

State of New Hampshire



PERSONNEL APPEALS BOARD  
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Carol J. Ward  
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EXECUTIVE SECRETARY  
Mary Ann Steele

PERSONNEL APPEALS BOARD  
State House Annex  
Concord, New Hampshire 03301  
Telephone (603) 271-3261

September 26, 1986

87-P-105

Stephen J. McCormack  
Field Representative  
State Employees' Association of N.H.  
163 Manchester Street  
Concord, New Hampshire 03301

re: Maureen McCarthy

Dear Mr. McCormack:

At its meeting on September 23, 1986, the New Hampshire Personnel Appeals Board considered your September 12, 1986 request for reconsideration of the Board's decision denying a hearing on behalf of the above-named individual.

The Board hereby reaffirms its decision and again denies your request for a hearing, finding no indication that the decision of the Division for Children and Youth Services to return Ms. McCarthy to her former position of Support Enforcement Officer was arbitrary or capricious.

Very truly yours,

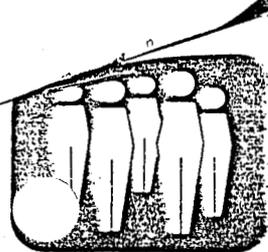
FOR THE PERSONNEL APPEALS BOARD

*Mary Ann Steele*

MARY ANN STEELE  
Executive Secretary

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cc: Jan D. Beauchesne, Personnel Officer  
Division of Human Services



State Employees  
Association of  
New Hampshire, Inc.

Local 1984, Service Employees International Union  
AFL-CIO, CLC

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SEP 15 1986  
DIV. OF PERSONNEL

September 12, 1986

Mary Ann Steele, Secretary  
New Hampshire Personnel Appeals Board  
State House Annex  
Concord, NH 03301

Dear Ms. Steele:

The State Employees' Association, on behalf of Maureen McCarthy, wishes to ask for reconsideration on the decision rendered by the New Hampshire Personnel Appeals Board on August 26, 1986. The request for reconsideration is based on the following:

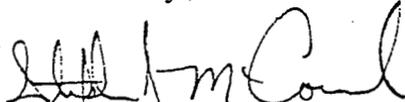
- A. Maureen McCarthy was returned to her former position of Support Enforcement Officer after being a Social Worker for a period of less than one month for not meeting the "expectations" of the Division of Children and Youth Services.
  - 1. During this one (1) month period, Maureen McCarthy received no direct supervision while in her new position;
  - 2. There had been no previous discussion about the work performance of Maureen McCarthy prior to the July 18, 1986 meeting between Mr. Roy Teague and Maureen McCarthy.

Under the Rules of the State of New Hampshire, PART Per 302.23, it states that "the probationary period is an integral part of the process of appointment and provides the appointing authority with the opportunity to observe the new employee's work, to train and aid the new employee in adjustment to this position." Maureen McCarthy was in the position of Social Worker II for a period of less than one month and during this period she received no direct supervision and did not have any opportunity to discuss her performance with any supervisor prior to July 18, 1986. Without assistance and supervision, it would be very difficult for any employee to perform to "expectations."

Mary Ann Steele, Secretary  
New Hampshire Personnel Appeals Board  
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September 12, 1986

As a result of the identified facts, the State Employees' Association contends that this action is arbitrary and capricious. A hearing before the New Hampshire Personnel Appeals Board is requested. Please notify us of a hearing date as scheduling permits.

Sincerely,

  
Stephen J. McCormack  
Field Representative

SJM:jc

'cc: Maureen McCarthy  
Chris Henchey