

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

Robert Grudosky,

Appellant,

v.

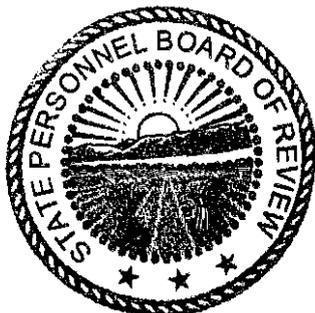
Case No. 09-SUS-01-0031

Kent State University,

Appellee.

ORDER

This matter came on for consideration on the motion of Appellee that the Notice of Rescission attached hereto be adopted. Being fully advised in the premises, the Board hereby orders that the attached notice of rescission, incorporated herein by reference and made a part of the case file in this appeal, be **ADOPTED**, and that Appellant's appeal be **DISMISSED**.



Lumpe - Aye

Sfalcin - Aye

Tillery - Aye

J. Richard Lumpe, *Chairman*

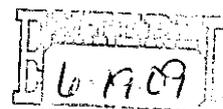
CERTIFICATION

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, June 19, 2009.

Clerk

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



BEFORE THE STATE PERSONNEL BOARD OF REVIEW

ROBERT GRUDOSKY,

:

STATE PERSONNEL BOARD OF REVIEW

Appellant,

:

CASE NO. 0009 USA 014 0031 2: 47

v.

:

KENT STATE UNIVERSITY,

:

JAMES R. SPRAGUE
Administrative Law Judge

Appellee.

:

APPELLEE KENT STATE UNIVERSITY'S NOTICE OF RESCISSION

Appellee, Kent State University, hereby notifies the Board that it has rescinded the §124.34 Order issued to Appellant Robert Grudosky that gave rise to this appeal. Attached hereto as *Exhibit A* is the Notice of Rescission sent to Appellant on June 4, 2009. Appellee respectfully requests that the instant appeal be dismissed, as the underlying §124.34 Order has been rescinded.

Respectfully submitted,

RICHARD CORDRAY
Ohio Attorney General

Michael C. Kravitz for

CYNTHIA A. KRAVITZ (0029305)
Assistant Attorney General
Employment Law Section
20 W. Federal Street, 3rd Floor
Youngstown, Ohio 44503
(330) 884-7500 Telephone
(330) 884-7551 Fax

ENTERED
6/9/09

CERTIFICATE OF SERVICE

I certify that a copy of the above *Appellee Kent State University's Notice of Rescission* was served upon upon Jeffrey L. Austin, Esq., KEIS/GEORGE LLP 55 Public Square, Suite 800 Cleveland, Ohio 44113-2001 by ordinary U.S. Mail, postage prepaid this 4th day of June 2009 and by facsimile to 216-771-3111.

Handwritten signature of Cynthia A. Kravitz and the number 0029305.

CYNTHIA A. KRAVITZ (0029305)
Assistant Attorney General



HAND DELIVERED

June 4, 2009

Mr. Robert Grudosky
4094 Industry Road
Rootstown, Ohio 44272

Dear Mr. Grudosky:

This letter serves to inform you that Kent State University is withdrawing the Order of Removal, Reduction, Suspension, Fine, Involuntary Disability Separation dated January 15, 2009 and rescinding your five (5) day suspension without pay.

As a result of a pre-disciplinary hearing which was conducted on Tuesday, January 6, 2009, you are hereby suspended for twenty three (23) hours without pay for failure of good behavior.

A new Order of Removal, Reduction, Suspension, Fine, Involuntary Disability Separation is hereby submitted for a twenty three (23) hours suspension without pay. The suspension without pay was in effect on January 26, 2009 for eight (8) hours, January 27, 2009 for eight (8) hours and January 28, 2009 for seven (7) hours. Gross retroactive pay in the amount of \$ 293.08 will be paid to you on June 19, 2009. This pay includes January 28, 2009 one (1) hour, January 29, 2009 eight (8) hours and January 30, 2009 eight (8) hours equaling seventeen (17) hours.

Furthermore, your management team and the Employee Relations Specialist/Staff Ombudsman will meet with you weekly to monitor and discuss job expectations. You are expected to exhibit good behavior. Should you fail to correct your performance problem, further disciplinary action, up to and including termination of employment, will be taken against you.

Sincerely,



Alvin Evans

Associate Vice President for Human Resources

c: Tom Euclide, Executive Director, Facilities Planning and Operations
Tom Dunn, Director of Operations, Campus Environment and Operations

Division of Human Resources

P.O. Box 5190 • Kent, Ohio 44242-0001 • www.kent.edu/hr
*Benefits • Compensation • Equal Opportunity/Affirmative Action •
Records • Labor/Employee Relations • Talent Acquisition • Training and Development*

Exhibit A