

# State of New Hampshire

PERSONNEL APPEALS BOARD  
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Loretta Platt



EXECUTIVE SECRETARY  
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PERSONNEL APPEALS BOARD  
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88-0-109

## APPEAL OF ATHENA KALIPOLITES

January 12, 1988

On June 29, 1987, Athena Kalipolites, an employee of the Youth Development Center, filed a formal request with the Personnel Appeals Board for retroactive pay for the period in which she occupied the position of Account Clerk II at the Y.D.C. The appellant was promoted to a position of Accounting Technician prior to a final decision by the Board which resulted in reclassifying her former position from Account Clerk II to Account Clerk III.

On August 4, 1987, the Board determined that the appellant was not entitled to retroactive compensation, citing the February 27, 1986 decision of the Personnel Commission on the issue of retroactive pay. The appellant filed a reconsideration request through her representative the State Employees' Association on August 14, 1987. In that request, the appellant stated there would be "no objection to the New Hampshire Personnel Appeals Board's waiting to act on said motion until a similar case, presently pending before the New Hampshire Supreme Court is decided. [Appeal of Laurent Drouin v. New Hampshire Personnel Appeals Board]"

Having now received the Court's decision in the Drouin appeal, and finding that employees who are promoted or transferred out of positions which are reclassified prior to such a decision may in certain cases be entitled to retroactive compensation for the period in which the position was occupied, the Board voted to accept Ms. Kalipolites' appeal.

The Youth Development Center is hereby directed to determine the amount of retroactive compensation to which the appellant may be entitled. The dates for retroactive compensation and supporting documentation shall be forwarded to the Division of Personnel for verification and approval. Copies of same shall then be forwarded to the Board for its review.

FOR THE PERSONNEL APPEALS BOARD

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

MARY ANN STEELE  
Executive Secretary

cc: Stephen McCormack, S.E.A.  
Ronald Adams, Superintendent, Y.D.C.  
Virginia Vogel, Director of Personnel