

# *A Local Register Guide*



## Entry Level Police Officer and Firefighter Appointments

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ENTRY LEVEL APPOINTMENTS  
in  
POLICE AND FIRE  
from  
LOCAL REGISTER

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**CIVIL SERVICE APPOINTMENT  
IN PUBLIC SAFETY  
POSITIONS  
From  
Local Register**

*Commonwealth's cities and towns may enter into an agreement with the Human Resources Division (HRD) to appoint entry level regular full-time Police and Fire forces through a Local Register. Appointing Authorities, upon executing a Memorandum of Agreement with HRD's Civil Service Unit, may appoint a maximum of 50% hires from their Local Register. Employees appointed through this process will be granted civil service status under M.G.L.c.31.*

*This hiring process is subject to specific procedures and restrictions under civil service law, rule, and policy. The information contained in this guide is designed to highlight some of the major questions surrounding Local Register hiring for Appointing Authorities and Police and Fire Chiefs.*

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## **I. WHAT IS THE PURPOSE OF HAVING A LOCAL REGISTER FOR POLICE AND FIRE?**

The Local Register is designed to provide Appointing Authorities with flexibility in hiring entry level public safety positions police and firefighter. Those civil service cities and towns that enter into an agreement with HRD will have the ability to hire up to 50% of police and fire entry level appointments from locally generated pools of prospective candidates rather than use the civil service eligible list.

## **II. HOW DOES MUNICIPALITY GO ABOUT ESTABLISHING A LOCAL REGISTER FOR POLICE AND FIRE?**

A municipality that would like to establish a Local Register must forward to HRD a written request by its Appointing Authority. HRD will provide Appointing Authority its standard Memorandum of Agreement (MOA) for review and execution. Within 14 days of the agreement's execution by all parties and before the commencement of any Local Register hiring, the Appointing Authority is required to submit to HRD its M.G.L. c. 31, sec. 59A compliance policy. The policy must demonstrate the Appointing Authorities intent to adhere to basic merit principles and a commitment to recruiting and considering candidates of diverse backgrounds. The policy must also contain anti-nepotism, anti-patronage and anti-favoritism hiring practices. Once HRD has approved the cities/towns local register hiring policy, hiring may commence.

## **III. WHAT IS INCLUDED IN THE MOA?**

The MOA outlines areas of responsibility for the Appointing Authority when hiring from their Local Register and responsibilities for HRD's Civil Service Unit. Unless otherwise agreed to by the parties, MOAs will be in effect for a 5-year time period. During the life of the agreement, HRD Civil Service may conduct random audits of the hiring process and will be available to provide technical assistance. The Appointing Authorities have the responsibility to follow all Local Register requirements in making appointments. In addition, the Appointing Authority must adhere to the civil service certification process and all other civil service laws, rules, regulations and procedures.

## **IV. HOW DO I NOTIFY HRD CIVIL SERVICE UNIT THAT I'M EXERCISING HIRING FROM THE LOCAL REGISTER?**

When the Appointing Authority is filling vacancies for an entry level police officer or firefighter, they will submit a requisition in the civil service online system. The online system includes a "Local Register" option. The requisition fields contained in the online system are to be filled out by the Appointing Authority or their designee, with name of department, contact information, number of vacancies and expected start date.

The submission of the requisition entered into the online system will alert the account analyst of future hirings. The account analyst will verify that a MOA and compliance policy is on file with HRD. If there is no MOA and/or compliance policy, the account analyst will proceed to issue the MOA to the Appointing Authority. Upon all parties signing the MOA, HRD must have within 14 days the compliance policy submission for HRD's review. Once approved, the Appointing Authority may begin the hiring process from the Local Register.

**V. IS THERE A LIMIT ON THE NUMBER OF HIRES FROM A LOCAL REGISTER?**

Yes. M.G.L.c.31, Section 59, limits the number of non-civil service list hires to a maximum of 50% of the total number of hires for the duration of the agreement. This includes Local Register, Cadet Program and Language Certification hires. In order to facilitate compliance, HRD will provide, no later than February 1<sup>st</sup> of each year a report detailing the number of hires from the civil service eligible list and Local Register.

Six months prior to the expiration of the MOA, the Appointing Authority will provide HRD a status update on the number of hires from the Local Register, cadet program and language certification to determine the total number of hires, ensuring it does not exceed more than 50% of overall hires. If the hires exceed the 50% benchmark, HRD may not renew the Local Register delegation agreement until the hires from the civil service eligible list reach parity.

**VI. WHAT OTHER STATUTORY RESTRICTIONS ARE PLACED ON HIRES FROM A LOCAL REGISTER?**

The Appointing Authority must ensure that all statutory requirements are met when hiring from the Local Register. All new hires from the Local Register must adhere to M.G.L.c. 31, Section 58 (minimum and maximum age requirement for the municipality, educational requirements for police officer positions) and M.G.L.c. 31, Section 61A (initial hire medical and physical ability test standards). In addition, all Local Register candidates selected for hire must meet at least **one** of the following criteria:

**Police Officer:**

- (i) future successful completion of a prescribed course of study at a police academy approved by the municipal police training committee pursuant to [section 96B of chapter 41](#);
- (ii) receipt of a passing mark, within the past 5 years, on:
  - a. a civil service examination for police officer administered by the administrator;
  - b. a qualifying examination administered by the appointing authority that has been validated by a test-development expert and that tests the knowledge, skills and abilities to perform the primary or dominant duties of the position
  - c. any other examination approved by the administrator in consultation with individuals deemed to be subject matter experts in the policing profession
- (iii) current service in the commonwealth as a salaried police officer certified by the peace officer standards and training commission;
- (iv) graduation within the past 5 years from a police academy approved by the municipal police training committee
- (v) receipt of a waiver from the municipal police training committee excusing the named candidate from further academy training.

**Firefighter:**

- (i) prior or proximately anticipated graduation from a fire academy, or anticipated completion within the next 12 months of another prescribed course of study culminating in certification, approved by the Massachusetts fire training council pursuant to section 165 of chapter 6;

- (ii) receipt of a passing mark, within the past 5 years, on:
  - a. a civil service examination for firefighter administered by the administrator;
  - b. a qualifying examination administered by the appointing authority that has been validated by a test-development expert and that tests the knowledge, skills and abilities to perform the primary or dominant duties of the position; or
  - c. any other examination approved by the administrator in consultation with individuals deemed to be subject matter experts in the firefighting profession; or
- (iii) current service, for a minimum of 6 months, in the commonwealth as a salaried firefighter; or
- (iv) past service as a salaried firefighter in another jurisdiction together with certification acceptable to the Massachusetts fire training council.

#### **VII. WHO'S RESPONSIBLE FOR ENSURING THE CANDIDATES ON THE LOCAL REGISTER MEET THE STATUTORY REQUIREMENTS?**

An Appointing Authority is responsible for verifying that candidates they submit for hire from the Local Register meet all statutory requirements. The Appointing Authority shall submit documentation for each candidate to the HRD Civil Service Unit account analyst demonstrating that the candidate has met the requirements. Using the online system, all supporting documentation is to be attached to the requisition on file for the vacancies. The account analyst will verify that the candidate has taken and passed a Physical Ability Test (PAT) in conjunction with the offer of employment from the Local Register.

#### **VIII. HOW DOES AN APPOINTING AUTHORITY NOTIFY HRD CIVIL SERVICE UNIT OF ITS HIRES FROM A LOCAL REGISTER?**

When the department has selected their candidates from both the civil service generated eligible list and their Local Register, the Appointing Authority or designee follows civil service standard appointment procedures by updating the requisition within the online civil service system.

For all hires from the Local Register, the Appointing Authority shall submit to HRD the full name(s), address, email address, start date and supporting documentation of the selected candidate(s) attaching all documentation that supports meeting the statutory requirement as outlined in Section IV of this guidebook. All documentation is to be attached to the online civil service system requisition for audit and approval by HRD.

Once the selected candidate(s) from the departments Local Register are approved for appointment, HRD will request the candidate(s) fill out an application in the civil service online system. The application will capture the same information for all candidates being hired in the civil service system. Through the application and hiring of candidates from the Local Register, HRD will utilize the civil service online system to track and report the number of hires.

#### **IX. WHAT IS THE CIVIL SERVICE SENIORITY DATE FOR A CANDIDATE HIRED FROM A LOCAL REGISTER?**

Successful appointments from the Local Register will be considered civil service based on their permanent full-time hire date with the department in accordance with the provisions of M.G.L.c. 31, Section 33. Candidates who have prior civil service employment are eligible to have their civil service seniority date amended to their original date after a year with their new department and if there is no break in service.

**X. IS THE PROBATIONARY PERIOD FOR HIRES FROM THE LOCAL REGISTER THE SAME AS HIRES FROM A CIVIL SERVICE CERTIFICATION?**

Yes. Hires from a departments Local Register are considered new hires and therefore have the same probationary period as those hires from a civil service eligible list.

**XI. HOW LONG DO RECORDS NEED TO BE MAINTAINED FOR EMPLOYEES HIRED FROM A LOCAL REGISTER?**

The Appointing Authority must maintain records of selected candidate(s) eligible criteria for appointment from the Local Register during the employment of any candidate and three years following the separation of employment.

**XII. CAN THERE BE AN INVESTIGATION IN THE HIRING PRACTICES FROM A LOCAL REGISTER?**

Yes. As mentioned before in sections III and XI, HRD may conduct an audit of all hires from the Local Register. Therefore, it is important that the Appointing Authority maintains all records referenced in section XI. The Appointing Authority shall fully cooperate with HRD in instances of requests for investigations and audits. The Appointing Authority must also be responsible for appearing and defending the appointment of candidate(s) if an appeal is filed with the Civil Service Commission or any Court.

Please note: It is the Appointing Authority's responsibility to ensure public access to all records determined to be public information.

**XIII. HOW ARE HIRES FROM THE LOCAL REGISTER RECORDED ON THE DEPARTMENTS 67 REPORT?**

On an annual basis, municipalities submit their departmental 67 report per M.G.L. c.31 section 67. The 67 report has a designation to record those hires that the Appointing Authority made from their Local Register. HRD will monitor the 67 records in conjunction with the annual report supplied to the Appointing Authorities as referenced in section V.

**XIV. HOW CAN THE MOA BE EXTENDED BEYOND THE INITIAL 5-YEAR PERIOD?**

Six months prior to the expiration of the MOA, the Appointing Authority will provide HRD a status update on the number of hires from the Local Register, cadet program and language certification to determine the total number of hires, ensuring it does not exceed more that 50% of overall hires. If the hires exceed the 50% benchmark, HRD will not renew the Local Register delegation agreement until the hires from the civil service eligible list reach parity.

An extension of the delegation agreement may be approved or amended by HRD upon review of a written request from the Appointing Authority and status update of all hires from the civil service eligible list and Local Register. The Appointing Authority must continue to demonstrate compliance with M.G.L. c. 31 sections 59B and D. Failure to request an extension within the six month time period will result in the inability to appoint from a Local Register.

If you have questions which are not answered in this guidebook, or if you need additional clarification on any of these topics, please contact your HRD Civil Service Unit account analyst or email the Civil Service Unit at [civilservice@mass.gov](mailto:civilservice@mass.gov).

The information summarized above is designed to provide a guide to general questions surrounding appointments and employment of police officers and firefighters from a Local Register. It is not intended to substitute for the Appointing Authority's review of applicable provisions of civil service laws and rules.

Appointing Authorities are advised to consult with their Town Counsels or City Solicitors to determine the appropriate local process for establishment and authorization of such hiring from a Local Register.