

**HOUSE . . . . . No. 4919**

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Substituted by the House, on motion of Mr. Speliotis of Danvers, for a bill with the same title (House, No. 4824). July 30, 2020.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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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           SECTION 1. The board or officer in the city of Boston authorized to appoint firefighters  
2 for the city of Boston may, when so authorized by the affirmative vote of a majority of the city  
3 council and approval of the mayor, appoint as a fire cadet, for a period of full-time "on the job"  
4 training, any citizen resident of Boston who is not less than eighteen nor more than twenty-five  
5 years of age who meets the physical qualifications required of applicants for appointment as a  
6 firefighter in Boston, and who is determined by the appointing authority to be of good moral  
7 character. Such appointment shall not be subject to the civil service law or rules; nor shall a fire  
8 cadet be entitled to any benefits of such law or rules. Such appointment may be terminated by the  
9 appointing authority at any time, and shall be terminated whenever a cadet fails to maintain a  
10 passing grade in any course of study the appointing authority determines she or he should  
11 undertake, and when she or he reaches the age of twenty-seven. A fire cadet shall receive such  
12 compensation and such leave with pay as the appointing authority shall determine. No person  
13 shall be too old for appointment as a cadet if she or he was of qualifying age at the time of

14 application to a cadet program. An appointment to a cadet program shall not be terminated for  
15 age unless the cadet has completed 2 years of service.

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

21 A fire cadet shall not be subject or entitled to the benefits of any retirement or pension  
22 law nor shall any deduction be made from her or his compensation for the purpose thereof; but a  
23 fire cadet who, prior to or during the period of her or his "on the job training," passes a  
24 competitive civil service examination for appointment to the fire force of the city of Boston, and  
25 is appointed a permanent full-time firefighter, shall have her or his fire cadet service considered  
26 as "creditable service" for purposes of retirement, provided she or he pays into the annuity  
27 savings fund of the retirement system such amount as the retirement board determines equal to  
28 that which she or he would have paid had she or he been a member of said retirement system  
29 during the period of her or his training as a fire cadet.

30 SECTION 2. Notwithstanding the provisions of chapter thirty-one of the General Laws,  
31 any person who has completed not less than two years of service as a fire cadet under this act  
32 may, subject to a program established by the fire commissioner of the city of Boston and  
33 approved by the personnel administrator of the human resources division within the executive  
34 office for administration and finance, be appointed to fill a vacancy in a position in the lowest  
35 grade in the fire force of the city of Boston without certification from an eligible list prepared

36 under the provisions of chapter thirty-one of the General Laws; provided, however, that such  
37 person either is on a fire entrance eligible list prepared under said chapter thirty-one or passes a  
38 qualifying examination to be given by said personnel administrator.

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

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

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