

# State of New Hampshire



## PERSONNEL APPEALS BOARD

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### APPEAL OF MARY STEWART Docket #89-C-2 Division of Public Health Services

DATED: November 15, 1989

The Personnel Appeals Board (McNicholas, Cushman and Scott) met Wednesday, March 29, 1989, to consider the appeal of Mary Stewart, a part-time Computer Applications Programmer for the Division of Public Health Services. Ms Stewart is appealing a decision of the Director of Personnel denying a request to reclassify her position from its current title, salary grade 20, to Computer Applications Programmer II, salary grade 22. The documents submitted by Appellant in support of her appeal indicate that the initial request for reclassification of her position forwarded to Barbara Ingerson, Public Health Services Personnel Officer, requested reclassification to MIS Analyst/Programmer I, salary grade 25.

Ms Stewart appeared pro se. Edward J. McCann, Classification and Compensation Administrator for the Division of Personnel represented the Division. Prior to the hearing, Appellant submitted written arguments and documents in support of her request for reclassification from Computer Applications Programmer I to Computer Applications Programmer II. The Division of Personnel submitted Requests for Findings of Fact and Rulings of Law.

Ms Stewart's appeal focuses upon her supervisor's increased administrative workload, resulting in the requirement that subordinate employees such as Ms Stewart assume increasing programming and analysis responsibilities in four separate bureaus (WIC, Health Facilities, Dental, and Child Care Licensing).

In reviewing the position classification specifications and evaluation factor ratings for the titles of Computer Applications Programmer I and Computer Applications Programmer II, the Board found both positions rated at the same degree for seven of the nine evaluation factors. Therefore, the Board will limit its discussion to the remaining two attributes, Experience and Supervision.

Under the Supervision attribute, Appellant's position is currently rated at 40 points, or the 4th degree, and would be increased to the 5th degree or 60 points were that position to be reclassified. In reviewing the position classification questionnaire completed by the appellant and submitted to the Board as documentation in support of her request for reclassification, Appellant indicates that she exercised no supervision over other employees at the time of her position review. Her position, however, is allocated 40 points for this factor, and is defined in the Evaluation Manual as "...responsibility for assigning work, discipline, solving work problems, methods of operation, reviewing work of subordinates for accuracy, and also for the quality and quantity of performance. Requires supervision and administration from 75% to 100% of the time."

Since Appellant exercises no supervision over other employees, her position could be allocated 0 points for this factor. Appellant's position currently has an over-all rating of 475 points, equalling salary grade 20. A reduction of the Supervision attribute from the current 40 points to 0 points could result in a net reduction of the total to 435 points, or salary grade 18.

For the attribute of Experience, Appellant's position is currently rated at 65 points, or the 6th degree. Reclassification to Computer Applications Programmer II would increase this factor to the 7th degree or 80 points. Allocation at the 6th degree requires 3 or 4 years' experience, while allocation at the 7th degree increases this requirement to 5 or 6 years' experience "...in practical preparation in the same or related work."

The Experience factor is not specifically addressed by either the appellant or the Division of Personnel. Only minimal reference is made to the necessity for job-related experience in Mr. Wilcox's December 23, 1988 letter to Public Health Personnel Officer Barbara Ingerson. Mr. Wilcox states, "This position would most likely be impossible to fill at a Computer Application Programmer I level, since the major function of the job is analysis and design... System design requires much more experience than could be expected of an entry-level programmer (there is no experience requirement for Computer Application Programmer I if the applicant has a bachelor's degree)". For the record, the Board notes that there is only a one year difference in the Experience requirement between the Computer Applications Programmer I and II specifications when the applicant possesses a bachelor's degree. Further, the record will not support the contention that Computer Applications Programmer I is an entry level position, since the Classification Plan includes positions of Computer Applications Programmer Trainee (salary grade 15) and Associate Computer Applications Programmer (salary grade 16).

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When comparing the position specifications for both Computer Applications Programmer I and II to the points assigned those positions in the Evaluation Manual, the Board finds an apparent discrepancy. Both positions are rated at the 7th degree for the Education attribute, requiring one or two years of graduate work or its equivalent in order to "understand and perform methods and developments beyond the scope of ordinary college training". Additionally, the position of Computer Applications Programmer I is rated at the 6th degree for the Experience attribute, or 3 to 4 years experience, while the Programmer II level is rated at the 7th degree, or 5 to 6 years' experience.

The specifications for both Computer Applications Programmer I and II allow equivalencies in the minimum qualifications for both education and experience. The Computer Applications Programmer I position requires a total of four years combined education and experience while the Computer Applications Programmer II position requires a total of five years combined education and experience.

The degrees allocated the attributes of Experience and Education in the evaluation of those positions far exceed the requirements shown on the specifications. While the specifications may require relevant education and experience totalling four and five years respectively, the points allocated to these attributes seem to translate to a combination of education and experience totalling nine and ten years respectively. Therefore, it would appear that both the Computer Applications Programmer I and II positions are already assigned at higher degrees for both Education and Experience than the specifications might warrant.

Appellant made reference in her written submissions to the outstanding complexity of her work. Appellant's current classification and the title to which she has requested reclassification are both rated at the 6th degree for Complexity of Duties, or "Work requiring analysis of broad problems, the planning of various interrelated activities and sometimes the coordinator of effort of more than one division. My work out programs and approaches to major problems, and, in general, perform duties wherein recognized general principles may be inadequate to determine procedure or decision in all cases." Therefore, no advantage could be gained by reclassifying her position to Computer Applications Programmer II.

In general, it would appear that the points allocated to Appellant's position are appropriate for the level of work and degree of responsibility she describes, especially in consideration of the absence of any supervisory responsibility. It would also appear, particularly in light of the seeming discrepancy between the points allocated to Education and Experience in both the Computer Applications Programmer I and II specifications, that those specifications should be revised to more accurately reflect the level of

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education and experience for which they are being compensated. Such revision should alleviate the recruitment problem addressed in Mr. Wilcox's December 23, 1988 letter to Barbara Ingerson.,

While the Board is certainly sympathetic to Mr. Wilcox's desire to recognize and compensate Ms. Stewart for her skills and her contribution to the organization for which she works, the Board can not justify awarding the requested reclassification. Hearing and deciding classification appeals requires that the Board view the material presented in light of the position and not the person occupying that position, and its decisions should not be construed as a reflection upon the degree of dedication or professionalism an incumbent brings to that work.

In consideration of the foregoing, the Board voted unanimously to deny the appeal of Mary Stewart, finding her position properly classified as Computer Applications Programmer I, salary grade 20.

FOR THE PERSONNEL APPEALS BOARD

  
Patrick J. McNicholas, Chairman

George R. Cushman, Jr. Member  
Peter C. Scott, Esq., Alternate

cc: Barbara Ingerson, Human Resource Coordinator  
Division of Public Health Services

Virginia A. Vogel  
Director of Personnel

Mary Stewart, Computer Applications Programmer I  
Division of Public Health Services