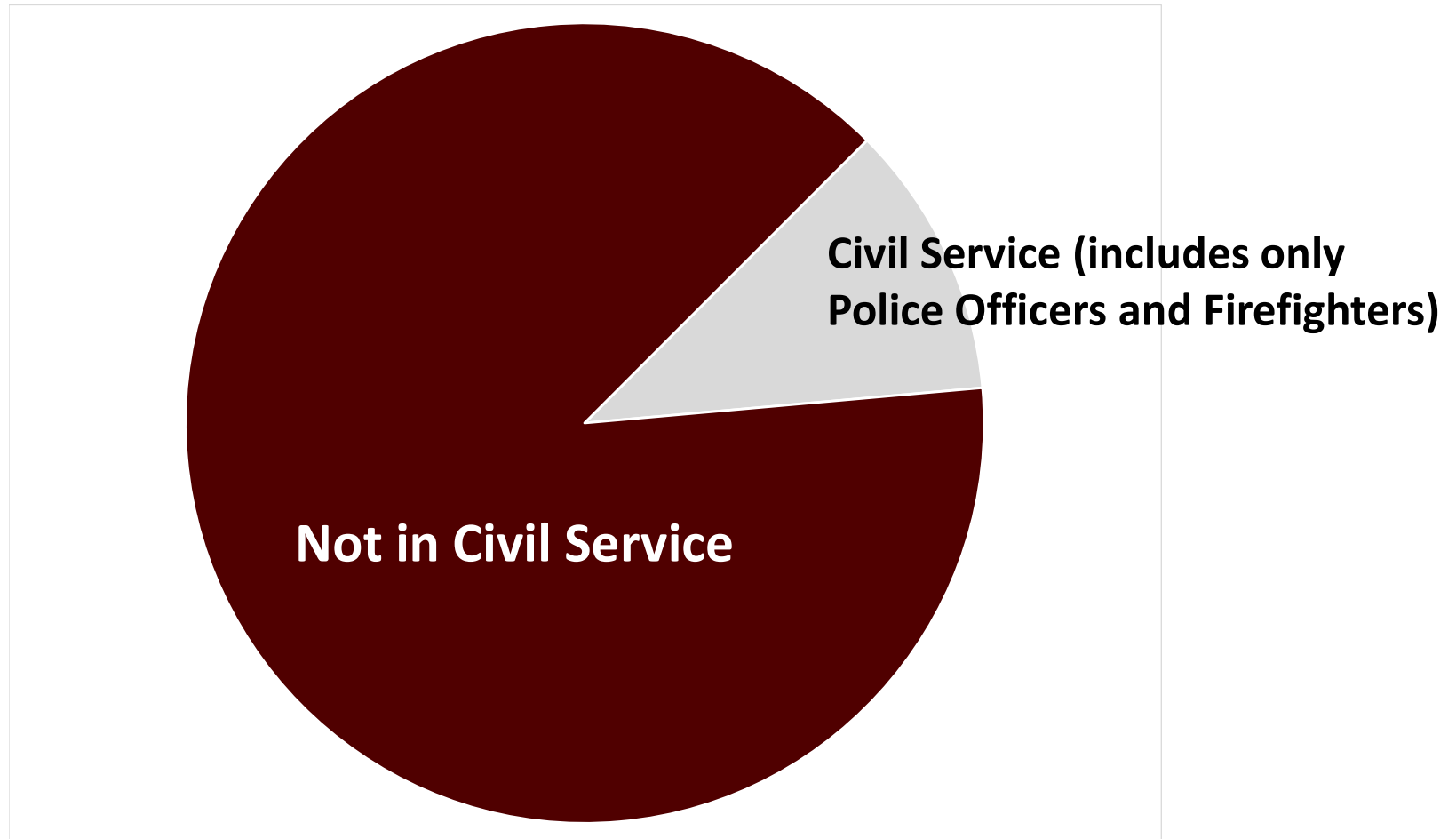
# Civil Service in Belmont

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- Procedures for hiring, promotions, discipline, and layoffs
- **Not relevant** for:
  - Compensation, benefits, health coverage, vacation, retirement, other conditions of employment

# Most Belmont Employees **Not** Members of Civil Service

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# Dozens of Towns Have Left Civil Service for Similar Reasons

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- Recent departures
  - Acton, Burlington, Framingham, Lexington, Marlborough, Natick, Needham, North Reading, Norwood, Reading, Sudbury, Wayland, Wellesley, **and many other police departments**
- The trend is increasing: no towns have joined Civil Service in the modern era

# Diversity and Hiring in the Police Department

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- Belmont Police (Patrol and Superior Officers):
  - 89% male, 11% female
  - 95% Caucasian
- Currently 4 vacancies, great difficulty in filling them
- Compare to, e.g., Lexington:
  - “We just got fully staffed for the first time in about 10 years. We are definitely having an easier time attracting candidates not being anchored by civil service.”



# Current Police Officers Would be Grandfathered

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- Police Officer unions and contracts would remain in effect
- Employees currently covered under Civil Service **remain covered** with all Civil Service provisions
- The changes would apply to future Belmont Police Officers

# Hiring Under Civil Service in Belmont: The Process

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- Must hire off of Civil Service List
  - Civil Service no longer allows Minority and Female-only Lists
- Preference given to disabled veterans, veterans, and children of deceased or severely injured officers
- Age less than 32 (or 36 with veteran status)
- Belmont Residency preference
- Tiny resident pool in today's Belmont
  - We are forced to hire non-residents from the list instead of non-residents who are best suited

# What are the Additional Hiring Costs for Civil Service?

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- Approximately **\$50,000 per hire** for police
  - Total cost about \$100,000 per year based on recent number of hires
- Other costs of delay and additional administration from Civil Service processes
- We are flying blind when hiring: we just see names and preference status, we don't even see the test score

# Modern Procedures are Better to Stop Nepotism and Patronage

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- Mass General Laws MGL c. 268A, § 23
  - Prohibits public officials from using their position to secure an unwarranted privilege of substantial value for themselves **or others**
- Federal EEOC
  - Illegal to discriminate because of race, color, religion, sex (including gender identity, sexual orientation), pregnancy, national origin, age (40 or older), disability, or genetic information
- Union Contracts
  - Superior Officers Contract Article 3: Employee Rights and Responsibilities
  - Patrol Contract Article 3: Employee Rights and Responsibilities
  - Police Grievance Procedures

# Town Meeting Adopted “Strong Police Chief” Law in 2010

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- Duties of Police Chief:
  - Make all rules and regulations for the Department
  - Full and absolute authority in the administration of the Police Department
  - Appoint such police officers as the Chief deems necessary
  - May remove officers only **for cause** and only after a hearing
- Police Union Contracts and state laws specify rights and protections of police officers
- Select Board and Town Administrator have no role in hiring police officers, with or without Civil Service

# Promotion, Layoff, Discipline if Belmont Leaves Civil Service

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- Promotions: Option to use interview and assessment center instead of exam
- Layoff: Existing employees **remain covered** by Civil Service procedures; all towns that left have developed union contract terms for new employees
- Discipline: Current employees **retain** Civil Service status; all contract protections remain; all state and federal employment and discrimination laws remain in effect

# Why a Town Meeting Vote is Critical

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- Without support from Town Meeting, the town will not be able to negotiate agreements with the police officer unions to replace Civil Service—nothing will change
- TM vote for the police to leave Civil Service is the best way to achieve a fully staffed, diverse, and efficient police department

# Additional Resources

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State of Massachusetts Human Resources Division (HRD)

<https://www.mass.gov/guides/learn-about-civil-service>

Massachusetts General Laws Chapter 31 (Civil Service)

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleIV/Chapter31>

Senate Bill 1474

<https://malegislature.gov/Bills/191/S1474.Html>



# Contacts

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