

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

HAROLD R. THORNTON,

Appellant,

v.

Case No. 12-MIS-05-0112

CITY OF LOVELAND,

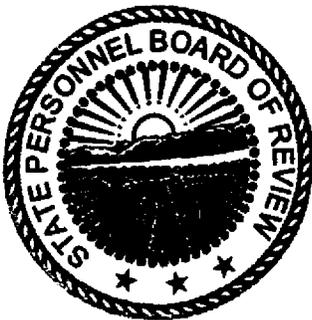
Appellee

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 instant appeal is **DISMISSED** for lack of jurisdiction over its subject matter, pursuant to Ohio Revised Code Section 124.03 *et seq.*



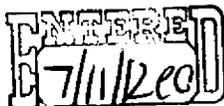
Casey - Aye
Lumpe - Aye
Tillery - Aye


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, July 11, 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**

HAROLD R. THORNTON,

Case No. 12-MIS-05-0112

Appellant

v.

June 15, 2012

CITY OF LOVELAND,

JAMES R. SPRAGUE

Appellee

Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This matter came on for consideration due to Appellant's filing of an appeal from a written reprimand he received from the City of Loveland's City Manager on or about April 26, 2012.

R.C. 124.03 *et seq.* sets forth the merit jurisdiction of this Board. The only merit jurisdiction this Board possesses over city employees involves claims that invoke this Board's whistleblower or OSHA-type protections.

Conversely, the City of Loveland Civil Service Commission would be the proper entity to entertain Appellant's concerns, if that body indeed possesses jurisdiction over written reprimands. Thus, because this Board possesses no jurisdiction over Appellant's claims, his appeal should be dismissed.

Therefore, I respectfully **RECOMMEND** that the State Personnel Board of Review **DISMISS** the instant appeal for lack of jurisdiction over its subject matter, pursuant to R.C. 124.03 *et seq.*



JAMES R. SPRAGUE

Administrative Law Judge

JRS: