

State of New Hampshire



PERSONNEL APPEALS BOARD

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Appeal of Susan (Barker) Towle Docket #91-O-25

October 28, 1993

The New Hampshire Personnel Appeals Board (McNicholas, Bennett and Rule) met Wednesday, September 22, 1993, to hear the appeal of Susan (Barker) Towle, an employee of the Department of Transportation. Ms. Towle, who appeared at the hearing *pro se*, was appealing the Division of Personnel's February 19, 1991 decision denying her certification for the classification of Administrator, Bureau of Human Resources, Department of Transportation (Highway Administrative and Personnel Officer). Virginia Lamberton, Director, appeared on behalf of the Division of Personnel. In her original appeal to this Board, Ms. (Barker) Towle failed to specify any grounds upon which her appeal was being filed.

The specification for Highway Administrative and Personnel Officer which was used for the purpose of certification in this case contains the following statement of minimum requirements for education:

Possession of a Bachelor's degree from a recognized college or university with major study in human resource management, public administration, business administration, personnel management, industrial relations or labor relations.

Ms. Towle argued that her degree was in the appropriate field, referring the Board to a letter dated March 5, 1991 from Douglas Kidd, Director of the Concord Campus of Franklin Pierce College, which stated, "In May 1989, the Franklin Pierce College Division of Business Administration conferred a bachelor of science degree with a major in management for Susan Barker [Towle]."

As evidenced by the appellant's own exhibits, Appendix I - "Major Fields of Study by Discipline" lists a variety of "management" majors under the heading of "Business and Management". They include such "disciplines" as Aviation Management, Contract Management and Procurement/Purchasing, Engineering Management, Enterprise Management and Operations, Food Management, Hotel and Restaurant Management, Management Science, Music Business Management and Sports Management. Also listed in that exhibit were the following majors: Business Management and Administration, Human Resource Development and Personnel Management. Franklin Pierce College did not confer upon the appellant a degree Business Management and Administration, or in human resource development, personnel management, business administration, public administration, or industrial relations. The Board found that the Director of Personnel correctly refused to find that Ms. Towle's education met the minimum qualifications for the posted position. The Board found that the appellant's undergraduate degree in "management" does not satisfy the requirement for a bachelor's degree in human resource management, public administration, business administration, personnel management, industrial relations or labor relations.

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The specification for Highway Administrative and Personnel Officer which was used for the purpose of certification in this case contains the following statement of minimum requirements for experience:

Five years experience in professional human resource management at an administrative level with experience in personnel administration, labor relations, recruitment, staff development, or related experience in a large organization.

In support of her contention that she had at least five years of experience in professional human resource management at an administrative level, Ms. Towle referred to the description for her position of Training Supervisor. By definition, the position of Training Supervisor:

Performs responsible specialized administrative duties involving the planning, development and implementation of a variety of complex training programs designed to increase the effectiveness of staff at all levels so as to provide improved services to agency clientele; performs other training and informational sessions as needed; does other related work as required.

Upon review of the remainder of the job description for the position of Training Supervisor, the Board found that the duties describe training activities, not "human resource management at an administrative level". None of the distinguishing characteristics or examples of work described true managerial or administrative functions, and therefore could not be considered sufficient to satisfy the requirements of the specification for Highway Administrative and Personnel Officer. Further, even if the Board were to consider Ms. Towle's experience as a Training Supervisor to have risen to the level of managerial or administrative function, she did not assume that position until 1988. Prior to that time, Ms. Towle was an Engineering Aide. Therefore, if the experience were at the required level, it would be only approach three of the five years required by the specification.

On the evidence, the Board voted to deny Ms. Towle's appeal.

THE NEW HAMPSHIRE PERSONNEL APPEALS BOARD



Patrick J. McNicholas, Chairman



Mark J. Bennett, Commissioner



Lisa A. Rule, Commissioner

cc: Virginia A. Lamberton, Director of Personnel
Susan (Barker) Towle (appellant)
John Scott, Human Resource Administrator, Dept. of Transportation