

State of New Hampshire

WPPID822



PERSONNEL APPEALS BOARD

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

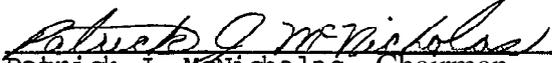
APPEAL OF KIRK FELIX
Docket #89-T-21 and 89-O-3
Response to Appellant's Request for Reconsideration

October 11, 1991

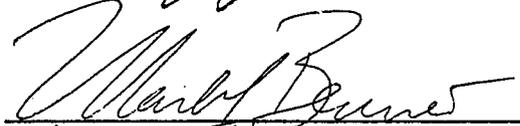
The New Hampshire Personnel Appeals Board (McNicholas, Johnson and Bennett) met Wednesday, September 25, 1991, to review the appellant's Motion for Reconsideration of the Board's January 17, 1991 decision in the above-captioned appeal(s), filed by Michael C. Reynolds on February 6, 1991. The Board also reviewed the State's February 21, 1991 Response to Appellant's Motion for Reconsideration.

In support of his Motion, the appellant argued that sufficient evidence of coercion was presented in the hearing on the merits of his appeal to warrant his resignation being viewed as a termination. Having reviewed the Motion and Response in conjunction with the Board's January 17, 1991 decision and the record in this matter, the Board voted to affirm its earlier order, finding that the appellant resigned in order to avoid further investigation into alleged misconduct on his part. Accordingly, the Board voted to deny the Motion for Reconsideration.

THE PERSONNEL APPEALS BOARD


Patrick J. McNicholas, Chairman


Robert J. Johnson


Mark J. Bennett

cc: Virginia A. Vogel, Director of Personnel
Michael K. Brown, Esq., Department of Corrections
Michael C. Reynolds, General Counsel, State Employees' Association

State of New Hampshire



PERSONNEL APPEALS BOARD

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

October 11, 1991

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

re: Appeal of Kirk Felix
(Docket #89-T-21 and
#89-O-3)

Dear Mr. McCormack:

Enclosed please find the Personnel Appeals Board's reconsideration decision in the **termination** appeal of Kirk Felix. As you are aware, when the Board originally denied Mr. Felix's appeal of his alleged forced resignation from employment at the Department of Corrections, the Board also decided that his appeal of involuntary transfer (89-0-3) was moot.

Having now affirmed its order in the termination appeal, the Board has also affirmed its decision that his appeal of involuntary transfer is moot.

A copy of the Board's decision (Docket #89-T-21) is attached for your information.

Sincerely,

A handwritten signature in cursive script that reads "Mary Ann Steele".

Mary Ann Steele
Executive Secretary
For the personnel Appeals Board

cc: Michael K. Brown, Esq., Department of Corrections
Virginia A. Vogel, Director of Personnel
Lisa A. Currier, Human Resource Coordinator, Department of Corrections
Michael C. Reynolds, General Counsel, State Employees' Association