

State of New Hampshire

PERSONNEL APPEALS BOARD
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EXECUTIVE SECRETARY
Mary Ann Steele

87-T-109

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

April 16, 1987

Chris Henchey
Director of Field Operations
State Employees' Association of N.H.
163 Manchester Street
Concord, New Hampshire 03301

re: Faith Abbott v. Laconia State School

Dear Mr. Henchey:

At its meeting of April 14, 1987, the Personnel Appeals Board reviewed your letter of March 10, 1987, in which you requested a hearing on behalf of Faith Abbott to appeal her termination from employment at the Laconia State School and Training Center prior to completion of her probationary period. The Board also reviewed a response to the appellant's allegations as provided by the State School in a letter to the Board dated March 24, 1987, a copy of which was forwarded to your attention.

While your request makes reference to average or above-average performance by this employee, the evaluation continues to refer to unsatisfactory attendance and insufficient commitment to the job. Your letter also refers to the fact that 27 of Ms. Abbott's 38 days' absence were due to a work related injury. Nonetheless, 8 of the remaining 11 days were unexcused absences.

The record, including an evaluation signed by Ms. Abbott on November 24, 1986, would indicate that areas such as attitude, communication and interpersonal skills were rated average or above-average. "Job Duties," however, were rated average or below-average. Those ratings coupled with the obvious attendance problem cited on pages 1 and 4 of the evaluation apparently resulted in the employee's probationary period being extended on December 17, 1986, and later a requirement outlined in a letter of February 13, 1987, that Ms. Abbott present a physician's certificate for every day she was absent due to illness. Further, she was informed that continued "abuse" of sick leave would result in further disciplinary action being taken.

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Based on the foregoing, the Board finds that Laconia State School did not act arbitrarily, capriciously or in bad faith. Therefore, your request for a hearing is denied.

Very truly yours,

FOR THE PERSONNEL APPEALS BOARD



MARY ANN STEELE
Executive Secretary

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cc: Lisa Currier
Personnel Office
Laconia State School