

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

Mary N. Haydu,

Appellant,

v.

Case No. 09-REC-10-0457

Youngstown State University,

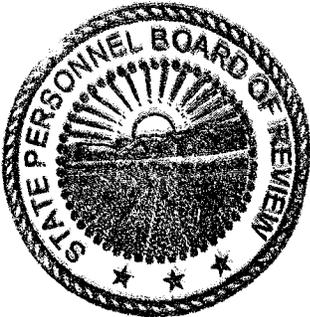
Appellee.

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 determination of Appellee that Appellant's position was properly reclassified as Administrative Assistant 2, classification number 63122, be **AFFIRMED**, pursuant to O.R.C. §§ 124.03 and 124.14.



Lumpe - Aye
Sfalcin - Aye
Tillery - Aye

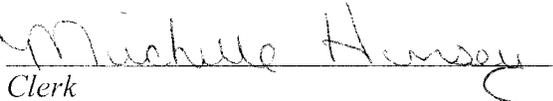


J. Richard Lumpe, *Chairman*

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, September 3, 2010.



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**

MARY ANN HAYDU,

Case No. 2009-REC-10-0457

Appellant

v.

July 1, 2010

YOUNGSTOWN STATE UNIVERSITY,

Appellee.

JAMES R. SPRAGUE
Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This case came to be heard on June 14, 2010. Present at the hearing was Appellant, who was represented by Stanley J. Okusewsky, III, Attorney at Law. Appellee, Youngstown State University (YSU), was present through its designee, Carol Trube, YSU's Manager for Classification and Compensation. Appellee was represented at hearing by Rema Ina, Assistant Attorney General for the State of Ohio.

This case comes on due to an appeal timely filed by Appellant on October 20, 2009. That appeal was from a job audit result received on October 7, 2009. Prior to the audit, Appellant's position was classified as an Administrative Assistant 1, 63121. After the audit, Appellant's position was reclassified to an Administrative Assistant 2, 63122. Appellant believes her position would be more properly classified as an Administrative Assistant 3, 63123.

Jurisdiction over the subject matter of this appeal was established pursuant to R.C. 124.03 and R.C. 124.14.

CONSOLIDATED STATEMENT OF THE CASE AND FINDINGS OF FACT

At hearing, five witnesses testified: **Mary Ann Haydu, Appellant**, whose current classification is Administrative Assistant 2; **Jeanne Herman**, YSU's Registrar; **Carol Trube**, YSU's Manager for Classification and Compensation, who is the employee who recommended that Appellant be reclassified as an Administrative Assistant 3; and **Martin Bramlett**, who served as the interim Chief Human Resources Officer at the time of the job audit and made the decision to modify Ms. Trube's recommendation and to effectively reclassify Appellant as an Administrative Assistant 2.

First to testify was **Mary Ann Haydu, Appellant**. Ms. Haydu testified that her current position is in the Department of the Registrar, where she responds to phone and email inquiries relating to registration. She also supervises several student workers.

She offered that her duties break down as follows. Approximately 65 percent of her time is spent training the student workers and other co-workers. The remainder of the time is spent doing various things such as taking care of special needs or projects, working in the lab, and processing ID cards. She is also responsible for taking over the duties of Ms. (Christine) Domhoff, whose position is currently classified as Administrative Assistant 3, when Ms. Domhoff is absent due to her union duties or due to being on vacation. (Please see *Christine Domhoff v. Youngstown State University*: SPBR Case No. 09-REC-09-0398).

Ms. Haydu also offered that she suggests changes to policies and implements them as necessary. Ms. Haydu testified that she delivers lectures at orientation sessions approximately twice a year.

Next to testify was **Jeanne Herman**, YSU's Registrar. Ms. Herman testified that Appellant does not formulate any policies but that she does implement policies. The Registrar also indicated that Ms. Haydu does supervise student employees but does not formally evaluate any employees. Further, Ms. Herman stated that Ms. Haydu is responsible for covering the duties of Ms. Domhoff, at a minimum of eight hours per week. Ms. Herman did not feel that Ms. Haydu relieves Ms. Domhoff of difficult administrative duties.

Next to testify was **Carol Trube**, YSU's Manager for Classification and Compensation and its designee at hearing. Ms. Trube made a recommendation that Appellant be reclassified as an Administrative Assistant 3; however, Martin

Bramlett, who was at that time YSU's interim Chief Human Resources Officer, did not adopt her recommendation.

Ms. Trube explained her rationale by noting that Ms. Haydu trains employees who work in the Registration area. Ms. Trube also opined that Ms. Haydu relieves Ms. Domhoff of at least one difficult duty, not simply her day-to-day duties. However, Ms. Trube also stated that Ms. Haydu does not relieve Ms. Domhoff of a majority of Domhoff's difficult duties. Further, Ms. Haydu is not responsible for preparing budgets or for interviewing or hiring employees. Mainly, Ms. Trube focused on her belief that Ms. Haydu simply "does more" than her assigned front-desk duties.

Next to testify was **Martin Bramlett**, who was the interim Chief Human Resources Officer at YSU at the time that Ms. Haydu's job audit was performed. Mr. Bramlett modified the recommendation of Ms. Trube that Ms. Haydu be reclassified as Administrative Assistant 3. Mr. Bramlett stated that he made this decision based mainly on his belief that Ms. Haydu does not relieve her "supervisor" of any duties. The position that ordinarily supervises Ms. Haydu's position is the position of Associate Registrar. At the time of hearing, the Associate Registrar position was vacant but was expected to be filled shortly thereafter.

Although Ms. Haydu does take on some of the duties of Ms. Domhoff in her absence, Mr. Bramlett testified that Ms. Haydu deals essentially with operational, non-difficult duties. Further, Mr. Bramlett opined that he did not feel that Ms. Haydu performs past the capacity of an Administrative Assistant 2.

Based on the testimony presented and evidence admitted at hearing, I make the following Findings:

First, I note that I incorporate, herein, any finding set forth, above, whether express or implied.

I find that Appellant spends half of her time relieving Ms. Domhoff of her day-to-day duties and also helping to run the lab. Appellant spends the remainder of her time training students and co-workers on the computer system, delegating work flow, generally running the front desk, and answering inquiries from parents or students regarding registration.

CONCLUSIONS OF LAW

This case presents this Board with the question of whether Appellant's position with Youngstown State University should be classified as an Administrative Assistant 2 or as an Administrative Assistant 3? Based on the findings set forth, above, and for the reasons set forth, below, this Board should find that Appellant's position is most properly classified as Administrative Assistant 2.

The following duties are included in the Administrative Assistant 3 class specification and are not performed by Appellant: transmitting decisions and directives, interviewing and hiring employees, formulating program policy on any regular basis, developing public relations programs and explaining programs to the public and the media, preparing news releases, authorizing expenditures, and developing special programs.

Evidence presented at hearing demonstrates that Appellant was only involved in formulating one policy—the Replacement Student ID policy. This appears to be more of an anomaly than a regular practice of assigning Appellant to formulate policy. The majority of her time is spent enforcing policies rather than formulating them. Further, Appellant does not hire employees. Appellant does spend some time training current employees on systems with which they are unfamiliar. Yet, this duty falls under her supervisory duties as an Administrative Assistant 2.

In addition, Appellant's speaking engagements occur approximately two times per year, and are confined to the subject of student orientation. She does not explain programs to the public, legislators, or news media. Her orientation speeches are more properly classified as a product of her duty as an Administrative Assistant 2 to administer special programs. Thus, we should not conclude that she enjoys the level of supervisory authority normally understood under the Administrative Assistant 3 classification.

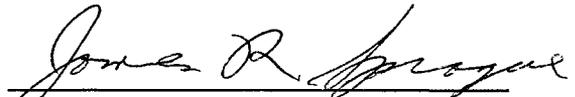
Further, while Appellant does spend a significant amount of her time relieving her superior, Ms. Domhoff, of her duties, she does not relieve her of difficult duties. While Appellant may sometimes handle registration difficulties, her main responsibility is to relieve Ms. Domhoff of her routine, day-to-day administrative duties.

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Taken together, then, Appellant functions in a highly valued but more support role than is intended in the class specification of the Administrative Assistant 3.

RECOMMENDATION

Therefore, I respectfully **RECOMMEND** that the State Personnel Board of Review **AFFIRM** the Comprehensive Position Questionnaire determination of Youngstown State University that Appellant's position was properly reclassified as Administrative Assistant 2, 63122, pursuant to R.C. 124.03 and R.C. 124.14.



JAMES R. SPRAGUE
Administrative Law Judge

JRS: