

State of New Hampshire

PERSONNEL APPEALS BOARD
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PERSONNEL APPEALS BOARD
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1989-C-101

APPEAL OF JEAN BARNES July 28, 1988

On Tuesday, June 14, 1988, Personnel Appeals Board members Cushman and Platt heard the classification appeal of Jean Barnes, Administrative Assistant I for the Board of Registration in Medicine. Ms Barnes, who appeared pro se, had appealed the Division of Personnel's decision denying a request to upgrade her position from its current title, salary grade 15, to a position of Supervisor III, salary grade 22. In later correspondence with the Division of Personnel, Ms Barnes' supervisor, Dr. William Wallace suggested the position review actually supported increase to salary grade 23.

Pursuant to Per-A 204.05, the Board hereby notifies the parties that it will require additional information and additional time in reaching a decision on this appeal matter. Further, pursuant to Per-A 203.08, the Board will require the following information from the Division of Personnel within 20 days of the date of this order:

1. How many full-time classified positions in State government are known to report to Boards or Commissions where the position's sole responsibility is related to the work of that Board or Commission?
2. Which of those positions have been reviewed within the past three years?
3. What position titles and salary grades are assigned to those positions?
4. If all such positions are not classified at the same title and allocated at the same salary grade, what similarities or differences justify assigning them such titles and grades.

The Board anticipates finalizing a decision within 45 days of receipt of the requested information.

FOR THE PERSONNEL APPEALS BOARD

A handwritten signature in cursive script that reads "Mary Ann Steele".

MARY ANN STEELE
Executive Secretary

cc: Virginia A. Vogel, Director of Personnel
Jean Barnes, Board of Registration in Medicine

State of New Hampshire



1989-3-10

PERSONNEL APPEALS BOARD

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APPEAL OF JEAN BARNES April 3, 1989

On Tuesday, June 14, 1988, the Personnel Appeals Board, Commissioners Cushman and Platt sitting, heard the classification of Jean Barnes, Administrative Assistant I for the Board of Registration in Medicine. Subsequent to hearing Ms Barnes' appeal, the Board issued an order dated July 28, 1988 requiring that the Director of Personnel provide additional information concerning similar positions throughout State service.

The Director responded to the Board's request by letter dated October 20, 1988. In that correspondence, Personnel Director Vogel listed a number of positions reporting to Boards or Commissions, indicating that the salary grades assigned to these positions ranged from salary grade 8 to salary grade 18.

In order to determine the appropriate classification and salary grade in light of Ms Barnes' duties and responsibilities, the Board compared the work described by the appellant in her presentation to the Board with job specifications for the classifications of Administrative Assistant I, Administrative Assistant II, and the requested title of Supervisor III. The Board then compared the duties and responsibilities described in the above-noted specifications, to Mrs Barnes' testimony describing her work, which was corroborated by written submissions from Dr. William T. Wallace, Executive Secretary to the Board of Registration in Medicine.

In his January 26, 1988 submission to the Board in support of Ms Barnes' appeal, Dr. Wallace stated, "Mrs. Barnes is solely responsible for the Board of Registration in Medicine budget. She is the one who prepares the Governor[s] requested budget, testifies in front of the Governor's Budget Review Panel, testifies on behalf of that budget in House Appropriations and Senate Finance Committees. Mrs Barnes has not only direct supervision over subordinates, but she also interviews and hires. In the past year and a half, Mrs Barnes has hired both a full time and part time secretary. Although these positions are neither deemed technical, both deal with highly technical data." Dr. Wallace also referred in that same correspondence to Mrs Barnes' participation in forums and roundtable discussions at the regional and national level representing the New Hampshire Board of Registration in Medicine. In his May 29, 1987 request for reclassification of Mrs Barnes' position, Dr. Wallace also stated, "In addition to [Mrs Barnes'] administrative and managerial duties she is the principal liaison with the Attorney General's Office, the Pharmacy Board, and the State Police Drug Investigation Unit.

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Dr. Wallace's January 26, 1988 letter to the Board further indicated that during November of 1987, the Board had held a 13 hour disciplinary hearing and that Mrs. Barnes was responsible for investigative work and production of orders from the Board which were approved by the Attorney General's Office. He stated, "During the hearing Mrs. Barnes acted as clerk of the court and still has the responsibility of keeping all of the records in a confidential and professional manner.

The position specification for the title Administrative Assistant I, salary grade 15, describes the position as "Performs administrative or office management duties with responsibility for a variety of administrative staff assignments including analyzing administrative or staff operations and procedures, developing and recommending work standards and procedures, conducting research and studies and preparing reports on findings and recommendations..." Under Examples of Work in that specification, an Administrative Assistant I "Directs and supervises specialized office functions of a major division such as accounting methods. Prepares division or unit budget requests, supervises the preparation of records, reports and other items required for good fiscal management. Reviews and replies to correspondence; disposes of other administrative details as directed. Performs occasional public relations duties; assists in the preparation of news releases and speeches." While the Administrative Assistant I specification appears to describe Mrs. Barnes' duties in a general sense, the Board found that the requirement that Mrs. Barnes represent the Board of Registration in Medicine before legislative committees and in regional or national forums, and the degree of independent judgment which must be exercised in the performance of her duties perhaps exceeded the description of duties found in that specification.

The Board found that the Administrative Assistant II specification more closely described the duties outlined by the appellant in that the employee "Conducts meetings, prepares correspondence and reports and speaks publicly to gather or give information, resolve complaints, eliminate program barriers and engender support for program objectives." The Administrative Assistant II specification also calls for the incumbent to make "frequent contacts beyond associates in securing cooperation of other agencies, approval of department policies and procedures and in the presentation of important data to commissions, legislative committees and departmental officials." The Administrative Assistant II specification more clearly describes Mrs. Barnes' responsibilities for preparation of budgets, and in "planning, organizing, assigning and evaluating the work of technical and clerical staff engaged in enforcing state regulations or facilitated services; directs and coordinates staff services such as office management, purchasing, accounting, inventory control, records management and budgeting and personnel administration."

Upon review of the Supervisor III specification, the Board found it to exceed the duties and responsibilities described by the appellant. The Supervisor

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III "performs professional work supervising a unit, organizing work, and interpreting and carrying out the responsibilities of administering local, state and federally funded programs" to include "[supervising] a staff of professional and technical employees involved in the process of delivering services to eligible persons." The Supervisor III specification also refers to considerably more responsibility for program development, evaluation and training than the work described by Mrs. Barnes in her presentation to the Board.

The Appeals Board, based upon the above findings, voted to order that Mrs. Barnes' position of Administrative Assistant I, salary grade 15, be reclassified and reallocated to the title of Administrative Assistant 11, salary grade 18. The effective date of this position reallocation shall comply with the provisions of RSA 21-I:54 III.

FOR THE PERSONNEL APPEALS BOARD



MARY ANN STEELE
Executive Secretary

cc: Jean Barnes
Board of Registration in Medicine

Dr. William T. Wallace, Executive Secretary
Board of Registration in Medicine

Virginia A. Vogel
Director of Personnel