

# State of New Hampshire



## PERSONNEL APPEALS BOARD

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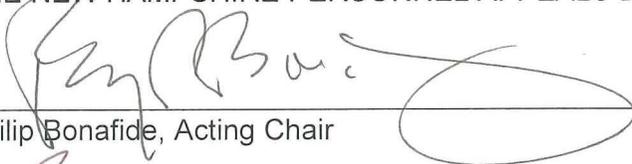
### Appeal of Michael Tensel – Docket #2010-D-022 Department of Corrections October 17, 2011

By letter dated June 22, 2010, the above-named Appellant requested a hearing before the New Hampshire Personnel Appeals Board to appeal a written warning issued to him on March 2, 2010, for failure to meet the work standard, failure to take corrective action as directed, and violation of a posted or published state or agency policy or procedure. On June 23, 2010, the Appellant was dismissed from his position as a Correctional Counselor/Case Manager. He appealed the dismissal as well (PAB Docket #2011-T-001)

During several prehearing conferences, the parties agreed that the department's authority to dismiss the Appellant was not dependent on the status of the March 2, 2010, written warning. As a result, the Board advised the parties that it would hold the letter of warning appeal in abeyance pending the outcome of the hearing on the Appellant's dismissal. The parties agreed that if the Board were to reinstate the Appellant, the Board would then hear the appeal of the written warning; otherwise, if the Board denied the termination appeal and upheld the dismissal, the letter of warning appeal would be considered moot.

On August 4, 2011, the Board issued its decision denying the Appellant's appeal of his dismissal. The Appellant's June 22, 2010, appeal of a March 2, 2010, letter of warning is therefore dismissed as moot.

THE NEW HAMPSHIRE PERSONNEL APPEALS BOARD

  
Philip Bonafide, Acting Chair

  
Robert Johnson, Commissioner

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