

DIRECTOR OF PERSONNEL
Virginia A. Vogel

State of New Hampshire



MANAGER
BUREAU OF EMPLOYEE RELATIONS
Thomas F. Manning

Administrative Services
Division of Personnel
State House Annex—Room #1
Concord, New Hampshire 03301
Telephone: (603) 271-3261

87-P-104

PROMOTION APPEALS TRIBUNAL DECISION

In the Matter Of:

Robert A. Clough

April 27, 1987

The Promotion Appeals Tribunal met on Thursday, March 25, 1987 to hear the appeal of Robert A. Clough, an employee of the Department of Transportation, regarding his non-selection to the position of Highway Maintainer II in the Littleton Office of the Bureau of Traffic. Mr. Clough was represented by SEA Field Representative Ann Spear. The Department of Transportation was represented by Frank Lindh, Traffic Engineer and Ed Preve, Traffic Operations Technician.

Testimony revealed that Mr. Clough has worked for the Department of Transportation for eight years and that the applicant selected for promotion was a temporary/probationary employee with only three to four months service. Mr. Clough further testified that his interview for the position in question was "short and sweet." He said that selection for the position would have been a lateral transfer for him, but that the new job was a basic 40-hour week which would be better working hours and work environment, especially where he currently works many hours of overtime in the winter months.

Mr. Lindh stated that there were four in-house candidates for the position. He appointed an interview committee in the Littleton Office consisting of the Traffic Operations Technician, Ed Preve and the Foreman, Dave Byron. Mr. Preve stated that all the applicants were interviewed and asked the same questions, that at the end of the interview process the two top candidates were Mr. Ward and one other, Mr. Schofield. Both members of the committee felt Mr. Ward was the best choice because he had been performing the required job duties for three months, had established a working relationship with the foreman, was familiar with some of the rules and regulations, and would require less training because he was already working in the Traffic Division.

Questions from the Tribunal revealed that when the Interview Board was considering the candidates, they did not review personnel records, previous work evaluation reports or other available information, nor did they apparently talk with present or previous supervisors regarding the candidates' overall work performance.

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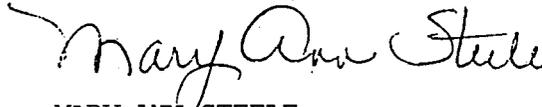
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It is the finding of the Tribunal that although established procedures were **followed**, a thorough review of available information was not completed and **therefore**, unsuccessful candidates may have suffered in the **selection** process.

The Tribunal hereby orders that the position of Highway Maintainer II, position #0034, be vacated and the selection process on all four original candidates be done **over**, taking into consideration all available **material**: personnel records, evaluation reports, references from previous or present supervisors, as well as conducting the interview process.

The Tribunal can not state strongly enough that it is vital that the selection process be as thorough and complete as is humanly possible to insure fair and impartial treatment to all employees seeking to improve themselves and upgrade their respective work situations.

FOR THE PROMOTION APPEALS TRIBUNAL



MARY ANN STEELE

Executive Secretary

N. H. Personnel Appeals Board

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cc: **Ann Spear**, Field Representative
State Employees' Association

Raymond J. Lemieux, Personnel Officer
Department of Transportation

State of New Hampshire

PERSONNEL APPEALS BOARD
Edward J. Haseltine, Chairman
Gerald Allard
Loretta Platt



EXECUTIVE SECRETARY
Mary Ann Steele

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

April 27, 1987

Ann Spear, Field Representative
State Employees' Association

Raymond Lemieux, Personnel Officer
Department of Transportation

SUBJECT: Promotion Appeal - Robert Clough

Enclosed is a copy of the Promotion Appeals Tribunal's decision dated April 27, 1987 in the above referenced appeal matter as heard before said Tribunal on March 25, 1987.

FOR THE PROMOTION APPEALS TRIBUNAL

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

MARY ANN STEELE
Executive Secretary
N. H. Personnel Appeals Board

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