

TELEGRAM & GAZETTE

Worcester, Massachusetts

Civil Service just skims over cream-of-the-crop prospects

By John O'Leary

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At a time when terrorism threatens our shores, the need for highly skilled police officers is greater than ever. So what do you call a system that makes less-able candidates police officers, while rejecting top-scoring candidates? Most people would call it foolish. In Massachusetts, it's called Civil Service.

Consider the facts:

- On a recent Civil Service exam for Boston police, 492 candidates managed to get a score of 95 or above. That's wonderful. Unfortunately, only one of these 492 top scorers landed in the first 75 positions on the hiring list. Under Civil Service, Boston's finest doesn't have room for Boston's best. It's much the same story around the Commonwealth.
- On a recent Springfield Police exam, 296 candidates passed the exam. The scores of the top three candidates on the hiring list ranked 172nd, 284th, and 241st on the exam.
- On the 2000 Boston Firefighter exam, 29 candidates scored 100 percent (or better, with some bonus points awarded for experience and education) on the test. None of these 29 top scorers were listed among the top 200 names on the Civil Service hiring list.
- One-third of all hires to the Worcester police force aren't even hired off the Civil Service exam list, entering through the cadet program instead. Cynics call the cadet program the "Friends and Family Plan" because of the prevalence of politically connected cadets.

When Civil Service was introduced, it was supposed to be a merit-based system. Candidates would take a test and those with the highest scores would go to the top of the list. A noble idea -- and one almost entirely ignored under our current Civil Service system.

Rather than picking the cream of the crop, communities are often left scraping the bottom of the barrel.

Why are those with such low scores being hired? Because unlike virtually every other state, Massachusetts hands out a slew of "absolute preferences" to veterans, disabled veterans, the sons and daughters of police officers injured in the line of duty, town residents, and more.

In contrast to Massachusetts' contorted system of absolute preferences, most other states take the more reasonable course of adding a few points to these candidates' exam scores, providing a balance between maintaining excellence in the work force and recognizing the sacrifice of veterans and others. Police, fire, and corrections are some of the most essential functions of government, and areas where the quality of the workforce is crucial. Yet Civil Service in Massachusetts tests for merit, then ignores the test results.

In fact, when cities and towns are given Civil Service hiring lists, they are not even told how the candidates actually scored. And if a town doesn't hire from the top of

the list, candidates can appeal to the Civil Service Commission and towns must defend the reason for their non-selection.

Many people wrongly assume that racial preferences are the primary culprit undermining merit. They are not. In fact, the rules around hiring sometimes work against minority candidates. In 2003, Brockton wanted to hire some police officers who could speak Portuguese. So, as required by law, it asked the state for a Civil Service list.

No. 6 on the list was a non-minority who had scored a 75—not a very good score at all. Number eight was a minority who had scored a 97—a very good score. Both spoke Portuguese, neither was a veteran, and both were Brockton residents. But the white with the lousy score was placed above the high scoring minority.

Why would a minority candidate who scored 22 points higher than a white applicant go to the back of the hiring bus? In this case a court order originally intended to assist minority candidates was the culprit. The state's Human Resources Division was simply following the rules when it sent out this topsy-turvy list.

The minority candidate is not the only loser. The City of Brockton also loses, since it gets a police officer with a far lower score. There were 996 candidates who passed the test to get on the Brockton police, and the fellow who landed at number six was outscored by 976 of them. The result is that Brockton has someone who barely passed the exam responding to 911 calls, handling evidence in murder trials, and trying to break up gangs.

Meanwhile, the minority who scored 97 percent is probably working as a security guard, studying for the next Civil Service test. Poor fellow doesn't understand that how you score on the Civil Service exam makes almost no difference as to whether you'll get hired.

As bad as Civil Service is for police, fire and corrections, it is even worse outside of public safety. The state's Human Resource Division stopped giving tests in most job titles years ago. As a result, roughly half the Civil Service workforce exists in a bizarre legal limbo as "provisional appointments." The state's Human Resources Division last updated the municipal job classification system in 1973. Dysfunction is too kind a word to describe the madness and chaos that ensues.

Three states—Georgia, Florida and Texas—have eliminated Civil Service for all but public safety with positive results. Virtually all other states provide only bonus points rather than absolute preference. Both are good ideas—a plan to reform Civil Service in Massachusetts along these lines won Pioneer Institute's 2004 Better Government Competition.

The Civil Service laws that govern public sector hiring in Massachusetts are broken. It's time the legislature got to work on this issue.

John O'Leary served as chairman of the Massachusetts Civil Service Commission from September 2003 to May 2004.