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DEPARTMENT OF PERSONNEL

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PROMOTION APPEAL TRIBUNAL DECISION

In the Matter Of:

JOHN CASWELL - Department of Transportation

October 27, 1986

The Promotion Appeal Tribunal met on September 22, 1986 to hear the appeal of John Caswell, an employee of the Department of Transportation, Carriage Operator, labor grade 10. Ann Spear, SEA Field Representative represented Mr. Caswell who was present.

The Department of Transportation was duly notified of this scheduled hearing and did not send a representative.

Testimony reveals that a job posting was distributed for the position of Sign Fabricator (labor grade 13) on May 8, 1986. Mr. Caswell applied for this position on May 8th.

On June 24th the N.H. Division of Personnel returned his application by mail to his home requesting more information as his application could not be accepted as it was submitted. Mr. Caswell provided the requested information and returned the application the same day.

On July 8th the application was certified and returned to the Human Resources Office of the Department of Transportation. Mr. Caswell called the Human Resources Office on July 10. They referred him to the Traffic Division where he was advised that the job had been filled a few days before with the selection of a D.O.T. employee with less than one year experience with D.O.T.

The individual selected was a permanent employee with the Department of Transportation who had responded to the job posting.

Due to a weakness in communications and control in handling the in-house job postings within the Department of Transportation, and the fact that Mr. Caswell's original application did not indicate that he met the minimum qualifications, he was not considered for the posted position.

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Taking into consideration that the promoted individual is well qualified, that Personnel Rules and Regulations were not intentionally broken or disregarded, it is the finding of the Tribunal that the incumbent not be removed from the position.

The Tribunal strongly recommends that Mr. Caswell be favorably considered for a position within a comparable labor grade as soon as reasonably possible.


EDWARD J. HASELTINE, Chairman
Promotion Appeal Tribunal

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cc: Ann Spear, Field Representative
State Employees' Association

Raymond Lemieux, Personnel Officer
Depc. of Transportation