

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

WANDA F. KENTY,

Appellant,

v.

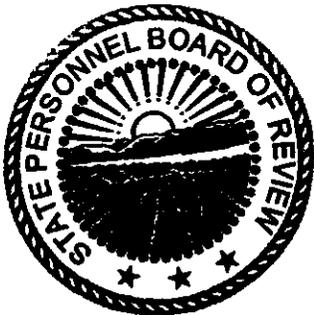
Case No. 12-SUS-04-0078

FRANKLIN COUNTY BOARD OF
DEVELOPMENTAL DISABILITIES,

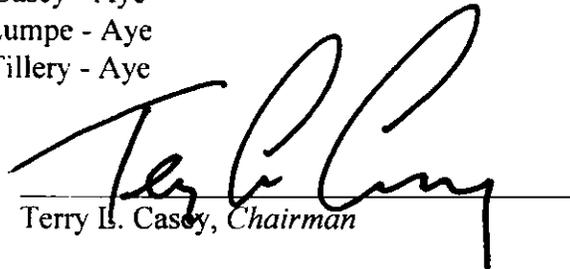
Appellee

ORDER

This matter came on for consideration on the motion of both parties that the Settlement Agreement attached hereto and incorporated herein by reference, be adopted. Being fully advised in the premises, the Board hereby orders that the attached settlement agreement be **ADOPTED**. Accordingly, the above-referenced appeal is hereby **DISMISSED**.



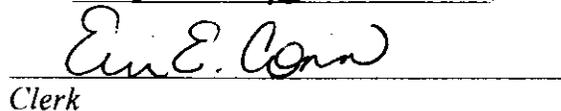
Casey - Aye
Lumpe - Aye
Tillery - Aye


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, June 18, 2012.


Erin E. Conn
Clerk

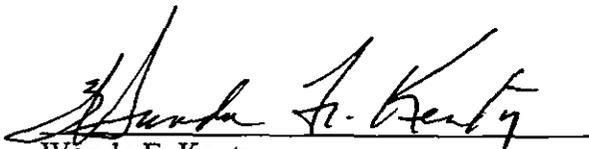
ENTERED
6/15/12

SETTLEMENT AGREEMENT

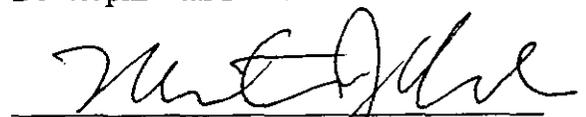
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This Agreement is entered into between Wanda F. Kenty and the Franklin County Board of Developmental Disabilities (the Board) and becomes effective upon execution by all the parties to the agreement.

1. On April 3, 2012, the Board conducted a predisciplinary conference regarding certain allegations of misconduct involving Wanda F. Kenty. Findings were made and disciplinary action in the form of a 10-day suspension was taken as a result of this conference.
2. On April 27, 2012, Wanda F. Kenty filed an appeal of this action with the State Personnel Board of Review.
3. Wanda F. Kenty and the Board enter into this agreement in full settlement of this matter.
4. The Board will cancel the suspension and reimburse Wanda F. Kenty for the lost wages resulting therefrom. For purposes of Section 7.1k of the Board's Attendance Policy, Wanda F. Kenty will be deemed as having two (2) attendance/ tardiness violations.
5. In consideration of the items addressed in section 4 of this Agreement and other good and valuable consideration provided by the Board, the receipt of which is hereby acknowledged, Wanda F. Kenty for herself and her heirs, executors, affiliates, successors and assigns, hereby forever discharges and releases the Board, its officers, directors, employees, agents, affiliates, successors and assigns, of and from any and all claims, demands, actions or causes of action, liability, damages or suits at law or equity, of whatsoever kind, nature or description, from the beginning of time to the execution of this Agreement, including, but not limited to claims of discrimination on any basis or retaliation related to such claims, including actions under the Title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, the Rehabilitation Act of 1973, the Americans with Disabilities Act, or any other State, Federal, or Local law concerning age, race, religion, national origin, handicap, or any other form of discrimination, or any other law or regulation, claims of violation or ERISA, claims of intentional and/ or negligent infliction of emotional distress, and any other claims relating to any matter or things arising out of, or in any way connected with, directly or indirectly, Wanda F. Kenty's employment with the board, and the predisciplinary conference of April 3, 2012.
6. This agreement does not represent an admission of wrongdoing by any party to the Agreement.


Wanda F. Kenty

Franklin County Board of
Developmental Disabilities


Martin J. Kerscher, Legal Counsel

Date: May 11, 2012

Date: 5/11/12

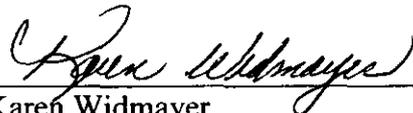
H/S/D

AFFIDAVIT OF KAREN WIDMAYER

Now comes Karen Widmayer, and being duly cautioned, states under oath as follows:

1. She is employed by the Appellee Franklin County Board of Developmental Disabilities as an Assistant Director of Transportation.
2. On April 20, 2012, she personally served Appellant Wanda F. Kenty the Order of Suspension in this matter.
3. Appellant Wanda F. Kenty served the subject 10-day suspension from April 9 through 13, 2012 and from April 23 through 27, 2012.
4. On May 11, 2012, Appellee Franklin County Board of Developmental Disabilities and Appellant Wanda F. Kenty entered into a Settlement Agreement cancelling the suspension and reimbursing Wanda F. Kenty for the lost wages resulting therefrom. A copy of same is attached hereto.

FURTHER AFFIANT SAITH NAUGHT.



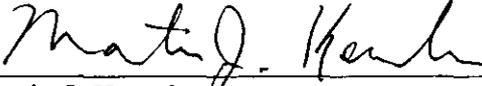
Karen Widmayer

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Franklin County, Ohio

Sworn to before me this 14th day of June, 2012

MARTIN J. KERSCHER
ATTORNEY AT LAW
NOTARY PUBLIC-STATE OF OHIO
MY COMMISSION HAS NO EXPIRATION DATE
SECTION 147.03 R.C.



Martin J. Kerscher
Notary Public, State of Ohio
My Commission Has No Expiration Date