

# State of New Hampshire

PERSONNEL APPEALS BOARD  
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88-C-121

## APPEAL OF FREDERICK ESCH

MARCH 14, 1988

On Tuesday, February 9, 1988, the Personnel Appeals Board, Commissioners Platt and Cushman sitting, heard the classification appeal of Frederick Esch. Mr. Esch, an employee of the Department of Transportation, was appealing the Division of Personnel's June 29, 1987 decision denying a request to reclassify his position of Civil Engineer IV, salary grade 26 to Civil Engineer V, salary grade 29. The appellant was represented at the hearing by SEA Field Representative Ann Spear. Classification and Compensation Administrator Edward J. McCann represented the Division of Personnel.

The appellant requested that the Board award increased degree allocations for the job attributes of "Complexity of Duties," "Experience" and "Errors". In oral argument, the appellant contended that most of his work assignments are new and largely devoted to federal studies; the work is completed under minimal supervision; the workload has increased; and the job assignment now includes chairing a committee whose members are employed at 3 to 6 salary grades higher than the appellant's position. The appellant also indicated he is responsible for coordinating the compilation of reports from other bureaus.

After reviewing testimony given and supporting documentation submitted by the parties, the Board made the following findings:

### Complexity of Duties

The appellant has requested an increase in this attribute from the 7th to the 8th, or highest degree for Complexity of Duties. The appellant's requested increase centered upon his being appointed Chairman of a committee "charged with the responsibility of determining Interstate Highway needs and costs for the state, and the potential for the transferring of funds. Part of the DOT policy depends on the work and findings of the Committee." Further, the appellant argued that the group he chairs consist of four employees at salary grade 33, one at grade 31 and 2 "in the lower 20's". The Board heard no testimony concerning the amount of time expended by the appellant in fulfilling his role as chairman of that committee. Further, the Board was not persuaded that making recommendations to the Department of Transportation based upon "the work and findings" of such a committee would qualify an incumbent for an increase to the highest degree under "Complexity of Duties." Finally, the Board did not accept the appellant's contention that as chairman of the Committee, his salary grade should not be lower than that of other committee members, finding that committee chairmanships should not be determined exclusively on the basis of salary grade. Therefore, the Board voted to continue the appellant's position at the 7th degree for this attribute.

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Experience

The appellant's position is currently rated at the 7th degree under "Experience" with the position specification requiring a Bachelors' degree in Civil Engineering and "six years experience in the practice of civil engineering, two years of which shall have involved special responsibility in similar work..." The appellant has requested an increase to the 8th degree for Experience, or seven to eight years experience in the same field. The Civil Engineer V specification calls for "Seven years' experience in civil engineering work with at least four years in the appropriate option..." The Board, upon review of materials submitted by both parties, found that the education and experience described for the classification of Civil Engineer IV were sufficient for an incumbent to perform the required duties satisfactorily at an entry level. The Board therefore voted to deny the requested increase in this attribute.

Errors

The appellant requested an increase in the Errors attribute from the 5th to the 6th degree, arguing that the "accuracy of the work... is never checked within the Department or within the state." The Evaluation manual defines the 6th degree for Errors as "Reserved for top executives having full and final responsibility for the successful operation of a department..." Further, the appellant argued, "The extent of supervision of the appellant's position involves checking to insure that the work (federal reports, etc.) is out on time and being available if any assistance is required." The Board found this description inconsistent with the contention that the appellant's position should be described by the 6th degree for errors. Therefore, the Board voted to deny the requested increase for the "Errors" attribute.

Based upon the foregoing, the Board voted unanimously to deny the appeal, continuing the appellant's position as Civil Engineer IV.

FOR THE PERSONNEL APPEALS BOARD



Mary Ann Steele  
Executive Secretary

cc: Ann Spear  
SEA Field Representative  
Virginia A. Vogel  
Director of Personnel  
Raymond J. Lemieux  
Personnel Officer - DOT