

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

CHERYL M. REYNOLDS,

Appellant,

v.

Case No. 10-REC-12-0369

BOWLING GREEN STATE UNIVERSITY,

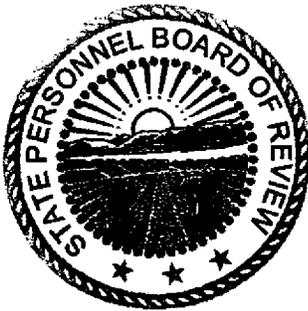
Appellee

ORDER

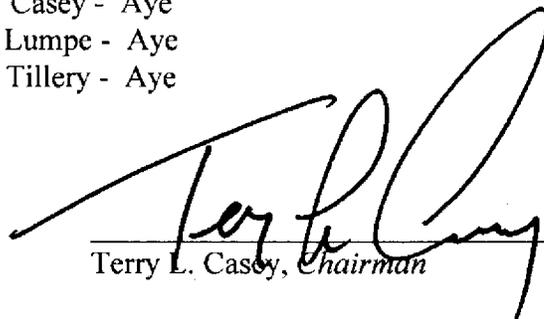
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

After a thorough examination of the entirety of the record, including 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 Appellant's position be placed in the Examiner 3 classification, effective the first day of the first pay period immediately following Appellee's receipt of Appellant's request for a job audit.



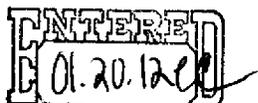
Casey - Aye
Lumpe - Aye
Tillery - Aye


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, January 20, 2012.




Erin E. Conroy
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**

Cheryl M. Reynolds,

Case No. 10-REC-12-0369

Appellant

v.

December 14, 2011

Bowling Green State University,

Jeannette E. Gunn

Appellee

Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This cause came on for record hearing on June 15, 2011. Appellant was present at the hearing and appeared *pro se*. Appellee Bowling Green State University was present and was represented by Assistant Attorney General Rema Ina.

The subject matter jurisdiction of the Board was established pursuant to sections 124.03 and 124.14 of the Ohio Revised Code.

STATEMENT OF THE CASE

Appellant testified that she is presently employed in Appellee's Bursar's Office as an Examiner 2. She stated that she first requested a job audit be done on her position around September 2010, seeking reclassification to Accountant 2.

Appellant recalled that due to an ongoing reorganization and a series of retirements within the Bursar's Office, she began performing new duties around January 2010. She testified that as of the date of record hearing, both her role and physical location had been changed. Appellant indicated that she moved from the fourth floor, where she worked for Vicky Sulkin, to the first floor, where she currently works for Lynn Huber. She explained that her prior job duties largely consisted of calculating and collecting interest on special loans, but since moving into her new role, she has become responsible for the audit and reconciliation of Bursar system entries. Appellant noted that although she performed both functions until September 2010, at the present time approximately 90% of her day is spent

auditing accounts for holds, refunds, and ensuring checks are properly distributed to students.

Lynn Huber testified that she is employed by Appellee in its Bursar's Office in a position classified as an Administrative Assistant 1, and confirmed that she has been Appellant's immediate supervisor since mid-January of 2010. Ms. Huber indicated that as an Administrative Assistant 1, she is called upon to plan workload, troubleshoot, and correct issues within the student accounts systems. The witness confirmed that Appellant assumed responsibility for a role in her department after a significant number of retirements in January, but continued to perform both her previous and new job until her prior position was filled. Ms. Huber testified that one of Appellant's primary duties in her present position includes auditing for errors in all of the charges hitting student accounts. She explained that via Bowling Green's new software program, nearly all of the charges and refunds from the University flow into the Bursar's system, and Appellant is required to reconcile any issues with the accounts by taking errors to the proper departments to fix. The witness recalled that Appellant acquired the ability to make corrections on her own once she moved into her new role within Ms. Huber's department.

Upon cross examination, Ms. Huber testified that Lisa Nash, in the Systems Department, monitors administrative processing to ensure that all cash is reconciled, but otherwise no one directly checks her own or Appellant's work.

The final witness, Ms. Leslie Fern, testified that she works for Appellee's Employee Relations Department in the capacity of an Employment Specialist. She explained that upon her receipt of Appellant's request for an audit, she compared Appellant's job duties to the Accountant 2 and Examiner 3 classification specifications; Ms. Fern stated that she determined that Appellant did not meet the requirements of the Accountant 2 classification specification because, although she does make corrections within the context of Bursar accounts, there was no evidence that Appellant created cost projections on a broader scale. She noted that she did not consider the corrections Appellant made to the Bursar's records to constitute "auditing," in the accounting sense of the term. Further, Ms. Fern noted that the Examiner 3 position similarly did not describe Appellant's job duties because the specification called for a broad scope of duties, while Appellant's duties were limited to handling refunds. Ms. Fern acknowledged that Appellant does have a large volume of corrections to make to Bursar records, but suggested that the broad scope of Examiner 3 duties pertained to the types of duties performed rather than the volume of work.

FINDINGS OF FACT

Based upon the testimony presented and evidence admitted at record hearing, I make the following findings of fact:

Appellant requested an audit of her Examiner 2 position in September 2010, seeking reclassification of the position to Accountant 2.

Due to an ongoing reorganization and a series of retirements within the Bursar's Office, Appellant began performing new duties around January 2010. Lynn Huber, whose position is classified as Administrative Assistant 1, became her immediate supervisor in mid-January 2010 and Appellant moved from a fourth floor location to her present work area on the first floor. Ms. Huber's department is responsible for troubleshooting and correcting issues within the student accounts system.

Prior to January 2010, Appellant's job duties largely consisted of calculating and collecting interest on special loans; her new duties require her to audit and reconcile Bursar system entries. Appellant performed both functions until her former position was filled in September 2010. Approximately 90% of Appellant's work day is now spent auditing accounts for holds, refunds, and ensuring that checks are properly distributed to students.

One of Appellant's primary duties in her present position includes auditing for errors in all of the charges made to student accounts. Nearly all of the charges and refunds from the University flow into the Bursar's system, and Appellant is required to reconcile any issues with the accounts by taking errors to the proper departments to fix. Appellant has the authority to make corrections to student accounts on her own. Lisa Nash, in the Systems Department, monitors administrative processing to ensure that all cash is reconciled, but no other employees directly check Appellant's work.

CONCLUSIONS OF LAW

The primary criteria for this Board to consider when determining the most proper classification for a position are classification specifications, including the

function statement, the job duties outlined, and the percentages of time devoted to each job duty. *Klug v. Dept. of Admin. Services*, No. 87AP-306, slip op. (Ohio Ct. App. 10th Dist., May 19, 1988). Unless there is a dispute as to what constitutes the classification specification, no factual issues arise with respect to the classification. Rather, as in all cases of construction, the question becomes one of law as to how the relevant facts relate to the classification specification. *Klug, supra*.

In the instant appeal there is no debate as to what comprises the pertinent classification specifications. Therefore, this Board must consider the relation between the classification specifications at hand and testimony presented and evidence admitted. This Board's consideration, however, is not limited solely to the duties contained in the classification specifications, but may also embrace other relevant facts submitted by any of the affected parties. *Gordon v. Dept. of Admin. Services*, No. 86AP-1022, slip op. (Ohio Ct. App. 10th Dist., March 31, 1988).

As a general rule, Appellants seeking reclassification to a higher position must demonstrate that they meet substantially all of the qualifications of the higher position. *Harris v. Dept. of Admin. Services*, No. 80AP-248, slip op. (Ohio Ct. App. 10th Dist., September 25, 1980); *Deist v. Kent State Univ.*, No. 78AP-28, slip op. (Ohio Ct. App. 10th Dist., May 23, 1978.) The incumbent need not perform every duty enumerated within the body of the specification for his or her position to fall within a particular classification specification; it is sufficient if all of the job duties actually performed fall within those specified for the classification. See *Klug, supra*. The class concept or series purpose of each classification title sets forth the mandatory duties that must be performed by an incumbent for at least twenty percent of his or her work time.

* * * * *

The classification series considered in this appeal were Examiner 3, Examiner 2 and Accountant 2.

The function statement for the Examiner 3 classification specification provides that an incumbent, under general supervision from an examiner supervisor or other administrative superior:

... independently reviews, examines audits & verifies all information (e.g., records, reports, financial statements, questionnaires) concerning specific project or program of agency, determines status,

completeness, appropriateness &/or accuracy, reviews needed background information, ensures compliance with applicable laws, rules &/or procedures, makes necessary computations, corrections &/or adjustments, advises appropriate parties regarding status & requirements of information, coordinates &/or performs field work as needed, prepares reports &/or documentation regarding information;

The function statement for the Examiner 2 classification specification provides that an incumbent, under general supervision from an examiner supervisor or administrative superior:

... examines, audits & verifies all incoming information (e.g., records, reports, financial statements, proposals), usually concerning specific project or program of agency, determines status, completeness & appropriateness, collects &/or reviews background or supporting information as needed, ensures compliance with applicable laws, rules &/or procedures, makes necessary computations, corrections &/or adjustments, corresponds with appropriate parties regarding status & requirements of information, coordinates field work regarding information as needed, prepares reports &/or information for manually kept or computerized records & posts various transactions to records & accounts &/or maintains files;

The function statement for the Accountant 2 classification specification indicates that an incumbent employee, under general supervision from a fiscal officer or other administrative superior:

... performs internal audits (i.e., examines process, documentation & rationale behind recorded figures to ensure that standard accounting procedures are followed within agency);

* * * * *

Appellee's position audit finding was that Appellant's position was properly placed in the Examiner 2 classification. Testimony and evidence presented at record hearing were sufficient to establish that, at a minimum, Appellant performs duties sufficient to properly place her position in that classification. This Board may continue, however, to consider additional classifications to determine if another more accurately describes the duties and responsibilities performed by Appellant.

Upon a review of the function statements for the Examiner 2 and Examiner 3 classification specifications, it appears that the only substantive difference between the two is the ability to work independently. Evidence and testimony presented by Appellant and confirmed by Ms. Huber established that Appellant works independently to carry out her job duties. Testimony also demonstrated that Appellant has the authority to make some corrections to student accounts on her own. Therefore, I find that Appellant's position could be properly placed in the Examiner 3 classification.

The function statement for the Accountant 2 classification specification carries a different focus than the Examiner classifications. Incumbent employees in the Accountant classification scrutinize the processes and rationales used in recording account information to verify that standard accounting procedures are being used. Testimony presented at record hearing did not indicate that Appellant consistently reviewed the processes involved in posting information to student accounts or otherwise performed audits of a similar nature and scope. Accordingly, I find that it would not be proper to place her classification in the Accountant 2 classification specification.

Upon a review of all of the information contained in the record, I find that the classification specification which best describes the duties performed by Appellant is that of Examiner 3. Therefore, I respectfully **RECOMMEND** that Appellant's position be placed in the Examiner 3 classification, effective the first day of the first pay period immediately following Appellee's receipt of Appellant's request for a job audit.


Jeannette E. Gunn
Administrative Law Judge

JEG: