

Bond Case Briefs

Municipal Finance Law Since 1971

EMPLOYMENT - MASSACHUSETTS

Kelley v. Boston Fire Dept.

Appeals Court of Massachusetts - November 18, 2014 - N.E.3d - 2014 WL 6390168

Fire lieutenants employed by city fire department filed appeal claiming to be aggrieved by practice of appointing out-of-grade acting captains without following provisions of civil service laws. The Civil Service Commission determined that the city violated the civil service laws, but ultimately dismissed the appeal, concluding that compliance with the statutory procedures was ministerial, and that the lieutenants had failed to demonstrate that the appointments did not meet the statutory criteria. Lieutenants appealed. The Superior Court Department vacated and remanded. City appealed.

The Appeals Court held that Superior Court order remanding to Civil Service Commission was interlocutory order not immediately appealable.