

# Lateral Hires

## Timeline & Point-Counterpoint

April 11, 2024

# Lateral Hires

## Timeline

- March 13, 2008: Somerville approves use of a reserve police and firefighter list. This means the city can select candidates from the civil service list and hold their position for appointment indefinitely, bypassing future lists.
- November 13, 2014: The Mayor's Office submits 12 names to the firefighter reserve list.
- July 7, 2015: Somerville is authorized to appoint 10 certified candidates from the firefighter exam list.
- July 10, 2015: The Director of HR director expands the firefighter reserve list to 25.
- March 24, 2016: The Mayor's Office submits 25 names to the firefighter reserve list.

# Lateral Hires

## Timeline

- July 14, 2016: The reserve list is expanded to 39 after it is revealed a veteran was intentionally bypassed.

“After being told by Director of HR that the City would not be in compliance with the statutory “2N+1” formula if it appointed 25 individuals, the head of HR was involved in the decision-making process to appoint 15, and then request another certification weeks later. That new certification actually requested sufficient names to appoint another 15 reserve firefighters, bringing the reserve list to 30, something even then-Fire Chief Sullivan was unaware of.”

Source: *Lima v. Somerville*

# Lateral Hires

## Timeline

- August 5, 2016: The first person on the current 2024 firefighter Civil Service List appeals his bypass. The reserve firefighter list and actions from the Director of HR are cited as reasons the candidate was discriminated against.
- March 2, 2017: The first person on the current firefighter Civil Service List wins his appeal.
- August 24, 2017: The last person on the police reserve list is approved. The Police voluntarily refrain from using the reserve list in the future.
- March 22, 2018: The council approves a resolution: “That the Administration refrain from appointing any further candidates to the position of Reserve Firefighter and seek to discontinue use of the Fire Reserve List at the earliest possible opportunity.”
- Then-City Council President and current Mayor Katjana Ballantyne sponsors the resolution.

# Lateral Hires

## Timeline

- January 23, 2020: The last firefighter on the reserve list is approved, four years after they were first appointed to the reserve list.
- August 25, 2020: The Mayor submits a memo updating the City Council on a new fire station in Assembly Square.
- February 11, 2021: Councilor J.T. Scott submits an order: “That the City Solicitor prepare legislation revoking the enabling legislation for the Fire Reserve List.”

This order is approved unanimously, including Then-Councilor Ballantyne.

- January 20, 2022: Councilor Lance Davis re-submits the request to eliminate reserve lists.
- April 14, 2022: The City Council votes to revoke reserve lists. Mayor Ballantyne approves the item to go to the State, despite not signing the document.

# Lateral Hires

## Timeline

- November 22, 2022: The City Council requests information on the staffing of the new Assembly Square fire station.
- February 9, 2023: The City Council requests information about updates to firefighter hiring process, since the reserve list has been eliminated. Councilor Matthew McLaughlin submits order amid rumors that the City is considering lateral hires and implores the City to “please not go down this path.”

# Lateral Hires

## Timeline

- March 28, 2023: Confirmation of Appointments and Personnel Matters Committee meeting.

The Administration announces the Assembly Square fire station opening is delayed from January 2024 to August 2024. This date is later changed to February 2025.

Legislative Liaison Hannah Carrillo states: “This is a substantial shift in the timeline which means we had the opportunity reevaluate how we planned to proceed ... we do now have time to do two lists between then and now. ... We are going to be exploring all options available to us, which includes potential language lists and gender lists. We have not made any decisions. We have not made any commitments to using transfers. Our timeline has changed which has changed the conversation.”

Councilors Jesse Clingan, Jake Wilson, and Judy Pineda Neufeld — a majority of the committee — speak against lateral hires.

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## Timeline

- May 22, 2023: The City notifies police officers requesting lateral transfers that they will not allow lateral transfers out of the Police Department “due to the impact these transfers would have on the department.”
- June 30, 2023: The Mayor’s Office requests a \$6,430,000 bond to “fit-out” the Assembly Fire Station.
- February 29, 2024: The Mayor’s Office requests acceptance of a 30-year lease for the Assembly Fire Station.



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## Point-Counterpoint

**“The upcoming Assembly Fire Station has created the need for high volume of new firefighters at one time, which is greater than the typical hiring process.”**

- The Assembly Square fire station opening date has already been pushed back twice.
- The City knew the station would have to be staffed since at least October 2021.
- Overtime can handle any gaps, if there are any.

# Lateral Hires

## Point-Counterpoint

**“A reserve list would have been a viable tool to prepare for the 12 new Firefighters, but because of the decision to disallow usage by the City Council we are unable to utilize that tool.”**

- The reserve list was abused and used to circumvent the civil serve list. The city is blaming the Council for not allowing one more tool to do what we have asked them not to do.
- The City Council gave the City six years to plan accordingly.
- As Council President, the Mayor signed on to rescind the reserve list and tacitly approved the rescinding of the reserve list as Mayor.

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## Point-Counterpoint

**“Utilizing lateral hiring, we can tailor our recruitment efforts to target specific populations that would benefit our residents, such as women, those who speak multiple languages and people of color.”**

- Any diversity from lateral hires will be just that: lateral. We will be poaching from other cities who invested in their residents.
- No other city is more successful at increasing diversity. We will be poaching from the same pool as everyone else.
- The people we poach already have jobs. The system already worked for them. We need to give new people from Somerville an opportunity.
- The Civil Service has lists that specifically focus on diversity that the city apparently did not use.

# Lateral Hires

## Point-Counterpoint

**“We can find Somerville residents in other cities.”**

- Most cities have a residential preference.
- The people on the current list are Somerville residents and paid to take the exam, often multiple times.

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## Point-Counterpoint

**“There is also currently an academy backlog for both Police and Fire which could potentially further delay start dates.”**

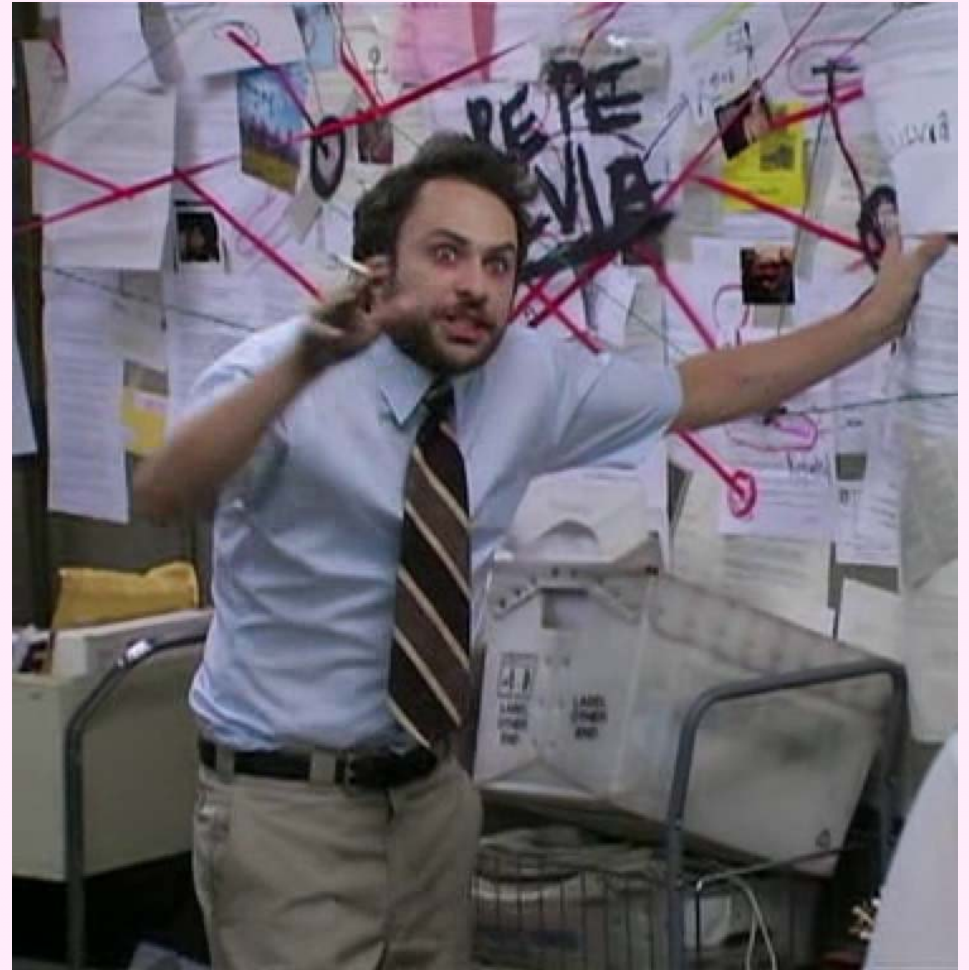
“Nine to 12 months is certainly not the case, unless it is held up on the City side. I am comfortable stating that once we received the names it would take eight to 12 weeks [to get new hires into academy training]. Maximum 20 weeks to get them trained.”

-Eric Littmann  
Director, Massachusetts Firefighting Academy

# Lateral Hires

Point-Counterpoint

What's the real reason?



**HIRING OFF THE CIVIL SERVICE LIST IS *HARD*.**

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## Point-Counterpoint

**“Lateral hiring allows for flexibility regarding how many applicants we interview, whereas civil service requires  $2n+1$  be interviewed... Each interview under civil service is typically 1.5-2 hours and requires the time of an interview panel... there is not time to ensure it will be appropriately staffed with firefighters using the certification list. Twelve fire applicants will require 25 interviews and at least 38 working hours that must be spent interviewing by each panel member. This is very challenging to schedule and can also be a source of further delay.”**

- The process is intentionally difficult to ensure fairness.
- The city was aware of the need for more firefighters for years.
- The city still has 43 weeks until their estimated time of the Assembly Fire Station opening, assuming there are not more delays.



## **Final thoughts:**

- **Multiple City Councils made their opinions on Civil Service hires clear since at least 2018.**
- **No one should expect these historic hiring issues to change if we don't push the issue.**
- **Any deviation from using the Firefighter Civil Service list will likely lead to expensive and time consuming lawsuits that will make lateral hires for the sake of efficiency a moot point.**