

State of New Hampshire



PERSONNEL APPEALS BOARD

25 Capitol Street
Concord, New Hampshire 03301
Telephone (603) 271-3261

APPEAL OF STEPHEN LARO

Docket #94-C-1

New Hampshire Retirement System

June 11, 1997

The New Hampshire Personnel Appeals Board (Bennett, Johnson and Rule) met on Wednesday, February 26, 1997, under the authority of RSA 21-I:57, to hear the classification appeal of Stephen Laro, an employee of the New Hampshire Retirement System. Margo Steeves, SEA Field Representative, appeared on behalf of the appellant. Michael McAulay, Supervisor of Classifications, appeared on behalf of the Division of Personnel. The appeal was made on offers of proof by the representatives of the parties. The record in this matter consists of the audio tape recording of the hearing, pleadings submitted by the parties prior to the hearing, and documents admitted into evidence at the hearing.

Before addressing the merits of Mr. Laro's appeal, Ms. Steeves objected to the Board receiving the packet of exhibits submitted by the Division of Personnel on February 6, 1997, arguing that those documents were late-filed. Since the Board had previously received those exhibits from one party or the other as indicated in the chart below, the Board over-ruled the appellant's objection.

<i>Division of Personnel Exhibits 2-6-97</i>	<i>Division of Personnel Exhibits 10-14-93</i>	<i>SEA Exhibits 7-6-93 and 7-23-93</i>
#1 - March 11, 1993 letter		A - submitted 7/6/93
#2 - Questionnaire		Attachment to A (above)
#3 - Organizational Chart	#3 - 10/14/93	
#4 - May 5, 1993 letter		B - submitted 7/6/93
#5 - May 19, 1993 letter		C - submitted 7/6/93
#6 - June 22, 1993 letter		D - submitted 7/6/93
#7 - Supplemental Job Description (Computer Applications Programmer)		#1 - submitted 7/23/93
#8 - Class Specification - Technical Support Specialist		E - submitted 7/6/93
#9 - Class Specification, MIS Analyst/Programmer I		F - submitted 7/6/93

Mr. Laro was appealing the Division of Personnel's June 22, 1993, decision to reclassify his position from Computer Applications Programmer I, salary grade 20, to Personal Computer Specialist II, salary grade 20. Mr. Laro had requested an upgrading of his position to Technical Support Specialist I, salary grade 24, or Management Information Systems Analyst/Programmer I, salary grade 25.

In his May 19, 1993, request for reconsideration of the Director's decision, Mr. Laro asserted that the decision did not take into account his duties as the Local Area Network (LAN) Administrator, including responsibility for overseeing the network's inventory and ensuring that system software was properly loaded and integrated. He argued that the decision also did not take into account his ongoing programming duties. Mr. Laro asserted that his duties far exceeded those of a PC Specialist, noting that he installs and/or supervises the installation of PCs, coordinates user training, diagnoses or trouble-shoots problems with the system, and manages a 32 port LAN system interfaced with a mainframe system to allow downloading of data from the system's investment custodian

bank's main frame into "readable reports with dollar amounts assigned to specific fund/investment managers."

At the hearing, Ms. Steeves argued that after Mr. Laro's appointment to the position of Computer Applications Programmer, the duties of the position grew significantly. She argued that more and more frequently, the appellant was called upon to design and install software programs, and ensure that users were properly trained to use that programming. She also argued that the Personnel Division's review failed to evaluate all of the position's duties and accountabilities, and gave no weight to the appellant's responsibilities for writing and testing several programs currently in use by the Retirement System. Ms. Steeves argued that the appellant performs duties well in excess of those listed on his supplemental job description

Mr. McAulay argued that on May 5, 1993, Mr. Laro's position was reclassified from Computer Applications Programmer I to P.C. Specialist II. He argued that the duties and responsibilities assigned to the appellant are "a consistent match on the level of functioning" with the classification of Personal Computer Specialist II. Mr. McAulay argued that although there has been a significant change in the technology employed and the language used to describe today's information systems, the accountabilities described by Mr. Laro at the time of his classification review in 1993, were consistent with level of responsibilities described in the class specification for P.C. Specialist II.

Having reviewed the specification for Technical Support Specialist I and Management Information Systems Analyst/Programmer I in conjunction with Mr. Laro's position classification questionnaire and the evidence submitted by the parties, the Board found that Mr. Laro's responsibilities did not support reclassification to either Technical Support Specialist I or Management Information Systems Analyst/Programmer I. In reaching that conclusion, the Board reviewed the evaluation factors for the appellant's current

current classification, Personal Computer Specialist II, and those job classes that he believed would more accurately describe the level of his responsibility.

Evaluation Factor Level by Classification			
Factor	P.C. Specialist II (s.g. 20)	MIS Analyst Programmer I (s.g. 25)	Technical Support Specialist I (s.g. 24)
Skill	4	5	5
Knowledge	4	5	5
Impact	4	5	4
Supervision	2	3	2
Working Conditions	2	2	2
Physical Demands	2	2	3
Communications	4	5	5
Complexity	4	5	5
Independent Action	4	5	5

As indicated in the table above, a decision reallocating the appellant's position from PC Specialist II (salary grade 20) to MIS Analyst Programmer I (salary grade 25) would require a finding that changes in his duties and responsibilities warrant an increase in seven of the nine evaluation factors including Skill, Knowledge, Impact, Supervision, Communications, Complexity, and Independent Action. Similarly, a decision reallocating the appellant's position to Technical Support Specialist (salary grade 24) would require a finding that six of the nine evaluation factors including Skill, Knowledge, Physical Demands, Communications, Complexity and Independent Action, should be increased.

The Board did not find sufficient evidence of substantial or material change in Mr. Laro's duties and responsibilities to warrant the requested reallocation. The Board appreciates the value of Mr. Laro's technical skills, and the extent to which his employer relies upon him to ensure that the Retirement System's software, PC network and network/mainframe interface function smoothly and efficiently. However, the

responsibilities as he described them in his classification questionnaire, and as described by his representative during the hearing on the merits of his appeal, are adequately addressed in the classification of Personal Computer Specialist II. Accordingly, the Board voted to deny Mr. Laro's appeal.

THE NEW HAMPSHIRE PERSONNEL APPEALS BOARD



Mark J. Bennett, Chairman



Robert J. Johnson, Commissioner



Lisa A. Rule, Commissioner

cc: Virginia A. Larnberton, Director of Personnel, 25 Capitol St., Concord, NH 03301
Margo Steeves, SEA Field Representative, State Employees' Association
PO Box 3303, Concord, NH 03302