

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

Deborah S. Tacchio,

Appellant,

v.

Case No. 09-MIS-06-0283

Department of Mental Health,
Heartland Behavioral Healthcare,

Appellee.

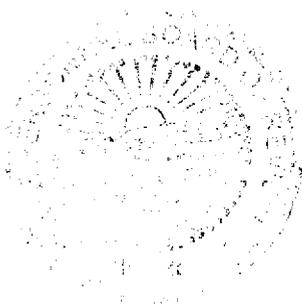
ORDER

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** as moot.

Lumpe - Aye
Sfalcin - Aye
Tillery - Aye

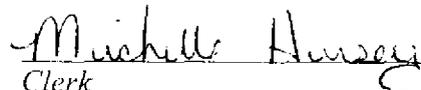



J. Richard Lumpe, *Chairman*

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, November 6, 2009.


Michelle Hursey
Clerk

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

11-6-09 mit

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

Deborah S. Tacchio,

Case No. 09-MIS-06-0283

Appellant

v.

September 18, 2009

Department of Mental Health,
Heartland Behavioral Healthcare,

Appellee

Jeannette E. Gunn
Administrative Law Judge

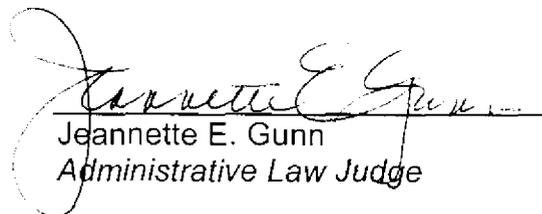
REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This cause comes on pursuant to a review of the information contained in the record. On June 2, 2009, Appellant filed an appeal with this Board contesting Appellee's calculation of her retention points, pursuant to a job abolishment action effective July 4, 2009.

This Board has jurisdiction to consider the calculation of an employee's retention points only within the context of a job abolishment or layoff appeal and not as a separate cause of action. Appellant has filed both a job abolishment appeal and a layoff appeal with this Board, see, SPBR Case Nos. 09-ABL-06-0280 and 09-LAY-06-0281; Appellant may raise the issue of whether or not her retention points were calculated correctly in either of these actions.

Therefore, I respectfully **RECOMMEND** that the instant appeal be **DISMISSED** as moot.


Jeannette E. Gunn
Administrative Law Judge

JEG: