

State of New Hampshire

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



EXECUTIVE SECRETARY
Mary Ann Steele

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

1986-C-103

April 20, 1987

Vance R. Kelly, Commissioner
Department of Labor
19 Pillsbury Street
Concord, New Hampshire 03301

re: Workers' Compensation Hearings Officers

Dear Commissioner Kelly:

Enclosed please find a copy of the New Hampshire Personnel Appeals Board's decision dated April 20, 1987 in the above referenced appeal matter as heard by said Board on April 14, 1987.

Pursuant to the provisions of RSA 21-I:54 II, Chapter 12, Laws of 1986, the Division of Personnel is required to submit annually to the general court a report outlining reclassifications or reallocations of positions allowed during the previous year by either the Director of Personnel or by the Personnel Appeals Board. "The report shall state how many employees were affected by each reclassification or reallocation and the cost of each reclassification or reallocation." (Emphasis added.) Therefore, it will be necessary for your agency to provide the Director of Personnel with information relative to the source of funding and cost of the reallocation/reclassification resulting from the attached decision. This information will need to be forwarded to the Personnel Director's attention before the necessary paperwork can be completed to accomplish the action outlined in this decision.

Very truly yours,

A handwritten signature in cursive script that reads "Mary Ann Steele".

MARY ANN STEELE
Executive Secretary

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enc.
cc: ✓ Edward McCann
Division of Personnel

Stephen McCormack, Field Representative
State Employees' Association

State of New Hampshire

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NEW HAMPSHIRE PERSONNEL APPEALS BOARD DECISION

In the Matter Of:

Workers' Compensation Hearings Officers

April 20, 1987

On April 14, 1987, the Personnel Appeals Board, Commissioners Haseltine, Beaulieu and Platt sitting, heard the appeals of Elaine Murphy and John Fitzgerald, Workers' Compensation Hearings Officers of the Department of Labor. The Hearings Officers, represented by SEA Field Representative Stephen McCormack, were appealing the Division of Personnel's denial of their request to upgrade their positions from labor grade 23 to labor grade 25. On appeal, the Hearings Officers requested that their positions be upgraded to labor grade 26.

The Division of Personnel was represented by Classification and Compensation Administrator Edward McCann. Both parties made written submissions to the Board prior to the hearing. The appellants contended that in conducting its evaluation of their positions, the Division of Personnel should have given greater weight to the attributes of Complexity of Duties and Supervision.

After considering the testimony presented and the supporting documentation submitted by the parties, the Board voted unanimously to upgrade the appellants' positions to salary grade 25. In so doing, the Board found that the attribute of Complexity of Duties had been improperly rated at the 7th degree and should be increased to the 8th degree. The Board concluded that this position required the review and analysis of a broad range of issues and that the incumbents were often required to formulate long-term programs. Given the finality of their decisions within the Department of Labor, the Board found that their decisions would often serve as guides to the Department. Finally, the Board noted that the position of Disability Hearings Officer had been evaluated at the 8th degree for Complexity of Duties.

NEW HAMPSHIRE PERSONNEL APPEALS BOARD DECISION
In the Matter Of:
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The Board further concluded that the supervision attribute of the appellants' positions had been properly evaluated at the 3rd degree and their work did not require supervision and administration 75% to 100% of the time.

The appellants' request for upgrading is therefore granted to the extent discussed.

FOR THE PERSONNEL APPEALS BOARD



MARY ANN STEELE
Executive Secretary

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cc: Stephen McCormack, Field Representative
State Employees' Association

Vance Kelly, Commissioner
Department of Labor

Virginia Vogel
Director of Personnel