

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

REBECCA HOOK,

Appellant,

v.

Case No. 11-REC-07-0218

WRIGHT 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.

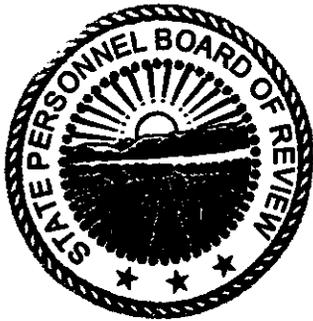
After a thorough examination of the entirety of the record, including a review of the Report and Recommendation of the Administrative Law Judge, along with any objections to that report which have been timely and properly filed, the Board hereby adopts the Recommendation of the Administrative Law Judge.

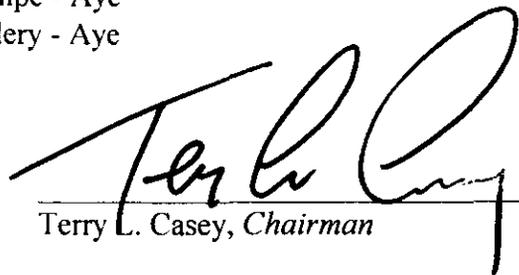
Wherefore, it is hereby **ORDERED** that the Appellee's decision to retain Appellant's classification specification of Account Clerk 3, classification number 12115, is **AFFIRMED**.

Casey - Aye

Lumpe - Aye

Tillery - Aye



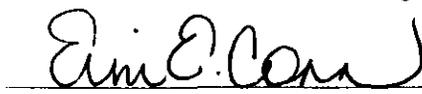

Terry L. Casey, *Chairman*

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, May 24, 2012.




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**

Rebecca Hook,

Case No. 11-REC-07-0218

Appellant

v.

May 1, 2012

Wright State University,

Jeannette E. Gunn

Appellee

Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This cause came on due to Appellant's timely appeal of the results of an audit conducted on her position. The audit resulted in a finding that the proper classification for Appellant's position was Account Clerk 3, classification number 12115.

A record hearing was held in the instant appeal on December 14, 2011. Appellant was present at the hearing and appeared *pro se*. Appellee Wright State University was present at the record hearing through its designee, Ms. Sylvia Brockman, Manager of Compensation and Classification. Also present at record hearing were Appellant's immediate supervisor, Dr. David Goldstein, Chair of the Biological Sciences Department, and Compensation Analyst Carlotta Johnson, who conducted Appellant's position audit.

Jurisdiction of the Board was established pursuant to R.C. 124.03 and 124.14.

STATEMENT OF THE CASE

Appellant testified that she is presently employed in the Biological Sciences Department, which is part of the College of Science and Math at Wright State University (WSU or Appellee), and holds a position currently classified as Account Clerk 3. She indicated that her immediate supervisor is the Department Chair, Dr. David Goldstein. Appellant noted that there are two other administrative support employees in the Department; one employee is classified as Assistant to the Chair,

and the other is classified as Administrative Specialist. She stated that the three of them handle the "ins and outs" of the office management.

Appellant recalled that she requested a review of her classification in April or May of 2011 and completed the audit form in June 2011. She stated that the review ultimately found that her position was properly classified as Account Clerk 3. Appellant testified that she believed the classification of Account Technician more accurately described her job duties. She noted that responsibilities within the office were restructured prior to her request for an audit, which resulted in her taking on all of the financial responsibilities of the Department.

Appellant confirmed that she completed the information contained in the documents submitted to Appellee as part of her audit request. She indicated that the information concerning her job duties was substantially accurate, both at the time of completion and as of the date of record hearing. Appellant testified that the overall purpose of her position is to monitor and track all Department financial matters, to maintain complete and accurate Department financial records, and to perform financial functions within the Department.

She explained that she devotes approximately thirty percent of her working time to performing complex fiscal project management tasks. Appellant indicated that she provides oversight for all Departmental financial transactions and makes sure that they comply with Appellee's fiscal policies. She stated that she tracks account balances and provides fiscal guidance to Departmental faculty members with regard to both university-funded and grant-funded accounts. Appellant noted that she also maintains the Department's university purchasing cards. She testified that she assists with the annual Departmental audit, with regard to fiscal matters; compiles financial reports; and provides functional guidance in fiscal matters to administrative staff and student workers.

Appellant noted that most faculty members do not track their own grant accounts and come to her for fiscal information and assistance. She observed that the Department's grants can range from a simple grant spanning a few months and a relatively small amount of money to a multi-year grant shared among several institutions that encompasses millions of dollars. Appellant testified that she is required to be familiar with the fiscal requirements of each grant, as well as university fiscal requirements, to be sure that she complies with all applicable policies in allocating expenses. She stated that she makes recommendations to faculty members on how to handle problematic situations, warns them in advance of

potential problems and makes them aware of any discrepancies that need to be addressed.

Appellant testified that she tracks the Department's fifty-five purchasing cards (Pro Cards), reconciles card statements, maintains a list of active cards and maintains the card check-out system. She noted that the Department of Biological Sciences has more Pro Cards than any other Department within the University.

Appellant indicated that she assists with the annual Departmental audit by providing requested receipts and information on compliance with Appellee's policies. She noted that she is responsible for making sure that fiscal records are stored correctly.

Appellant estimated that she spends another thirty percent of her time monitoring and approving expenditures within the Department. She noted that she has the authority to approve expenditures within the guidelines set by Appellee's fiscal policies. Appellant observed that although she believes she has the authority to independently make transfers to cover expenses from the funds assigned to Departmental faculty, she makes recommendations and seeks approval from faculty before doing so, as a matter of courtesy.

She stated that she handles all financial aspects of Departmental travel for both faculty and students. Appellant indicated that she makes sure that they are aware of applicable policies and prepares and tracks their travel reports for reimbursement.

Appellant observed that anything purchased in the Department eventually comes to her in the form of a receipt. She testified that she provides guidance to faculty and staff as to which account(s) should be used for their purchases. Appellant confirmed that although she follows existing university-wide policies and procedures in performing her duties, she has the independent authority to establish additional fiscal procedures and policies for use within the Department; she noted, for instance, that she had implemented a checkout procedure for Pro Cards.

Appellant testified that approximately thirty percent of her time is spent reconciling Department financial transactions. She noted that she reconciles Pro Card statements and prepares reconciliation reports for university and foundation accounts. She indicated that she performs these tasks independently and verifies financial data and finds and resolves any discrepancies.

Appellant noted that the remainder of her time is devoted to miscellaneous fiscal responsibilities, such as maintaining fiscal records, overseeing the collection and deposit of cash coming into the Department through fundraisers and special events, and directing the work of the student employees. She stated that she serves as a resource for the Administrative Specialist, but has no supervisory responsibilities for any non-student employees.

Appellant testified that she does not have input into the creation of the Department's budget and does not request reallocation of university funds. She indicated that for budget transfers of grant funds, typically the primary contact person is required to make any transfer requests.

Dr. David Goldstein testified that he is presently employed by Appellee as Chair of the Biological Sciences Department and serves as Appellant's immediate supervisor. He stated that he is familiar with Appellant's day-to-day job duties and confirmed that her testimony regarding those job duties was accurate. The witness noted that he provides general supervision to Appellant rather than hands-on micromanaging, and does not provide any type of fiscal training. Dr. Goldstein indicated that although some fiscal duties are administered by other individuals in the Department, (i.e., personnel contracts are handled by the Assistant to the Chair and purchasing is handled by the Administrative Specialist), Appellant is responsible for providing the "big picture" regarding Departmental finances.

The witness explained that Appellant's responsibilities regarding management of grant accounts are very complex. He estimated that the Department currently has approximately fifty active grants; about twenty faculty members are actively engaged in research and each typically has several active grant accounts. Dr. Goldstein noted that policies differ from grant to grant and Appellant is required to be familiar with the differences between each policy to be sure that there are no violations.

He noted that tracking travel expenses is also a very complex process. Dr. Goldstein testified that the Department's faculty and students travel frequently and to locations all over the world.

Carlotta Johnson testified that she is employed by Appellee as a Compensation Analyst and confirmed that she performed Appellant's position audit. She noted that as part of the audit, she spoke with Appellant and her supervisor,

Dr. Goldstein, as well as the Business Manager of the College of Science and Math. The witness recalled that Appellant received a pay increase in order to make her salary more consistent with that of other employees in the same classification.

FINDINGS OF FACT

Based upon the testimony and evidence introduced at record hearing, as well as the information contained in the record, I make the following findings of fact:

Appellant is employed in the Biological Sciences Department, which is part of the College of Science and Math at WSU, and holds a position currently classified as Account Clerk 3. Her immediate supervisor is the Department Chair, Dr. David Goldstein.

The overall purpose of Appellant's position is to monitor and track all Department financial matters, to maintain complete and accurate Department financial records, and to perform financial functions within the Department. Appellant performs the duties reflected in the materials she submitted to Appellee as part of her audit request for the approximate percentages of time estimated therein.

The duties performed by Appellant are sufficient, at minimum, to place her position in the Account Clerk 3 classification.

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 class concept or job summary, 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*.

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).

State-supported universities may either devise and utilize their own classification plan, upon proper compliance with the requirements of the Ohio Revised Code and Administrative Code, or may utilize the classification plan established by the Department of Administrative Services for county and university use. This Board has no authority to revise a classification plan and/or specifications so created. Appellee has promulgated its own classification plan, therefore, the classification specifications considered in this appeal are those promulgated by Appellee.

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*.

O.A.C. 123:1-7-15 notes that the class concept 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. In the instant matter, the job summary section of the classification specifications promulgated by Appellee corresponds to the class concept section found on State classification specifications. Appellee has presented no evidence to indicate that it has promulgated administrative rules which establish a different standard for incumbents, accordingly the "twenty percent" standard set forth in O.A.C. 123:1-7-15 shall be applied to this Board's review.

* * * * *

The classification specifications reviewed by this Board were: Account Clerk 3, classification number 12115, and Account Technician, classification number 12141.

The job summary for the Account Clerk 3 classification specification, Appellant's current classification, states that an incumbent "establishes and maintains billing files for materials, professional services and projects which may include contracts and grants. Performs a variety of transactions related functions. Prepares reports, post financial documents and provides specialized accounting support to the department." Ms. Johnson's review established that Appellant's job duties were sufficient to fulfill the requirements of the Account Clerk 3 classification specification and the testimony and evidence submitted at record hearing supports that conclusion.

The job purpose for the Account Technician classification specification states that an incumbent "performs a variety of transaction-related functions and provides specialized accounting support to the department by monitoring and reviewing financial transactions and working intensively with outside vendors and customers." The primary difference between the two classification specifications appears to be the additional requirements of monitoring and reviewing financial transactions and working with outside vendors and customers.

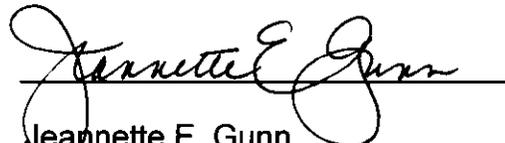
Testimony at record hearing indicated that while Appellant does monitor and track the Department's financial transactions, she does not work intensively with outside vendors and/or customers. A review of the illustrative job duties section of the Account Technician specification provides examples of the contemplated interaction with vendors and customers. Further review also demonstrates that an incumbent in the Account Technician classification has the authority to independently make corrections and resolve problems with financial records, statements, and orders, and independently authorize invoice payment. Appellant testified that she approves expenditures under delegated authority and makes recommendations to resolve problems. I find that the scope of Appellant's authority is not consistent with the level identified in the Account Technician classification specification.

As reflected in both classification specifications, Appellant is responsible for processing complex transactions and reconciling accounts with significant financial magnitude. Insufficient testimony was presented to establish that Appellant performs all of the duties set forth in either classification, however, I find that all of

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the job duties she performs fall within the parameters of the Account Clerk 3 classification specification. Appellant does not perform the mandatory duties set forth in the Account Technician job summary for twenty percent of her working time, therefore, I find that it would not be appropriate to place her position in that classification.

Accordingly, based upon my review of the job duties performed by Appellant, the amount of working time Appellant performs each of these job duties, and the relevant classification specifications, I find that the classification specification which most accurately describes Appellant's job responsibilities is that of Account Clerk 3, classification number 12115. I respectfully **RECOMMEND** that Appellee's decision to retain her position in that classification specification be **AFFIRMED**.


Jeannette E. Gunn
Administrative Law Judge