

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

Matthew D. Stobbe,

Appellant,

v.

Case No. 09-REM-11-0486

Department of Rehabilitation and Correction,
Corrections Training Academy,

Appellee.

ORDER

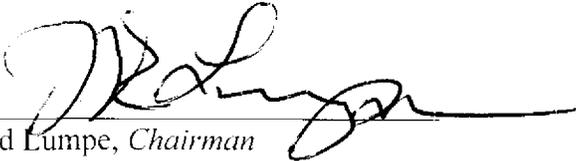
This matter comes on for consideration upon the full Board's issuance of a questionnaire and upon Appellee's timely filing of its response thereto. Appellant was provided with the requisite opportunity to file an optional reply to Appellee's response but did not do so.

After a thorough examination of the entirety of the record, including an examination of Appellee's response to this Board's questionnaire, this Board finds that Appellant's position of Correction Officer is covered under a pertinent collective bargaining agreement (CBA) between the State of Ohio and the Ohio Civil Service Employees Association (OCSEA). We may take administrative notice that this CBA covers the subject matter at issue in this appeal. We may also take administrative notice that this CBA contains a grievance procedure that culminates in final and binding arbitration. Accordingly, this Board is divested of jurisdiction over the subject matter of this appeal by operation of R.C. 4117.10 (A).

Wherefore, it is hereby **ORDERED** that the instant appeal be **DISMISSED** for lack of jurisdiction over its subject matter, pursuant to R.C. 4117.10 (A).



Lumpe - Aye
Sfalcin - Aye
Tillery - Aye

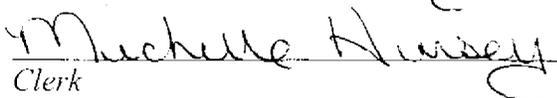


J. Richard Lumpe, *Chairman*

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, January 15, 2009.



Clerk

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