

State of New Hampshire

PERSONNEL APPEALS BOARD
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EXECUTIVE SECRETARY
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PERSONNEL APPEALS BOARD
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89-0-152

APPEAL OF BRENDA FAHEY

August 4, 1987

By letter dated May 22, 1987, and received by the Personnel Division on May 26, 1987, Brenda Fahey appealed the effective date of her position reallocation at the Department of Safety. The appellant provided copies of correspondence relative to the upgrading of certain State Police Troop secretarial positions as follows: 1) May 7, 1986 memo from Troop Commanders to Col. Iverson requesting permission to initiate the position review process, 2) May 14, 1986 memo from State Police Director to Troop Commanders forwarding questionnaires for completion by affected staff, 3) January 13, 1987 memo from Ed Goodrich to the Division of Personnel forwarding questionnaires for review and 4) March 9, 1987 response from Personnel Director Virginia Vogel approving certain position upgradings.

In her request, the appellant states, "On Monday, April 27, 1987...it was learned that the Secretary upgrade had been approved and had gone into affect [sic] as of April 10, 1987 with a title of Secretary Typist II, Labor Grade Seven." The appellant further states, "On May 6, 1987 it was learned that there would be no retroactive time accumulated due to the fact that the Position Classification Questionnaires submitted were submitted with the Division of Personnel on January 13, 1987..."

The Appeals Board, having requested further clarification from the Department of Safety, received a memorandum dated June 30, 1987 from Administrative and Personnel Officer Edwin Goodrich confirming that the chronology of events provided by the appellant was accurate. Finding no material facts in dispute, the Board reviewed the request for a hearing and found the following.

The Board found that the appellant's request for a hearing was untimely, regardless of which date referenced by the appellant constituted the actual date of notice. Were the Board to determine notification occurred on May 6, 1987, an appeal must have been filed no later than May 21, 1987 to be considered timely in accordance with the "Rules of the Personnel Appeals Board," Part Per-A 202.01 (b). The appellant's request for a

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hearing, however, was not filed with the Board until May 26, 1987. In consideration of the foregoing, the Board voted to dismiss the matter.

Ms. Fahey's request for a hearing is, therefore, denied.

FOR THE PERSONNEL APPEALS BOARD

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

MARY ANN STEELE
Executive Secretary

cc: Richard M. Flynn, Commissioner
Department of Safety

Col. George Iverson
Division of State Police

Ms. Brenda Fahey
Division of State Police