

Mary Ann Steele
Loudon, NH 03307

January 27, 2014

Patrick H. Wood, Chairman
NH Personnel Appeals Board
28 School St.
Concord, NH 03301

Re: Docket #2007-P-002

Dear Chairman Wood and Members of the NH Personnel Appeals Board:

Please be advised that I am withdrawing my appeal dated June 29, 2007, regarding non-certification for a position of Administrator IV.

As your records reflect, the Board conducted a pre-hearing conference on September 12, 2007, when the Board met with Personnel Director Karen Hutchins and me to discuss the issues raised in the appeal. Specifically, I had argued that the Division of Personnel erred in refusing to allow the substitution of relevant experience and continuing professional certification in the field for some of the specific educational requirements appearing on the class specification. I further argued that the Division failed to produce evidence of any demonstrated correlation between the required degree(s) and successful performance of the duties listed on the supplemental job description.

During the pre-hearing conference, Director Hutchins indicated that the certification decision had been made by her predecessor and she felt that it would be unfair at that time to consider any candidate who did not possess the specific qualifications on the date that the position was posted. Director Hutchins indicated that the Division was in the process of reviewing qualifications for various positions to ensure that the minimum qualifications truly reflected the duties and responsibilities of positions assigned to those classifications. As a result, the Board decided to hold the appeal in abeyance until either party requested a hearing. Neither party made such a request.

My appeal was filed originally in order to provide the Board an opportunity to comment and issue an order concerning the correlation between required education, experience, and the expectation of successful performance on the job. Although I do not believe the type of systematic review described by Director Hutchins ever occurred, I am hopeful that those issues will be addressed in the near future when the Division undertakes formal rulemaking. As a result, I have decided to withdraw my appeal.

Sincerely,



Mary Ann Steele, SPHR

cc: Sara Willingham, Acting Director of Personnel