

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

98-P-106

APPEAL OF IRENE HOLT

JUNE 15, 1988

By letter dated April 13, 1988, State Employees' Association Field Representative Jean Chellis filed an appeal with the Promotion Appeals Tribunal on behalf of Irene Holt regarding "her not being promoted to full Professor at the New Hampshire Vocational Technical College in Berlin where she is currently employed as an Associate Professor. . . . Ms Holt believes the refusal to promote her to professor is inappropriate since she has adequately met the requirements set out for promotion in the Faculty Promotion Guidelines."

Per 302.03 of the Rules of the Division of Personnel refers to filling vacancies whenever possible and reasonable by promotion of a qualified permanent employee from within the department or agency. Further, Per 302.03 (e) and (g) refer to non-selection "after applying for a position" and appeal "within 5 working days from the date of [her] non-selection."

The appeal as filed fails to indicate whether or not the "promotion" sought by Ms. Holt constituted non-selection to a vacancy as described by the Rules of the Division of Personnel.

The Board hereby directs the appellant to provide clarification of the basis for the appeal. Further, the appellant is directed to provide for the Board's review the Faculty Promotion Guidelines cited in the letter of appeal, as well as documentation that the appellant meets those guidelines. Said materials must be received by the Board within 10 days of the date of this notice.

FOR THE PERSONNEL APPEALS BOARD

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

MARY ANN STEELE
Executive Secretary

cc: Mary Pillsbury Brown
Larry Twitchell
Irene Holt
Jean Chellis
Field Representative
Virginis A. Vogel
Director of Personnel

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APPEAL OF IRENE HOLT

July 29, 1988

88-P-106

By letter dated June 22, 1988, SEA Field Representative Jean Chellis responded to the Board's June 15, 1988 Order requesting clarification of Ms. Holt's appeal, as well as a copy of the Faculty Promotion Guidelines referred to in Ms. Holt's original appeal to the Promotion Appeals Tribunal.

At its meeting of July 12, 1988, the Personnel Appeals Board, consisting of Commissioners Cushman, Allard and Platt, reviewed the materials filed by the parties in this appeal. Neither party objected to the other's submissions. Therefore, based upon those materials, the Board voted unanimously to dismiss Ms. Holt's appeal, finding that she had not been denied selection to a vacancy and therefore could not appeal a denial of promotion pursuant to Per 302.03(e) and (g) of the Rules of the Division of Personnel.

Based upon the foregoing, the Board voted to dismiss this appeal.

FOR THE PERSONNEL APPEALS BOARD

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

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

cc: Larry Twitchell, President
Berlin Vocational Technical College

Jean Chellis, Field Representative
State Employees' Association

Virginia A. Vogel
Director of Personnel

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88-P-1010

APPEAL OF IRENE HOLT

October 5, 1988

By letter dated August 8, 1988, SEA Field Representative Jean Chellis filed on behalf of the above-named appellant a request for reconsideration of the Appeals Board's July 29, 1988 decision dismissing this appeal. In that decision, the Board ruled that Ms. Holt's specific appeal did not arise from non-selection to fill a vacancy and, therefore, was not appealable to the Promotion Appeals Tribunal pursuant to the Rules of the Division of Personnel.

At its meeting of September 26, 1988, the Board voted to grant the appellant ten days from the date of this notice to establish that Ms. Holt's appeal of the decision denying her request for promotion under the Faculty Promotion Guidelines at the New Hampshire Vocational Technical College (Berlin) was a timely appeal pursuant to the Rules of the Personnel Appeals Board. The employer shall have until October 24, 1988 to file a response. If the appeal is deemed timely, the Board will schedule this matter for a hearing on the merits. The scope of the hearing will be limited to whether or not the appellant fully met the requirements set out in the Faculty Promotion Guidelines and, if the appellant met those requirements, why the agency did not approve Ms. Holt's request for "promotion" from Associate Professor to Professor.

If the Board receives verification that Ms. Holt's appeal is timely within the times outlined above, it is anticipated that a hearing on the merits will be held on November 9, 1988.

FOR THE PERSONNEL APPEALS BOARD

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

MARY ANN STEELE
Executive Secretary

cc: Jean Chellis, SEA Field Representative

Mary Pillsbury Brown, Commissioner
Department of Postsecondary Vocational Technical Education

President Larry Twitchell
N.H. Vocational Technical College - Berlin

Virginia A. Vogel
Director of Personnel