

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

Renay Pruitt,

Appellant,

v.

Case No. 11-REM-04-0115

Cuyahoga County Office of Human Resources,

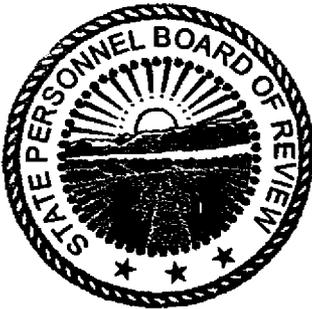
Appellee.

ORDER

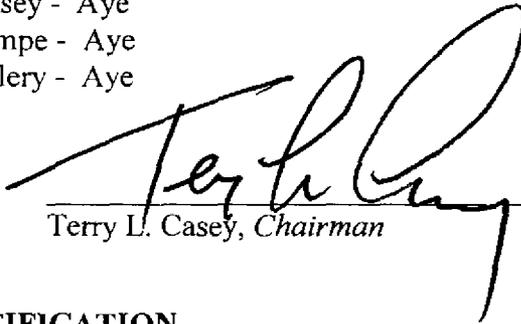
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

After a thorough examination of the record and 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 instant appeal be **DISMISSED** due to this Board's lack of jurisdiction over the parties.



Casey - Aye
Lumpe - Aye
Tillery - Aye

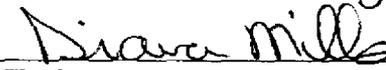


Terry L. Casey, *Chairman*

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, August 22, 2011.



Diana Mills
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**

Renay Pruitt,

Case No. 11-REM-04-0115

Appellant

v.

July 5, 2011

Cuyahoga County Office of
Human Resources,

Appellee

Jeannette E. Gunn
Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This cause comes on for consideration upon Appellant's notice of appeal, filed with this Board on April 20, 2011. Appellant indicated in her notice of appeal that she was an employee of Cuyahoga County Department of Health and Human Services and was removed effective April 15, 2011.

Effective January 1, 2010, Cuyahoga County became a charter form of government. Transition provisions contained in the charter (Article II, § 2.01) provided that the County Executive, who is the chief executive officer of the county, did not take office until January 1, 2011; the County Executive thereafter appointed members to the Human Resource Commission, which is responsible for:

... the resolution or disposition of all personnel matters, with authority to appoint hearing officers to hear all employee appeals previously under the jurisdiction of the State Personnel Board of Review
[Article IX, § 9.02(1)]

As of January 1, 2011, this Board no longer has jurisdiction over employees falling under the auspices of the Cuyahoga County Charter. Because Appellant was removed on April 15, 2011, her appeal lies with the Human Resource Commission and not with the State Personnel Board of Review. See, *Rives v. Cuyahoga County Board of Commissioners*, SPBR Case No. 11-REM-01-0018 (June 28, 2011).

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Therefore, I respectfully **RECOMMEND** that the instant appeal be **DISMISSED** due to this Board's lack of jurisdiction over the parties.



Jeannette E. Gunn
Administrative Law Judge

JEG: