

State of New Hampshire



PERSONNEL APPEALS BOARD

State House Annex
Concord, New Hampshire 03301
Telephone (603) 271-3261

Appeal of Nyleen Harper Docket #93 - C - 17

June 1, 1994

The New Hampshire Personnel Appeals Board (Bennett, McGinley and Rule) met Wednesday, December 1, 1993, to hear the classification appeal of Nyleen Harper, an employee of the Department of Safety, Division of Motor Vehicles. Ms. Harper, who was represented at the hearing by SEA Field Representative Margo Hurley, was appealing the Personnel Director's December 9, 1992 decision, and January 28, 1993 reconsideration decision, denying her request for reclassification and upgrading from Counter Clerk IV, salary grade 10, to a proposed new classification of International Registrations Plan Coordinator. The Department of Safety recommended establishment of such a classification at salary grade 14. However, on appeal, the appellant requested that the position be upgraded to salary grade 17. Personnel Director Virginia Lamberton appeared on behalf of the Division of Personnel.

At the conclusion of the hearing, Director Lamberton submitted proposed findings of fact and rulings of law. The Board is mindful of its obligations to respond to proposed findings of fact and rulings of law, and finds them helpful in focusing the Board's review on the material facts in dispute. However, in light of the detailed, compound nature of the proposed findings in this case, the Board voted to grant them to the extent they are consistent with the decision below. Otherwise, they are denied.

Ms. Harper's position is responsible for vehicle registrations under the International Registration Plan (IRP) in the Department of Safety, Division of Motor Vehicles. The position duties include issuing, transferring, renewing or rescinding international truck registrations, collecting and disbursing funds to participating states, maintaining accurate financial records for funds collected and disbursed through the IRP, explaining pertinent IRP regulations to registrants, and supervising three Counter Clerk incumbents who complete vehicle registrations and data entry. The position's daily duties, as described by the appellant to the Board, include turning on the computer system, making sure the mail is correctly addressed, and handling walk-in visitors to the office. The appellant communicates both orally and in writing with registration sub-station personnel and agents from the participating states and governmental units. The appellant utilizes computer hardware, software, and a fairly standard assortment of office machinery in the performance of her duties. She drafts correspondence to participants in the program and recommends changes in procedures affecting international truck registrations in the State of New Hampshire. She answers and screens calls to the Department.

When the appellant's position was created, the Division of Personnel and the Department of Safety agreed that the most appropriate classification appeared to be Counter Clerk IV, salary grade 10. After reviewing the duties described by the appellant, the Division of Personnel agreed that the classification was no longer reflective of the duties and responsibilities of the

position, and found that the position would be more appropriately classified as a Clerk IV, salary grade 11.

The Clerk IV classification to which Ms. Harper's position is assigned has the following "basic purpose":

To perform diverse clerical duties in achieving daily objectives within a specified organizational unit.

The Board reviewed the supplemental job description which the appellant supplied and certified as being an accurate reflection of the requirements of her position. The Board found that in terms of both the basic purpose of the position, and the position's characteristic duties and responsibilities, Ms. Harper's position is accurately described by the classification of Clerk IV. The Board found that the appellant did not meet her burden of demonstrating that her position is improperly classified at Clerk IV, salary grade 11. Ms. Harper supervises a very small, functional unit within a division of the Department of Safety. She collects, reviews and audits statistical data for use in planning and implementing the operations of the International Registrations Plan. She assembles fiscal information and produces standardized reports. Ms. Harper maintains and updates a computerized data base for international registrations and payments, as well as retrieving information from records to determine when registrations should be suspended for non-payment. Ms. Harper contacts personnel inside and outside the agency to provide information and program updates. These types of assignments are typical of the classification of Clerk IV, and reflect the proper allocation of Ms. Harper's position.

The Board voted to grant the Personnel Director's proposed rulings (#1 - 4). In so doing, the Board voted to deny Ms. Harper's appeal, finding that her position is properly classified as a Clerk IV, salary grade 11.

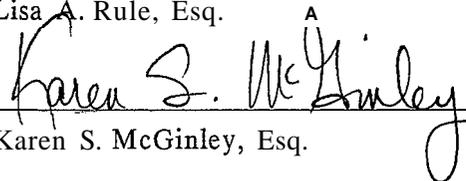
THE NEW HAMPSHIRE PERSONNEL APPEALS BOARD



Mark J. Bennett, Acting Chairman



Lisa A. Rule, Esq.



Karen S. McGinley, Esq.

cc: Virginia Lamberton, Director of Personnel
Margo Hurley, SEA Field Representative
Claude Ouellette, Human Resources Administrator, Department of Safety