

HOUSE No. 4049

The Commonwealth of Massachusetts

PRESENTED BY:

Chynah Tyler

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to create a Boston Fire Department Cadet Program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Chynah Tyler</i>	<i>7th Suffolk</i>	<i>8/9/2019</i>
<i>Martin J. Walsh</i>	<i>1 CITY HALL SQUARE, SUITE 500 BOSTON, MA 02201-2013 UNITED STATES</i>	<i>8/9/2019</i>

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By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 4049) of Chynah Tyler and Martin J. Walsh (mayor) (with the approval of the mayor and city council) that the city of Boston be authorized to appoint cadet firefighters to the Boston fire department. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to create a Boston Fire Department Cadet Program.

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

1 ORDERED: That a petition to the General Court, accompanied by a bill for a special law
2 relating to the City of Boston, to be filed with an attested copy of this Order be, and hereby is,
3 approved under Clause One (1) of Section Eight (8) of Article Two (2), as amended, of the
4 Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that
5 legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

6 PETITION FOR A SPECIAL LAW RE: A FIRE CADET PROGRAM FOR THE CITY
7 OF BOSTON FIRE DEPARTMENT.

8 SECTION 1. The board or officer in the city of Boston authorized to appoint firefighters
9 for the city of Boston may, when so authorized by the affirmative vote of a majority of the city
10 council and approval of the mayor, appoint as a fire cadet, for a period of full-time "on the job"
11 training, any citizen resident of Boston who is not less than eighteen nor more than twenty-five

12 years of age who meets the physical qualifications required of applicants for appointment as a
13 firefighter in Boston, and who is determined by the appointing authority to be of good moral
14 character. Such appointment shall not be subject to the civil service law or rules; nor shall a fire
15 cadet be entitled to any benefits of such law or rules. Such appointment may be terminated by the
16 appointing authority at any time, and shall be terminated whenever a cadet fails to maintain a
17 passing grade in any course of study the appointing authority determines she or he should
18 undertake, and when she or he reaches the age of twenty-seven. A fire cadet shall receive such
19 compensation and such leave with pay as the appointing authority shall determine: No person
20 shall be too old for appointment as a cadet if she or he was of qualifying age at the time of
21 application to a cadet program. An appointment to a cadet program shall not be terminated for
22 age unless the cadet has completed 2 years of service.

23 A fire cadet shall maintain and file records, operate office machines, answer telephones,
24 receive complaints, enter and index official documents, prepare routine reports, prepare and
25 tabulate facts and figures for statistical purposes, and have similar duties of an administrative
26 rather than firefighting type. She or he shall be considered an employee of the city of Boston for
27 the purposes of workers' compensation.

28 A fire cadet shall not be subject or entitled to the benefits of any retirement or pension
29 law nor shall any deduction be made from her or his compensation for the purpose thereof; but a
30 fire cadet who, prior to or during the period of her or his "on the job training," passes a
31 competitive civil service examination for appointment to the fire force of the city of Boston, and
32 is appointed a permanent full-time firefighter, shall have her or his fire cadet service considered
33 as "creditable service" for purposes of retirement, provided she or he pays into the annuity
34 savings fund of the retirement system such amount as the retirement board determines equal to

35 that which she or he would have paid had she or he been a member of said retirement system
36 during the period of her or his training as a fire cadet.

37 SECTION 2. Notwithstanding the provisions of chapter thirty-one of the General Laws,
38 any person who has completed not less than two years of service as a fire cadet under this act
39 may; subject to a program established by the fire commissioner of the city of Boston and
40 approved by the personnel administrator of the human resources division within the executive
41 office for administration and finance, be appointed to fill a vacancy in a position in the lowest
42 grade in the fire force of the city of Boston without certification from an eligible list prepared
43 under the provisions of chapter thirty-one of the General Laws; provided, however, that such
44 person either is on a fire entrance eligible list prepared under said chapter thirty-one or passes a
45 qualifying examination to be given by said personnel administrator.

46 SECTION 3. If any federal or state, administrative or court order requires the listing of
47 candidates in separate groups, each group to be listed according to the law of the commonwealth,
48 then this act shall be subject to such listing.

49 SECTION 4. Not more than thirty-three and one-third percent of the total number of
50 appointments to the regular fire force of the city of Boston in any calendar year, shall be made
51 under the provisions of this act. The fire commissioner of the city of Boston shall report in
52 writing forthwith to the personnel administrator in said division of personnel administration any
53 appointment made under the provisions of this act.

54 SECTION 5. This act shall take effect upon its passage.