

# State of New Hampshire

PERSONNEL APPEALS BOARD  
-Edward J. Haseltine, Chairman  
Gerald Allard  
Loretta Platt



EXECUTIVE SECRETARY  
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87-C-102

## NEW HAMPSHIRE PERSONNEL APPEALS BOARD DECISION

In the Matter Of:

BENTON LYONS

February 23, 1987

On January 27, 1987, the Personnel Appeals Board, Commissioners Haseltine, Platt and Allard sitting, heard the appeal of Benton Lyons, Forest and Insect Disease Technician of the Department of Resources and Economic Development. Mr. Lyons, represented by SEA Field Representative Stephen McCormack, was appealing the Division of Personnel's decision to upgrade his position from Salary Grade 14 to Salary Grade 15. The appellant had instead requested an increase to Salary Grade 20. Edward McCann, Classification and Compensation Administrator, represented the Division of Personnel.

Both parties made written submissions to the Board prior to the hearing.

The appellant argued that three of his job attributes had been given insufficient weight in the evaluation conducted by the Division of Personnel: Initiative, Physical Effort and Working Conditions.

After considering the testimony given and documentation presented, the Board voted unanimously to uphold the decision of the Division of Personnel. The Board found that the Initiative required of Mr. Lyons in the performance of his duties as a Technician working under the supervision of the Forest Entomologist was consistent with that described under the third degree. The Board found that the planning and performing of the appellant's work was done under the supervision of the Forest Entomologist and did not require considerable initiative for planning and performing new work with only general instructions. The Board found that the attribute of Physical Effort was properly rated at the third degree, as his work does involve occasional strenuous positions and some lifting, but not however to such an extent as to warrant adjustment of this attribute to the fifth degree. Finally, the Board concluded that the Working Conditions attribute of the appellant's position had been properly rated at the fourth degree, recognizing that his work did involve some disagreeable elements. The Board did not find, however, that the appellant was exposed

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to exceptional disagreeable factors requiring that he be relieved frequently.

Based on the foregoing, the Board upheld the decision of the Division of Personnel, classifying the appellant's position at Salary Grade 15.

FOR THE PERSONNEL APPEALS BOARD



MARY ANN STEELE  
Executive Secretary

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cc: Stephen McCormack, S.E.A.  
John Flanders, Commissioner, D.R.E.D  
Division of Personnel