

State of New Hampshire

PERSONNEL APPEALS BOARD
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APPEAL OF ALAN LUGG

September 16, 1987

On Tuesday, July 28, 1987, the Personnel Appeals Board, Commissioners Haseltine, Platt and Allard sitting, heard the appeal of Alan Lugg, Laboratory Scientist II, Department of Transportation, Salary Grade 17. Mr. Lugg was appealing the Division of Personnel's May 14, 1987 decision denying a request to upgrade his position to Laboratory Scientist III, Salary Grade 19.

The appellant was represented by SEA Field Representative Ann Spear. Charles Colpitts, Classification Analyst, represented the Division of Personnel. Both the appellant and the Division of Personnel made written submissions for the Board's consideration prior to the hearing.

In support of his reclassification appeal, the appellant requested an additional degree be awarded in point allocations for the following job attributes: Experience, Errors and Supervision. The appellant also suggested that an increase be considered for the attribute of Working Conditions, but stated that such reallocation was not necessary to meet the specification or point allocation for the class title Laboratory Scientist III. Finally, the appellant stated that this position upgrading had the full support of the appellant's supervisors and the Department of Transportation.

For the Experience attribute, the appellant argued that his position is currently rated at the 5th degree and should be reallocated to the 6th degree. In written argument presented to the Board, the appellant argued that a contradiction existed between the Lab Scientist II position specification and the point spread in that "The Lab Scientist II position requires two years of laboratory experience," but that the "Evaluation Manual specifies three or four years of experience to define the fifth degree." The Board found this statement to be in error. The Evaluation Manual, page 3, outlines the 5th degree at which the appellant's position is currently rated as requiring 2 years' experience. In his Position Classification Questionnaire (SEA Exhibit VII) the appellant stated, "This job is currently rated as 5th degree. It should be rated as 7th degree. This job requires a wide knowledge of chemistry because of the wide range of tests which must be done on many different kinds of materials. Also the ability to change and develop new methods and procedures when necessary. This requires several years of hands on experience to acquire this knowledge." The Board did not find the appellant's description of the experience required to perform the job satisfactorily to be in

conflict with the current specification or point allocation for Laboratory Scientist II. Therefore, the Board found this job attribute correctly rated at the 5th degree.

The appellant argued that the Errors attribute should be reallocated from the 4th to the 5th degree. The Board was not persuaded by either oral or written presentations that this attribute warranted any increase in point value. The appellant's description of his work included verifying and analyzing the properties of materials provided by contracted suppliers. The Board found this work correctly rated at the 4th degree for Errors.

The last attribute the appellant addressed was that of Supervision, requesting upgrading from the 2nd to the 3rd degree. In support of this argument, the appellant stated, "Surely, a Laboratory Scientist II who is actually performing the duties and responsibilities of a III should be allocated one additional degree." Given the Board's finding that the appellant's work responsibilities are appropriately defined in the specification and point allocations for Laboratory Scientist II, this rationale was not persuasive, and therefore insufficient to warrant upgrading the Supervision factor. Further, in light of the appellant's statement that, "the majority of the appellant's direct supervisory responsibilities are exercised only three to four months of the year," the Board found this attribute correctly evaluated at 10 points, or the 2nd degree.

The Board found the appellant's position properly classified as Laboratory Scientist II, Salary Grade 17. Based upon the foregoing, the Board voted unanimously to deny the appeal.

FOR THE PERSONNEL APPEALS BOARD



MARY ANN STEELE
Executive Secretary
N. H. Personnel Appeals Board

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cc: Ann Spear, Field Representative
State Employees' Association

Raymond Lemieux, Personnel Officer
Department of Transportation

Virginia A. Vogel
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