

NH PERSONNEL APPEALS BOARD

APPEAL OF RODNEY ROY

Docket No.: 2005-T-010

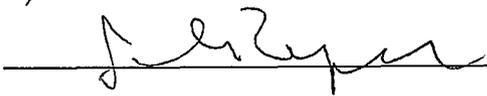
November 2, 2005

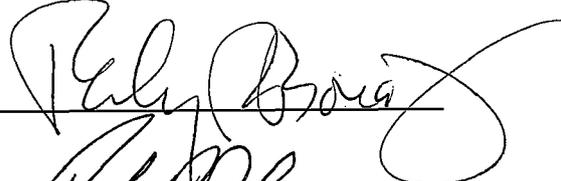
DECISION AND ORDER OF THE BOARD

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The NH Personnel Appeals Board, pursuant to its authority under NH RSA 21-I:45-58, hereby adopts and orders compliance with the 2-page September 8, 2005 Settlement Agreement executed by the parties' respective attorneys.









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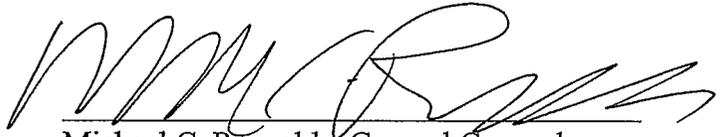
SETTLEMENT AGREEMENT

NOW COME the parties, Rodney Roy and the State of New Hampshire, Department of Corrections, and resolve the above-captioned Appeal of Rodney Roy as follows:

1. The January 25, 2005 termination letter shall be voided and replaced with a letter of warning which warning Mr. Roy agrees not to appeal.
2. The letter of warning and Mr. Roy's agreement not to appeal said letter shall not be taken as an admission of any fact or conclusion therein or otherwise.
3. Mr. Roy shall be reinstated effective September 19, 2005 to his prior position, rank and assignment of Supervisor II, in the Recreation Department at the NH DOC Prison in Concord.
4. Mr. Roy shall receive full retroactive pay, subject to any reduction mandated by RSA 21-I:58. Mr. Roy will provide documentation of those earnings/wages from whatever source.
5. DOC shall make such payment to the NH Retirement System (NHRS) as may be necessary to ensure that Mr. Roy receives full creditable service in the NHRS for the period of time from January 25, 2005 to his reinstatement, as if Mr. Roy had not been terminated.
6. The State shall reinstate all benefits, not already paid out to Mr. Roy, including but not limited to, sick leave. Mr. Roy shall also be credited with all leave time accruals he would have been entitled to from January 25, 2005 until his reinstatement.
7. Any medical bills and insurance costs incurred, not paid by insurance, that would have been paid but for the termination, will be paid by DOC, provided Mr. Roy submits proof of such payment.

8. Mr. Roy shall withdraw, with prejudice, the Personnel Appeals Board termination appeal, Docket #2005-T-010.

Dated: September 8, 2005



Michael C. Reynolds, General Counsel
Attorney for Rodney Roy

Dated: September 8, 2005



John Vinson, Esq.
Attorney for NH Department of Corrections