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CIVIL SERVICE - CONNECTICUT

Shevlin v. Civil Services Com'n of City of Bridgeport

Appellate Court of Connecticut - February 25, 2014 - A.3d - 2014 WL 631143

Firefighter lieutenants, qualified for promotion to captain, sought a judicial determination of the eligibility date to take captain examination. The Superior Court ruled for firefighters. Civil service commission appealed.

The Appellate Court held that demotion of firefighter from captain to lieutenant was not "layoff," for purpose of determining eligibility date for captain promotion examination, since firefighter's position was not discontinued due to lack of work or lack of funds. Rather, eligibility date for examination should have been calculated based on another captain's retirement, which created vacancy at captain class with no active promotion list.

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