

State of New Hampshire

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



EXECUTIVE SECRETARY
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1986-C-000

N. H. PERSONNEL APPEALS BOARD DECISION

In the Matter Of:

John A. Mitchell and David S. Potter

July 25, 1986

On July 15, 1986, the Personnel Appeals Board, Commissioners Haseltine, Allard and Platt sitting, heard the appeals of John Mitchell and David Potter, who hold the positions of Highway Maintainer III (B), Salary Grade 10, with the Department of Transportation. The appellants were represented by Albert Guyette of the Department of Transportation. Mr. Mitchell, through Thomas Jelley, Highway Garage Administrator, had originally requested an upgrade to Tractor/Trailer Truck Driver, salary grade 13. Mr. Potter had requested an upgrade to Assistant Yard Supervisor, salary grade 14.

Testifying before the Board were Albert Guyette and Edward J. McCann. Mr. McCann, who represented the Division of Personnel, and the appellants had made written submissions to the Board prior to the hearing.

The appellants argued that their duties differed from those of other Highway Maintainer III (B) employees due to their regular operation of tractor-trailers. In addition, they argued that their duties had increased due to the increase in equipment maintained by the Department of Transportation. In addition to stressing the complexity of their duties, Mr. Potter also contended that his position should be upgraded to Assistant Yard Supervisor as he often acted as an acting Yard Supervisor when the Supervisor was unavailable.

In considering the testimony given and supporting documentation submitted by both the appellants and the Division of Personnel, the Board noted that the Working Conditions aspect of Highway Maintainer III (B) had already been classified at the fourth degree. Notwithstanding the overtime calls received by the appellants, the Board found that the fourth degree accurately reflected the working conditions which are characteristic of this

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position. The Board emphasized again that a job specification cannot be considered a job description. Although the duties of the appellants might differ from those of others in the same Class 10 position, the Board found that the complexity of their duties has been accurately assessed at the fourth degree. Accordingly, the Board voted unanimously to uphold the recommendations of the Division of Personnel continuing the labor grade assigned to the appellants' positions at grade 10. The Board further concurred with the recommendation set forth in the Director of Personnel's letter of March 20, 1985 that the Department of Transportation consider the temporary promotion of Mr. Potter if warranted. With the exception of references to appellants' classification appeals, the Board adopted as findings of fact Mr. McCann's report dated July 8, 1986.

Dated: July 25, 1986


MARY ANN STEELE
Executive Secretary

cc: Ray Lemieux, Personnel Officer
Dept. of Transportation

Judy S. Bastian
Director of Personnel