

State of New Hampshire



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

APPEAL OF LEE, PERRY, PEASE AND HOLLORAN

DOCKET #98-C-7 (Robert M. Lee, Jr.)

DOCKET #98-C-8 (Brian A. Perry)

DOCKET #98-C-9 (Clayton J. Pease)

DOCKET #98-C-10 (Richard F. Holloran)

INTRICATE EQUIPMENT TECHNICIANS III, II AND I

POSITIONS 20017,20434,20431,20429

DEPARTMENT OF TRANSPORTATION

February 24, 1999

The New Hampshire Personnel Appeals Board recently began a review of all outstanding reclassification and reallocation appeals for the purpose of scheduling those appeals for hearing. In reviewing the appellant's preliminary pleadings in the above-titled appeal, the Board found the following:

1. On November 16, 1998, the Board received an original and three copies of the appellants' November 16, 1998, request for a hearing. That letter indicates that the appellants wish to appeal the Director's November 4, 1998 decision.
2. Per-A 202.01 (b) of the Rules of the Personnel Appeals Board provides that, "...notice of appeal shall state the action complained of, and shall contain a detailed description of why the appellant believes the action was inappropriate."
3. The appellants' letter of November 16, 1998, does not describe the action complained of, nor does it provide a detailed description of why the appellants believe the action was inappropriate.
4. Per-A 206.02 (c) of the Rules of the Personnel Appeals Board requires that, "Copies of all papers filed by any party shall, at or before the time of filing, be served by a party or person

acting for him on all other parties to the case. Service on a party represented by another shall be made on such representative."

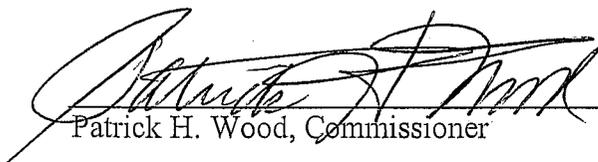
5. The appellants' November 16, 1998, request for hearing gives no indication that a copy of the letter was provided to either the Director of Personnel or the Department of Transportation.
6. Per-A 208.02 of the Rules of the Personnel Appeals Board provides that:
 - (a) Within twenty (20) days after filing his appeal, the appellant shall file with the Board an original and three (3) copies of any evidence (including all documents or affidavits) that he believes support his position together with any written argument that he wishes the Board to consider. This submission shall cover all aspects of the appeal."
7. On December 23, 1998, thirty-seven (37) days after the original request was received, the Board received one copy of the appellants' supporting documentation. Again, there was no indication that their submission was provided to either the Director of Personnel or the Department of Transportation.

For the reasons set forth above, the Board voted to dismiss the appeal unless, within ten calendar days of the date of this order, the appellants can show good cause why their appeal was not timely filed or properly filed in accordance with Per-A 206.02 (c) and Per-A 208.02 of the Rules of the Personnel Appeals Board.

THE PERSONNEL APPEALS BOARD



Mark J. Bennett, Chairman



Patrick H. Wood, Commissioner



James J. Barry, Commissioner

cc: Virginia A. Lamberton, Director of Personnel, 25 Capitol St., Concord, NH 03301
Frances Buczynski, Human Resources Administrator, Dept. of Transportation, Hazen
Drive, Concord, NH 03301
Robert M. Lee, Jr., Brian A. Perry, Clayton J. Pease and Richard F. Holloran, Bureau of
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