State of New Hampshire

PERSONNEL APPEALS BOARD
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Concord, New Hampshire 03301
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APPEAL OF TISDALE **AND** EDWARDS
New Hampshire Hospital

January 2, 1990

The Personnel Appeals Board (McNicholas, Cushman and Scott) met on September 20, 1989, to consider the information provided by the Division of Personnel on July 14, 1989, in response to the Board's Order dated June 21, 1989. The Appellants filed no response to the Division's letter, and the Board took no oral testimony.

The Board was concerned about what appeared to be an inconsistency between the points allocated for the Experience attribute vs. the Experience requirements listed in Appellants' class specification. That apparent inconsistency is described in the Board's earlier order.

The Division explained that the Experience attribute should not be isolated from the Education attribute. Thus, the class specification treats a bachelor's degree plus two years' experience as equivalent to an associate's degree plus four years' experience., Similarly, both combinations of experience and education would total 130 points.

The Board agrees with the Division's analysis. Accordingly, the Board dismisses the appeal.

This Appeal presents another example of the hazards of treating only one or two attributes while ignoring the others. The Board intends to take a more careful look at all the underlying attributes when faced with classification appeals in the future. See Appeal of Dexter Howe (August 30, 1989).

THE PERSONNEL APPEALS BOARD

Patrick J. McNicholas, Chairman
George R. Cushman, Jr., Member
Peter C. Scott, Alternate

BY: Mary Ann Steele
Mary Ann Steele, Executive Secretary
For the Board

cc: Sharon Sanborn, Human Resource Coordinator
New Hampshire Hospital

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APPEAL OF NANCY TISDALE
and
APPEAL OF DOUGLAS S. EDWARDS

June 21, 1989

The Personnel Appeals Board (Commissioners McNicholas, Cushman and Scott) met on Wednesday, March 29, 1989 to hear the classification appeals of Nancy Tisdale and Douglas Edwards, employees of New Hampshire Hospital. Appellants were represented by their supervisor, Constance Lessard. Edward J. McCann, Classification and Compensation Administrator, represented the Division of Personnel.

Appellants are Registered Nurses, employed by New Hampshire Hospital ("NHH"). as Utilization Review Coordinators. In August of 1988, NHH asked the Division of Personnel to review and reallocate Appellants' positions from salary grade 18 to salary grade 22. Appellants take their appeal from an October 12, 1988, decision of the Director of Personnel denying the request to reallocate their positions.

Appellants engage in a wide range of work involving patient review and oversight at the Hospital. Appellants claim that their role at NHH has changed dramatically over the last four years because of third-party reimbursement requirements and accreditation standards. Lessard letter (Oztober 20, 1988). They also claim that people with comparable positions in the'private sector receive higher compensation. Id.

The Division takes the position that accreditation has always been a goal of NHH. Request for Findings (No. 4). The Division also states that a salary that is not competitive with the private sector cannot justify an increase in salary grade.

At the hearing, Appellants orally present the Board with a breakdown, by attribute, of the proposed changes. See appendix. That breakdown contains one reduction and totals only enough for salary grade 21. The Board assumes that Appellants are not in fact asking for the reduction. This would put their request at salary grade 22, as stated in the initial request.

This leaves three areas where Appellants request an increase: Experience, Initiative, and Supervision. These areas will be dealt with separately below.

Experience. Appellants seek an increase from the 5th degree (2 years) to the 6th degree (3 or 4 years) for this attribute. The present requirement (as listed on the class specification) is two years for Registered Nurses or two to four years for certified paramedics. Appellants presented no other evidence specifically addressing this issue. Accordingly, the Board would ordinarily find against Appellants.

This issue, however, highlights a recurring theme present in this appeal. Appellants claim that a U. R. Coordinator needs to be a Registered Nurse. The Division claims this is not necessary. Nevertheless, when it rates the experience attribute, the Division appears to look only at the Registered Nurse requirements.

Accordingly, the Board remands this case to the Division for reconsideration of this attribute. If the Division finds that the 5th degree is still appropriate, despite the apparently inconsistent position described above, the Division shall notify Appellants and the Board why it takes that position. Appellants and NHH shall then have ten working days to respond. The Board shall then consider both the Division's written decision and Appellants' written response, without further oral testimony.

Initiative. Appellants seek an increase from the 4th to the 5th degree for this attribute. The 5th degree requires the following:

> Requires outstanding ability to perform complicated work of a high professional level, working independently on broad general assignments that present new and changing problems with responsibility for all planning of work limited only by departmental policy and statute. Makes major decisions without consulting superior unless major changes or new long term programs are involved.

After carefully reviewing the evidence submitted, the Board finds that Appellants have not established that they meet the requirements for this level. Appellants do not have responsibility for the kind of broad, general policy-making decisions required.

Supervision. Appellants seek an increase from the 2nd degree to the 5th degree for this attribute. The 5th degree requires the following:

> Responsible for organizing and establishing procedures of a group of subordinates, developing methods, determining flow of work, and assigning duties so as to accomplish and insure the quality and quantity of work performed at a high level of technical, professional, or scientific competence.

Appellants are responsible, in a sense, for assigning work since they are involved in planning and implementing the care and treatment of patients. Appellants are not, however, responsible for the work product of the other employees who actually provide the care. In that sense, Appellants are not supervisors of the care providers. Accordingly, Appellants have not established that they are entitled to a higher level for the attribute of supervision.

Other matters. The Division has submitted requests for findings and rulings. To a large extent, these requests are dealt with above. The Board, however, has treated these requests as the Division's submission, since the Division presented no other written submission. Accordingly, the Board declines to rule on the requests.

THE PERSONNEL APPEALS BOARD

Patrick J. McNicholas, Chairman

George R. Cushman, Jr., Member

Peter C. Scott, Alternate

DATED: June 28, 1989

Appendix

TISDALE & EDWARDS

Attribute	Present level	Points	Request	Points
Complexity	6	100	-1	80
Education	5	80	n/c	80
Experience	5	50	+1	65
Initiative	4	60	+1	80
Errors	5	60	n/c	60
Relationships	5	50	n/c	50
Supervision	2	10	+3	60
Physical Effort	2	10	n/c	10
Working Conditions	2	10	n/c	10
TOTAL		430		495
SALARY GRADE		18		21