

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

Patricia Mercan,

Case Nos. 10-RED-10-0279
10-MIS-10-0280

Appellant.

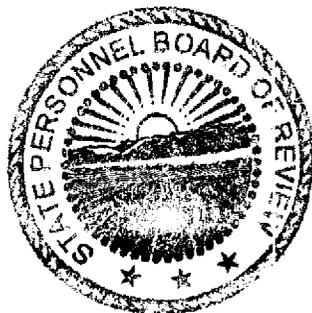
v.

Ohio State University,

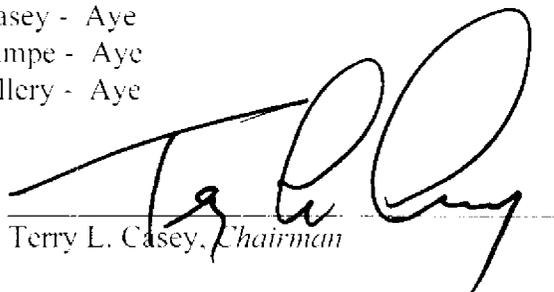
Appellee.

ORDER

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



Casey - Aye
Lumpe - Aye
Tillery - Aye


Terry L. Casey, *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 constitutes (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, April 5, 2011.


Michelle Hunsley
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

PATRICIA MERCAN, :
Appellant, : CASE NOS. 10-RED-10-0279
 : 10-MIS-10-0280
v. :
OHIO STATE UNIVERSITY, : CHRISTOPHER R. YOUNG
 : *Administrative Law Judge*
Appellee. :

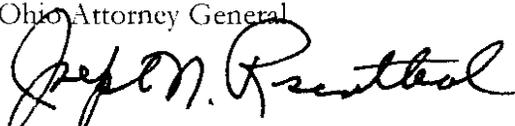
NOTICE OF RESCISION

Appellee Ohio State University, by and through counsel, hereby gives notice that it has rescinded the "loss of displacement rights" imposed upon Appellant as part of a "Level Three Notice" issued on October 6, 2010 in the progressive disciplinary process at the Ohio State University. A copy of the letter dated January 28, 2011 effectuating the rescision and signed by Olga Esquivel-Gonzalez, Employment/Compliance Manager, is attached hereto.

Based upon the foregoing, Appellee Ohio State University, respectfully requests that the above-captioned appeals, filed by Appellant as a result of the suspension of displacement rights, be dismissed.

Respectfully submitted,

MICHAEL DEWINE (0009181)
Ohio Attorney General


JOSEPH N. ROSENTHAL (0018117)
Associate Assistant Attorney General
Employment Law Section
30 East Broad Street, 23rd Floor
Columbus, Ohio 43215
(614) 644-7257 Telephone
(614) 752-4677 Fax

3-8-11

CERTIFICATE OF SERVICE

I certify that a copy of the above *Notice of Appearance* was served upon Patricia Mercan, 5284 Guinness Court, Dublin, OH 43017-3004, by ordinary U.S. Mail, postage prepaid this 8th day of March, 2011.


JOSEPH N. ROSENTHAL (0018117)
Associate Assistant Attorney General



Organization and Human Resource Consulting

Office of Human Resources
Suite 300
1590 North High Street
Columbus, OH 43201-2190

Phone (614) 292-2800
Fax (614) 292-0549
<http://hr.osu.edu/ohrc>

Level Three Notice
(Revised)

January 28, 2011

Patricia G. Mercan
5284 Guinness Court
Dublin, OH 43017-3004

Stamp: RECEIVED... EMPLOYMENT LAW

Dear Ms. Mercan:

This letter is to inform you of the decision to rescind the loss of displacement rights as indicated in the previous Level Three Notice dated October 6, 2010.

Please know that the rescission does not apply to the discipline issued to you on that date. The Level Three Notice issued based on your neglect of duty remains as part of the progressive disciplinary process at the University.

This level three notice is active for five (5) years after issuance. Further infractions during the next five (5) year period may subject you to additional disciplinary action up to and including termination.

Sincerely,

Handwritten signature: Olga Esquivel-Gonzalez

Olga Esquivel-Gonzalez
Employment Law/Compliance Manager

C: Orthodontics
State Personnel Board of Review - 10-Mis-10-0280
File *0279*

Stamp: 2-30-11

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