

State of New Hampshire



PERSONNEL APPEALS BOARD

25 Capitol Street
Concord, New Hampshire 03301
Telephone (603) 271-3261

Appeal of E. James Wells

Docket #99-D-15

Department of Safety

February 12, 1999

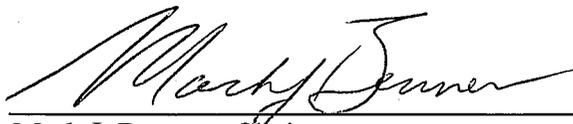
The New Hampshire Personnel Appeals Board (Bennett, Johnson and Basry) met on Wednesday, February 10, 1999, under the authority of RSA 21-I:58, to consider the appeal of E. James Wells, an employee of the Department of Safety, who was appealing a December 14, 1998, letter of warning.¹ The appellant's December 29, 1998, notice of appeal alleged that the warning was factually inaccurate and procedurally improper, and therefore should be rescinded.

On a letter dated December 29, 1998, from Department of Safety to Mr. Wells, copied to the Board and the State Employees' Association, Deputy State Fire Marshall J. William Degnan notified the appellant that the warning was being rescinded, and would be reissued at a future date.

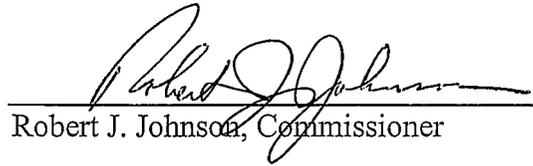
Inasmuch as the agency has rescinded the December 14th warning, the Board found that the appeal of that warning is moot. Therefore, the Board voted unanimously to dismiss the instant appeal. In so doing, the Board noted that the appellant would be entitled to file a new appeal should the agency, in fact, reissue the warning.

¹ Mr. Wells asserts that he did not receive the warning until December 21, 1998

THE PERSONNEL APPEALS BOARD



Marlt J. Bennett, Chairman



Robert J. Johnson, Commissioner



James J. Barry, Commissioner

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