

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

Paul H. Cohen,

Appellant,

v.

Case No. 09-REC-03-0177

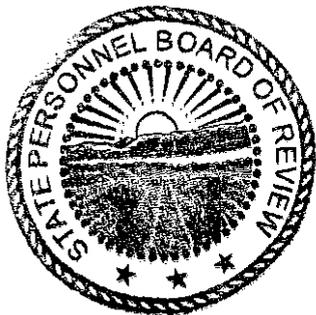
Hamilton County Board of Commissioners,
and
Hamilton County Human Resources Department,

Appellees.

ORDER

This matter came on for consideration on the notice of Appellant that the Withdrawal attached hereto be adopted. Being fully advised in the premises, the Board hereby orders that the attached withdrawal, incorporated herein by reference and made a part of the case file in this appeal, be **ADOPTED**. Accordingly, the above-referenced appeal is hereby **DISMISSED**.

Lumpe - Aye
Sfalcin - Aye
Tillery - Aye



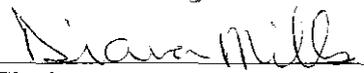


J. Richard Lumpe, *Chairman*

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, August 20, 2009.



Clerk

ENTERED
8/20/09

State of Ohio
State Personnel Board of Review
65 E. State St., 12th floor
Columbus, OH 43215-4213

STATE PERSONNEL
BOARD OF REVIEW
2009 AUG 11 PM 2:46

August 7, 2009

In re: Request for withdrawal
Case Nos. 09-REC-03-0177 &
09-RED-03-0178

Dear Sirs;

I am requesting the appeal filed in re: Case Nos. 09-REC-03-0177 & 09-RED-03-0178 be withdrawn. I am basing this request on the current events in my life which I believe show just cause for such an action.

Much to my regret, my cancer has reasserted itself, my wife is awaiting a decision on major surgery, and less important, I have decided to retire effective February 26, 2010. Given the uncertainties in my life and the need to focus on my family, I simply do not have the energy to continue in this action.

I continue to believe and to assert that the Hamilton County Personnel Department and the Hamilton County Department of Job & Family Services [JFS] violated procedures set forth in Chapter 124-7-01[A][1] Job Abolishments and Layoffs and OAC 123:1-3-01[N] Position Audits. The parties conducted a job audit while in the midst of conducting lay-offs. As the JFS leadership states they have no formal lay-off plan and are reacting to the "fluid" nature of the budget cuts by the Ohio Department of Job & Family Services, I contend that all job audits performed during this period must be treated as if a formal plan is in effect and the potential for lay-off of any position requires compliance with said rule, to wit;

"[N] Audits of positions of incumbents who are subject to layoff or displacement. Requests for audits of positions will not be processed if the position is classified in a classification that is designated for calculation of retention points for purposes of a layoff or position abolishment under the provisions of Chapter 123:1-41 of the Administrative Code..."

All of this said, I respectfully request my request for withdrawal of the appeal be granted.

Sincerely,


Paul H. Cohen
1093 Bruce Ave.
Cincinnati, OH 45230

cc: J.R. Sprague, SPBR, Kathleen H. Bailey, Asst. Prosecuting Attorney, G. Berger,
Hamilton County Personnel Department, P. Thompson, County Administrator- Hamilton
County Board of Commissioners.

ENTERED
CS/10/11