



## **CITY OF NEW BEDFORD**

**JONATHAN F. MITCHELL, MAYOR**

March 10, 2022

City Council President Ian Abreu and  
Honorable Members of the City Council  
133 William St.  
New Bedford, MA 02740

Dear President Abreu and Honorable Members of the City Council:

I write to request the City Council's approval of the enclosed Home Rule Petition which would remove the positions of Fire Chief and Deputy Fire Chief of the New Bedford Fire Department from the coverage of the Civil Service Law, G.L. c. 31, §§ 1, et seq. for future occupants of those positions.

The Civil Service system was enacted in the late 19<sup>th</sup> century when positions in public employment were subject to few, if any, standards for appointment, and political patronage was rampant. At the core of the system is the requirement that hiring and promotion be based largely on a written examination that is scored by a state agency. The exam objectifies these decisions, effectively erecting a barrier to patronage.

Nearly 150 years later, the system still serves its original purpose for entry level employees, but it inhibits the cultivation of leadership necessary to the success of large organizations. Effective organizational leadership requires skills, knowledge, and abilities that cannot be adequately measured on a standardized exam or assessment.

Nowhere in the private sector are appointments to the highest executive management level positions chosen by simply selecting the numerically top-ranked scorer among a list of exam takers. Moreover, the exam and related assessment process are based on statewide criteria with no content tailored to the specific challenges or needs of a specific municipality.

Not only has Civil Service become a serious barrier to the hiring of the most qualified candidates for executive management positions, it has also seriously undermined the grooming and mentoring needed to ensure that top leadership assume their positions with the full skill-set necessary for command. By making the ascension of the top ranks essentially a function of longevity and exam scores, the cultivation of individual leadership ability within the Fire Department is de-incentivized.

The New Bedford City Council voted to remove the positions of Police Chief and Deputy Police Chief from Civil Service in 1996. It is about time we do the same for the Fire Department. Many Massachusetts municipalities have likewise acted to withdraw key positions from Civil Service. Cities such as Lowell and Lawrence, and towns such as neighboring Dartmouth, have all chosen to have non-Civil Service Fire Chiefs and/or Deputies.

Finally, I wish to note again that the proposal would not affect current leadership of the Department. The Department is presently under the capable command of Fire Chief Scott Kruger and his Deputy Brian Medeiros. We have capable leadership in the Fire Department right now, despite the Civil Service system, not because of it. Make no mistake, the system under which their own selections were made, undermines our ability to consistently hire the best leaders over time.

It is time for the City to take a long-overdue step to ensure that New Bedford in the future will have the best chance at having the leadership necessary for its Fire Department to perform its vital mission with maximum effectiveness.

Thank you for your consideration of this important measure.

Sincerely,



Joe Mitchell  
Mayor

# **The Commonwealth of Massachusetts**

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IN THE YEAR TWO THOUSAND TWENTY-TWO

## **AN ACT EXEMPTING THE FIRE CHIEF AND DEPUTY FIRE CHIEF OF THE CITY OF NEW BEDFORD FROM THE CIVIL SERVICE LAW**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. The positions of chief and deputy chief in the fire department of the city of New Bedford shall be exempt from chapter 31 of the General Laws and related regulations applicable thereto.

SECTION 2. Notwithstanding any general or special law to the contrary, each incumbent employee in the position of chief or deputy chief who has the present status of permanent civil service employee in the employee's present position shall retain civil service status in that position until such time as the employee no longer serves in that position. The foregoing exemption shall not apply to any position to which the employee may be promoted

SECTION 3. This act shall take effect upon its passage.