

Vermont Labor Relations Board

GRIEVANCE OF:]
] DOCKET # 77-1S
JOAN SHEPARD CARRASSI]

FINDINGS OF FACT, OPINION AND ORDER

Statement of Case.

This matter came before the Board on a grievance petition filed 1 July 1976 by Beverly A. Ryan, Staff Representative of Vermont State Employees' Association, Inc. The State filed an Answer on 24 November 1976, in which it admitted some of the allegations and denied others in the grievance petition contained. A hearing was held on the grievance 4 February 1977 in the Highway Board Room, State Administration Building, 133 Main Street, Montpelier, Vermont. The grievant was present in person and represented by Alan S. Rome, Esquire, of the Vermont State Employees' Association, Inc. The State was represented by the Honorable Jeffrey L. Amestoy, Assistant Attorney General, and by Mrs. Sarah Philbrook, Personnel Recruitment Chief of the Vermont Department of Personnel. All members of the Board were present.

Discussion of Evidence and Credibility of Witnesses.

Mrs. Carrassi testified in her own behalf and Mrs. Philbrook testified in behalf of the State. Essentially there was no discrepancy between the testimony of the parties,

although there was some difference of opinion as to the importance of the meaning of certain documents and different interpretations placed on the exhibits.

Findings of Fact.

1. The grievant is employed presently as a Venereal Disease Epidemiological Investigator for the Vermont Department of Health, which position she has occupied since 12 October 1976.

2. Mrs. Carrassi was first employed by the Department of Health as a Typist B in May of 1973.

3. A short time after her employment as Typist B, Mrs. Carrassi's job responsibilities were expanded. Her Performance Evaluation for the year 1973-4 indicated that she had assumed certain administrative and counseling duties not included within the job description for Typist B.

4. In September of 1974 Mrs. Carrassi's responsibilities were further increased, and included consultation with professional persons, educators and community groups, as well as budget preparation, a certain amount of patient counseling.

5. Commencing 14 May 1975, Mrs. Carrassi was running the Venereal Disease program for the Department of Health because of staffing problems within the Department. At this time Mrs. Carrassi was still classified as a Typist B, pay scale 4.

6. When the position of Epidemiological Investigator became vacant, at first Mrs. Carrassi was not elevated to

that position even though she had been performing duties related to that position for a considerable period of time.

7. One Alison Deming was hired to fill the vacant position of Venereal Disease Section Supervisor in September of 1975, and was assisted and trained in part by Mrs. Carrassi. At this time Mrs. Carrassi was denied elevation to the position of Venereal Disease Epidemiological Investigator by the Department of Personnel.

8. On April 12, 1976 Mrs. Carrassi was promoted to Venereal Disease Epidemiological Investigative Trainee. She was not given the full title at that stage because of a combination of a lack of experience and a lack of the educational qualifications called for by the specification for the position.

9. Mrs. Carrassi had previously worked in the Public Relations field with an airline and in communications, ticketing, tour booking, and so on.

10. Mrs. Carrassi was awarded a Meritorious Pay Increase in 1976, which is an unusual occurrence in State employment.

11. An Epidemiologist is paid in accordance with pay scale 12. When Miss Deming became Section Supervisor in September of 1975 she was paid at the rate of pay scale 14.

11. The job description for the job of Epidemiological Investigator calls for a college degree. The position of Supervisor, however, did not require a college degree. Mrs.

Carrassi did not have a college degree, and so was required to substitute additional periods of experience in the job itself and in training for the job as a substitute for the degree.

13. Mrs. Carrassi's five percent Meritorious Pay Increase in the Spring of 1976 was made retroactive one year. When she went to the position of Trainee, Mrs. Carrassi then assumed pay scale level 10, \$140.00 a week, which pay was increased to \$150.00 in July 1976. She was making \$98.00 a week at pay scale 4 and is now making \$169.00 a week at pay scale 12.

14. The difference in pay between what Mrs. Carrassi would have been receiving for the period April 12 to October 12, 1976, being the difference between levels 10 and 12, is \$19.00.

15. The exhibits and transcript are made a part of these findings for purposes of review by the Supreme Court.
Conclusions of Law and Opinion.

We are talking here about the status of Mrs. Carrassi as a Venereal Disease Epidemiological Investigative trainee during the period of April 12-October 1976. It is the contention of the grievant that she should have been given the full level position at scale 12 at least as soon as April 12, in which event she would have been making \$19.00 more a week. It is quite clear that Mrs. Carrassi worked exceptionally hard, and carried an unusual load in the Department of Health because of staffing and other problems. She had a

great deal of experience, but she did not have the bachelor's degree as required by the job description.

It is next important to examine whether Mrs. Carrassi's background included equivalent experience of one year at the 12 level. It does not appear that as of April 12 she had a total of one year full responsibility at the 12 level. The overall situation was clearly unfair to her, even though technically proper. Accordingly, she was granted the Meritorious Pay Increase and a career ladder was created for her, giving her six months of experience prior to being assigned the position of Trainee and six months as a Trainee, for a total of one year.

Since the Department of Personnel did recognize Mrs. Carrassi's problem, and has done a great deal to make amends for her previous deficiencies in pay and position, since the filing of the original grievance, the Board feels that Mrs. Carrassi has been made substantially whole.

Order.

In accordance with the foregoing, the grievance is DISMISSED.

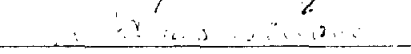
Dated at Burlington, Vermont this 25th day of March,
A.D. 1977.

VERMONT LABOR RELATIONS BOARD

By


JOHN S. BURGESS, CHAIRMAN


WILLIAM G. KEMSLEY SR.


H. JAMES WALLACE