

State of New Hampshire



PERSONNEL APPEALS BOARD

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

Appeal of Susan Lefevre, et al. Appeal of Effective Date for Position Reclassification

At its meeting of February 22, 1989, the Personnel Appeals Board, Commissioners Cushman and McNicholas sitting, considered the letter of February 7, 1989 filed by SEA Field Representative Stephen J. McCormack on behalf of Susan Lefevre, et al., employees of the Division of Public Health Services.

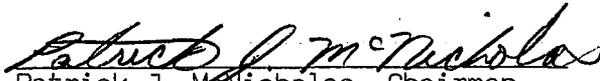
Included in the attachments reviewed by the Board was the original appeal filed by Mr. McCormack on the appellants' behalf dated October 18, 1988. In that letter, the appellants argued, "Since the only fact in dispute on the reclassification of the Laboratory Scientist Class Series is the retroactive date, it is requested that the Personnel Appeals Board order the following:

1. The recommendations of Ms Virginia A. Vogel concerning the Salary Grades for the Laboratory Scientist Class Series be implemented immediately; and
2. That the reclassified (upgraded) positions be paid retroactive back to March 17, 1987.

The appellants further stated that the appropriate effective date for reclassification prior to March 17, 1987 should be retroactive to the original request for reclassification. Specifically, the appellants argued that, "...prior to March 27, 1986, any written requests for position reviews from any agency, division or department to the Division of Personnel was the document used to establish retroactive payment for upgraded positions... The original written request for position reviews was on March 28, 1985 from Susan D. Epstein, Deputy Director, Division of Public Health, to Judy Bastian, Director, Department of Personnel. This is the document that establishes the retroactive date."

In its deliberations, the Board voted to order that the effective date of change for any of the positions of Laboratory Scientist (Division of Public Health Services) reclassified as a result of the March 28, 1985 request for upgrading and subsequent request for reconsideration on November 3, 1986 be compensated retroactive to the date the beginning of the pay period immediately following the date the original reclassification request was received by the Division of Personnel (or the beginning of the pay period immediately following March 28, 1985.

THE PERSONNEL APPEALS BOARD


Patrick J. McNicholas, Chairman


George C. Cushman, Jr., Commissioner

Dated: March 15, 1989

cc: Stephen J. McCormack, SEA Field Representative

Virginia A. Vogel, Director of Personnel

William Wallace, Director, Division of Public Health Services