

**STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW**

Jo-Anna C. Pugh-Fitzpatrick,

Appellant,

v.

Case No. 08-RED-03-0083

Cuyahoga County,
Board of Commissioners,

Appellee.

ORDER

This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

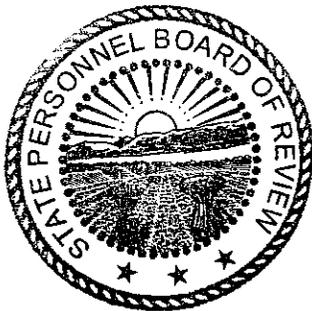
After a thorough examination of the record and a review of the Report and Recommendation of the Administrative Law Judge, along with any objections to that report which have been timely and properly filed, the Board hereby adopts the Recommendation of the Administrative Law Judge.

Wherefore, it is hereby **ORDERED** that the instant appeal be **DISMISSED**, since Appellant has not been reduced in pay or position, pursuant to O.A.C. § 124-7-02(C).

Lumpe - Aye

Booth - Aye

Sfalcin - Aye



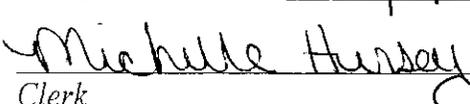


J. Richard Lumpe, *Chairman*

CERTIFICATION

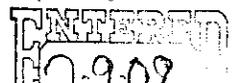
The State of Ohio, State Personnel Board of Review, ss:

I, the undersigned clerk of the State Personnel Board of Review, hereby certify that this document and any attachment thereto constitute ~~(the original)~~ a true copy of the original order or resolution of the State Personnel Board of Review as entered upon the Board's Journal, a copy of which has been forwarded to the parties this date, July 9, 2008.



Michelle Hursey
Clerk

NOTE: Please see the reverse side of this Order **or** the attachment to this Order for information regarding your appeal rights.



**STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW**

Jo-Anna C. Pugh-Fitzpatrick,

Case No. 08-RED-03-0083

Appellant

v.

May 28, 2008

Cuyahoga County Board of Commissioners,

Jeannette E. Gunn

Appellee

Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This cause comes on pursuant to an alleged reduction appeal filed with this Board on March 28, 2008. Appellant asserted that she was reduced in pay and position, effective March 12, 2008.

A review of the information contained in the record indicates that Appellant, who occupied a position classified as Senior Account Clerk, was placed in a temporary work level from November 11, 2007, to March 11, 2008. While in the temporary work level (TWL), Appellant's position was reclassified as Program Officer 2. O.A.C. 124-7-02(C) provides that an employee returning to her regular position from a temporary work level has not been reassigned, reduced, or reclassified. Accordingly, I find that Appellant was not reduced in pay or position.

Subsequent to the end of the TWL, Appellant's classification was changed to Administrative Assistant, effective April 3, 2008. This action occurred after Appellant filed the instant appeal, and it may not properly be considered as part of this matter, although it may form the basis for a separate appeal to this Board.

Based on the foregoing, I respectfully **RECOMMEND** that the instant appeal be **DISMISSED**, as Appellant has not been reduced in pay or position, pursuant to O.A.C. 124-7-02(C)


Jeannette E. Gunn
Administrative Law Judge