

STATE OF OHIO  
STATE PERSONNEL BOARD OF REVIEW

Natalie Ditto,

*Appellant,*

v.

Case No. 2013-REC-02-0041

Department of Taxation, and  
Department of Administrative Services, Human Resources Division,

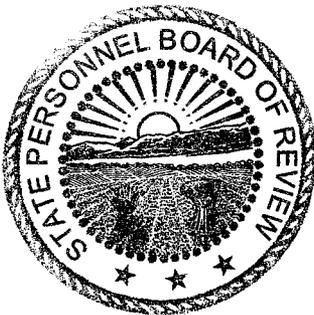
*Appellees.*

**ORDER**

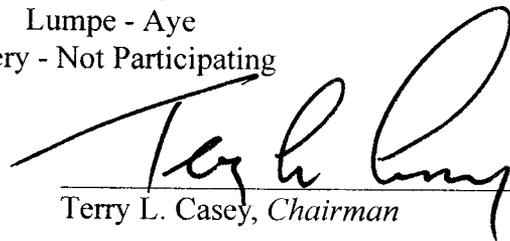
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

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 Class Plan Review Determination of the Department of Administrative Services that Appellant's position be reclassified to Program Administrator 2 is **AFFIRMED**.



Casey - Aye  
Lumpe - Aye  
Tillery - Not Participating

  
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 09, 2014.

  
Erin E. Com  
Clerk

**NOTE:** Please see the reverse side of this Order **or** the attachment to this Order for information regarding your appeal rights.

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

Natalie Ditto,

Case No. 2013-REC-02-0041

*Appellant*

v.

December 11, 2013

Department of Taxation

And

Department of Administrative Services

*Appellees*

Christopher R. Young  
*Administrative Law Judge*

**REPORT AND RECOMMENDATION**

To the Honorable State Personnel Board of Review:

This cause came to be heard at pre-hearing on March 22, 2013, and at record hearing on June 10, 2013. Present at the hearing was Appellant, Natalie Ditto, who appeared *pro se*. The Appellee, Department of Taxation was present through its designee, Nadine Sparks, a Human Capital Management Manager. The Appellee, Department of Administrative Services (DAS) was also present through its designee, Ashley Hughes, a Human Capital Management Manager. Further, the Appellants supervisor, Mr. Mark Appleggett, a Network Services Supervisor, was present.

This cause came on due to Appellant's February 5, 2013, timely filing of appeal from the reclassification of her position from Management Analyst Supervisor 1 (63215) (Pay Range 12) to Program Administrator 2 (63123) (Pay Range 12), effective with the payroll period beginning on January 13, 2013. This Class Plan Review Determination was a result of DAS's deletion of Appellant's former class of Management Analyst Supervisor 1 from the State Class Plan.

Appellant believes the Classification of Inventory Control Manager (64556) (Pay Range 15) is a better fit for the reclassification from the Management Analyst Supervisor 1's position, but the Classification of an Inventory Control Specialist Supervisor (64555) (Pay Range 11) was also reviewed in this determination.

At hearing, Appellee's waived their respective opportunities to offer oral or written opening and closing statements.

At hearing, Appellant offered a both an oral open and closing statement. The instant records were then closed.

Jurisdiction over the subject matter of these appeals was established pursuant to R.C. 124.03 and R.C. 124.14.

### **STATEMENT OF THE CASE**

The first witness to testify was Ms. Natalie Ditto. Ms. Ditto explained her current position at the Department of Taxation is a Program Administrator 2 (PA2), a position since January 4, 2013. Prior to that position she was a Management Analyst Supervisor 1 (MAS1), and she held that position since 2005. Prior to that position, she was briefly a Management Analyst 1 and a Tax Agent. When Ms. Ditto began working for the Department of Taxation in 2005, her initial supervisor was Mr. William Moore who served for approximately one to two years. Mr. Moore was followed by Mr. Frank Bovard, who was followed by Mr. Don Wilbur and finally Mr. Mark Applegett. The witness testified that Mr. Applegett is her current supervisor and has served in his position for less than one year. Ms. Ditto explained she worked together with Mr. Applegett quite frequently before he became supervisor, and he is knowledgeable of her duties. The witness stated that Mr. Applegett currently supervises five individuals, including Ms. Ditto.

Ms. Ditto then explained she supervises two individuals within the organization, Mr. John Anthony and Mr. William Stewart, an Infrastructure Specialist 2 and an Information Technologist 3, respectively. As a supervisor, the witness stated she completes performance evaluations, approves leave documentation when appropriate, recommends discipline and provides training. However, Ms. Ditto testified she does not act on the behalf of her supervisor, Mr. Applegett when he is not present.

Ms. Ditto then testified that she is in the Information Services Division, working in the Customer Service Section. The specific unit she works in and supervises is the Asset Management Unit. The overall function of her section is that she is

responsible for managing the IT assets throughout the Department. The witness testified that her section is responsible for purchases of various computers, printers, monitors, and LAN computers. Ms. Ditto then stated she solicits vendors in relation to these purchases. Ms. Ditto receives the quotes from the vendors and makes a selection, which is then approved by her supervisor Mr. Applegett. Once the approval has been cleared, she is responsible for receiving the assets and ensuring they are given an ETS (state wide auditing system) tag. Once the item has been cataloged it is usually placed into the department's warehouse, unless it is needed immediately.

Ms. Ditto then explained requests for the assets are usually received through an incident request, a service request or from a project related request. The requests usually come directly to the Asset Management Unit, which she oversees. Once the request is received another employee who works in the warehouse will issue the equipment and begin imaging and preparing the computer. Ms. Ditto oversees the individual(s) preparing the computer, but does not prepare the computer herself.

Ms. Ditto explained roughly 1,100 employees work for the Department of Taxation, wherein she receives daily requests for computers, and mass requests every three to five years because of the three year refresh period.

Ms. Ditto was then questioned about the duties listed on Joint Exhibit 1 and whether she performed those duties before, during, or after the survey was presented. She stated she performed the duties listed in the Asset Lifecycle Management Processes (Purchase Requests, Receiving, Creating, Assigning, Tracking, Updating, Retiring and Disposing) in her job. Ms. Ditto then explained that in 2005 when she started in the Asset Management Unit she helped build the unit from ground zero into a team effort.

Ms. Ditto then explained the Asset Management Policies and Procedures that she performed during her job. Ms. Ditto explained she helped author asset related workflows in a team effort. Ms. Ditto further stated the Asset Management Policies and Procedures listed in Joint Exhibit 1 were mainly performed in a team effort. Ms. Ditto then explained the Symantec Asset Solution was the computer program utilized by her unit. The witness stated that she managed warranty contracts for desktops, monitors, printers, laptops and LAN printers, as well. She also oversees the maintenance contracts for laptops and LAN printers with expired warranties.

Ms. Ditto also manages returns to manufacturers (RMA) processes for equipment that needs to be repaired or replaced. She also assists in establishing, implementing, monitoring and educating the enterprise on the 30/45/60 day no network activity process. Ms. Ditto testified that she also plans, schedules and performs weekly and annual physical inventory audits of in stock and active assets throughout the enterprise for maintaining accurate inventory, including communication and interaction with all business units. The witness explained she also establishes and evaluates minimum stock levels for the IT warehouse, provides guidance, mentoring and training during implementation of redesigned warehouse procedures designed to streamline processes, all while analyzing hardware and software alternatives.

Ms. Ditto then testified to the Asset Management Reporting descriptions identified in Joint Exhibit 1. Ms. Ditto stated she authors reports in order to specifically write reports in relation to specific needs not easily generated by in house programs. She also wrote customer reports that were used by Senior Managers, IT Managers, technicians, business units and end users.

Ms. Ditto then explained the Asset Management Request Fulfillment aspect of her duties encompassed request response to various situations.

The Asset Lifecycle Management Tools aspect of the job description was mainly tracking the individual computers, printers, etc.

Ms. Ditto then explained that 10 percent of her duties as a project manager were not frequently utilized, approximately once every few weeks or whenever a special project would occur, to ensure the successful completion of a project and budget, on schedule and within scope.

Ms. Ditto then explained 50 percent of her duties as IT Supervisor, as listed on Joint Exhibit 1 on page 5 of 6. As a supervisor, the witness testified she oversaw a unit of four (4) IT resources to help accomplish the hardware and software needs of the department, including, but not limited to asset lifecycle management, desktop imaging, workstation deployment, managing request fulfillment process (RFP), software license management, software/hardware warranty and maintenance contracts. Ms. Ditto further stated she participates in annual long term planning meetings where she gets input from her staff.

Ms. Ditto was then questioned about the position of Program Administrator 2, which she identified in Joint Exhibit 2. Upon questioning about the duties regarding the same, Ms. Ditto explained she does not represent the administrator in the administrator's absence. She also stated she does not interview, hire or counsel employees. However, Ms. Ditto did state that she does formulate and implement some asset management policy and does supervise an assigned staff, along with analyzing and evaluating programs, while providing technical advice to aid administrators in decision making through her supervision of her specific unit.

Ms. Ditto then explained she does not develop and coordinate public relations programs, but that she does research and respond to inquiries and complaints. She also stated she does not explain programs to the public and the media, does not write position papers and reports and does not make speeches and lectures.

Next, Ms. Ditto explained that she does not manage the business function of the administration's office, but she does prepare and administer the budget. The witness stated she also does not establish and oversee maintenance of fiscal controls, authorize expenditures or implement recruitment. However, Ms. Ditto stated she does administer special programs and projects.

Ms. Ditto was then questioned about the class concept of the Program Administrator's position or occupation is to provide program direction by relieving superior of administrative duties. The Administrative Law Judge asked Ms. Ditto if outside of formulating and implementing policy she felt the description provided accurately stated her duties. Ms. Ditto testified she felt the description was more of a secretarial description, and that based on the information provided it is not an accurate description of the duties she performs.

Ms. Ditto was then questioned about the Inventory Control Classification Series. Ms. Ditto felt the job duties described for an Inventory Control Manager accurately stated the duties she performs. She stated she directed and managed the activities of a procurement section involved in allocation of inventory on statewide basis, oversees development and maintenance of computerized inventory control systems, sometimes reviews and analyzes current policies and or new policy proposals and recommends and or implements revisions while supervising assigned staff. Ms. Ditto stated she also oversees staff in directing inventory control including purchasing and distribution of merchandise (IT related items) to warehouse and outlets. However, Ms. Ditto stated she does not insure scheduled

deliveries of merchandise are completed within state guidelines. Also, Ms. Ditto stated she does prepare statistical reports for distribution of both in-house and to other interested parties, in the performance of her job.

Ms. Ditto then stated she does review, refine and recommend actions pertaining to inventory control and merchandising proposals and implements changes, but she does not serve on a committee. While she does not specifically serve on a committee, the witness stated she does serve on a Symantec user group.

Ms. Ditto was then questioned about the Inventory Control Specialist Supervisor position. The witness stated she analyzes current operations and systems for inventory control and handles disposal of surplus property for central office supply or state agency in accordance with agency policy and procedures, state statutes and or federal regulations governing inventory control, salvage and surplus disposal. Ms. Ditto testified that she also develops, implements and enforces new and or improved systems including cost and documentation of development, develops and maintains computerized system for inventory control, surplus property control and issuance of supplies and equipment, along with supervises assigned staff.

Next, Ms. Ditto explained that within one agency, the Department of Taxation, she directs inventory control including purchases, distribution and accounting aspects while evaluating those results. Ms. Ditto explained that she also directs the maintenance and operation of warehouse facilities for receipt, storage and disposition or disposal of surplus property. She also explained she oversees the operations of central office supply in procurement storage.

Lastly, Ms. Ditto explained she coordinates activities between and/or with central and field offices, warehouses and delivery companies to achieve distribution goals. Ms. Ditto stated that she does serve as a liaison with various vendors and other state customers, but not with commercial and state printers. Ms. Ditto also explained she handles special projects, as assigned.

Ms. Ditto then stated that the position of Information Technology Supervisor might be a proper position to take into consideration.

Upon direct questioning, Ms. Ditto explained she reports to work each day and completes the day's task without initial guidance from her direct supervisor. She explained the most important thing she performs is directing/overseeing the asset management team and ensuring the incidents and inventory is handled efficiently and effectively.

The Appellee, DAS, asked Ms. Ditto if she supervised any Inventory Control Specialists, to which she explained she does not supervise an individual in that position.

Ms. Ditto then submitted Appellant's Exhibit 3 and identified the positions that directly report to her; an Infrastructure Specialist 2 and an Information Technologist 3, as well as a current vacant position of Information Technology Consultant 1, who was Ms. Ditto's counterpart at the agency. Ms. Ditto explained that the position of Information Technology Consultant 1 was originally filled by the individual who handled software matters for the unit. Ms. Ditto handled hardware, but has recently absorbed these duties, as the position is currently vacant.

The Appellee's representative from the Department of Taxation, Ms. Sparks then questioned the percentage of time Ms. Ditto spent on certain duties in Appellant's Exhibit 3. Ms. Sparks asked who was currently performing the duties of the vacant position, and how much time was being spent on those duties. Ms. Ditto explained nothing was being done in relation to the software matters, but Ms. Ditto was working on the CSR request fulfillment. Ms. Ditto explained she does handle some customer service when a supervisor is not present.

The next witness to testify was Mr. Mark Applegett. Mr. Applegett explained that he is currently classified as a Network Services Supervisor. Initially, the witness testified he held the title before he actually had the duties of the current position. Recently the organization has undergone reorganization, and prior to that he had the same title, but different responsibilities. Previously, the witness explained he handled the help desk, but now he handles the Symantec management desk, wherein he has been Ms. Ditto's supervisor since September 2012. Further, the witness stated that while he has held the position of Network Services Supervisor for at least five years, he knew what Ms. Ditto's duties were since he worked at the help desk because they were in the same unit.

Mr. Applegett stated Ms. Ditto's testimony sounded very accurate, but disagreed with a few minor points. The witness explained that the unit does purchase items, but not in a request for proposal format. The office receives quotes and purchases equipment, but does not go out on the street. The Unit purchases items from commercial dealers, not retail stores. The request for proposal aspect of the job has not been utilized recently; as most of this was done when Ms. Ditto's previous supervisor, Mr. Don Wilbur, was overseeing the Section.

Mr. Applegett was then questioned by Ms. Ditto, asking if all the staff in the customer service section had information technology titles, which he answered in the affirmative. Ms. Ditto asked Mr. Applegett if she performed any administrative or secretarial duties for the staff, which he answered in the negative. Mr. Applegett then stated he would likely ask for a technical classification to fill Ms. Ditto's current position, if she vacated her position.

The final witness to testify was Ms. Ashley Hughes. Ms. Hughes explained she is currently classified as a Human Capital Management Manager, and has held that position since March of 2012, although she has been with DAS for several years. Ms. Hughes explained she was aware of the survey performed with regards to the elimination of the MAS 1 and MAS 2 positions. Ms. Hughes did not perform an audit on the Appellants position, but did respond to the questionnaire she received back from the Appellant. After review of the Appellant's response, it was her agencies rationale that Ms. Ditto be placed into a PA2 classification. Based on what Ms. Ditto provided in the questionnaire, DAS believed asset management was a program within the Department of Taxation, while Ms. Ditto managed the Asset Unit along with formulating and implementing policy, attributing to why she should be classified as a PA2. Given the duties the Appellant performs, DAS believed her "best fit" position was a PA2 classification.

Ms. Hughes was then questioned if the Program Administrator series was more technical or business based. Ms. Hughes explained it does not matter what the class series is based upon. The historical background of Program Administrator shows that the series previous title was Administrative Assistant, and the position was misused as a clerical position. Because the series was misused earlier, it was relabeled as Program Administrator in order to avoid more problems. Ms. Hughes further stated after reviewing Ms. Ditto's documentation that DAS didn't believe what Ms. Ditto performed was technical in nature. Because Ms. Ditto worked more with

asset management and less with technical activities, DAS believed her best fit was PA2.

Ms. Hughes further stated that the position of Inventory Control Manager did not fit Ms. Ditto based on 123:01-7-15 because she did not supervise staff for 20 percent of the time during that position. Within the Inventory Control Manager series it states you must supervise an Inventory Control Specialist Supervisor for at least 20 percent of the time, the evidence revealed that the Appellant did not do this. The i.e. provision provided in the job duties in order of importance statement must be satisfied by the employee in order to be classified within that specification. Because Ms. Ditto does not supervise that position she could not be placed into that series. Based on the breadth of Ms. Ditto's position, DAS believed Ms. Ditto should be placed into the PA2 class series.

Ms. Ditto then questioned Ms. Hughes on the overall goal of DAS for reclassifying the MAS position. Ms. Hughes explained the goal was to delete the MAS series because the position was widely misused throughout the state.

On closing statement Ms. Ditto stated that if she is not reclassified as an Inventory Control manager, she believes she could also be properly placed into the position of Inventory Control Specialist Supervisor.

## **FINDINGS OF FACT**

There was no real discrepancy between the Appellants characterization of the duties she performed and those of the testimony of her direct supervisor, Mr. Mark Appleggett, the Network Services Supervisor for the Department of Taxation. Mr. Appleggett explained the RFP process was somewhat different then what Ms. Ditto described, but this did not appear to substantially alter the actual duties she has performed. Therefore, I find as a matter of fact, the Appellant performed the duties about which she testified.

## CONCLUSIONS OF LAW

This Board is required to perform several functions when determining the most appropriate classification for an Appellant coming before it. The Board must always review relevant classification specifications to determine which classification best describes the Appellants actual job duties for the pertinent period of time. *Ford v. Ohio Department of Natural Resources* (1990), 67 Ohio App. 3d 755. In making this determination, the Board considers the classification specification and the job duties outlined therein, as well as the percentages of time the Appellant devotes to each group of job duties. *Klug v. Ohio Department of Administrative Services* (May 19, 1988), Franklin Co. 87AP-306, unreported, 1988 WL54277.

As a general rule, the Appellant seeking a reclassification to a higher position must demonstrate that his or her respective job duties substantially satisfy those of the higher classification. *Mounts v. Ohio Department of Administrative Services* (1984), 17 Ohio App. 3d 125; *Deist v. Kent State University* (May 23, 1987), Franklin Co. 87AP-28, unreported.

This Board must consider the relation between the classification specifications at hand and the testimony presented and evidence admitted. This Boards Consideration, however, is not limited solely to the duties contained in the classification specifications, but may also embrace other relevant facts submitted by the effected parties. *Gordon v. Ohio Department of Administrative Services* (March 31, 1988), Franklin Co. 88AP-0122, unreported, 1988 WL37098

As previously mentioned, The Appellant, Ms. Natalie Ditto stated that although she is presently classified as a Program Administrator 2, she is seeking to be reclassified to the position of Inventory Control Manager and/or Inventory Control Specialist Supervisor as stated at the record hearing. However, as was noted by the undersigned Ohio Department of Administrative Services designee, Ms. Ashley Hughes, a Human Capital Management Manager, the Appellant was properly classified as a Program Administrator 2. After a thorough review of the above mentioned classification specification, it is my recommendation that the Appellant was properly classified as a Program Administrator 2. Based on the findings set forth, above, and for the reasons set forth, below, we must answer that Appellant's position appears to have been properly re-classified to Program Administrator 2

(Pay Range 12). Accordingly, this Board should affirm DAS's instant Class Plan Review Determination.

As an alternative to the Inventory Control Manager classification specification, the Appellant has suggested the Inventory Control Specialist Supervisor classification specification.

The Series Purpose Language for the Inventory Control series reads, "The purpose of the inventory control occupation is to receive, inspect, record & distribute materials, supplies, equipment, furniture & vehicles & maintain accurate records of all inventoried items for assigned agency. At the lower levels, incumbents maintain inventory records of all incoming & outgoing merchandise. At the middle level, incumbents develop, implement & enforce new &/or improved inventory control & salvage & surplus disposal systems & supervise staff. At the fourth level, incumbents direct development, implementation & enforcement of new &/or improved inventory control systems.

The duties actually performed by the Appellant do appear to be in line with the Inventory Control class series, but they do not amount to the level required by the specific Inventory Control Manager classification. Under the job duties in order of importance for the above noted classification specification, the first duty states "Directs & manages activities of procurement section involved in allocation of inventory on a statewide basis. The Appellant does direct and manage inventory, but not on a statewide basis. The breadth of Appellants inventory management is limited to the Asset Management Unit. As DAS previously noted, Appellants inventory duties do not encompass the entire state, but only a unit within the Department of Taxation. Additionally, DAS accurately stated that in order to be classified as an Inventory Control Manager the employee must supervise an Inventory Control Specialist Supervisor or Support Personnel for at least 20 percent of the time. The Appellant does supervise two employees, an Infrastructure Specialist 2 and an Information Technologist 3, but neither of these employees is the classification required by the Inventory Control Manager's position. The Appellant does not supervise an Inventory Control Specialist Supervisor at all, further showing that the classification of Inventory Control Manager is not the "best fit".

Appellant further stated that the position of Inventory Control Specialist Supervisor would be a "better fit" based on her specific duties. After review of the

classification specification of the above noted position, it is determined that the Appellants duties amount to more than what is required for the Inventory Control Specialist Supervisor position. Looking at the duties in order of importance, the Appellant certainly analyzes current operations & system for inventory control for the Asset Management Unit, but on a much larger scale. The Appellants duties do match those outlined by the Inventory Control Specialist Supervisor position, but reclassifying her within this position would be a downgrade from her current position of PA2 and her previous position of MAS1.

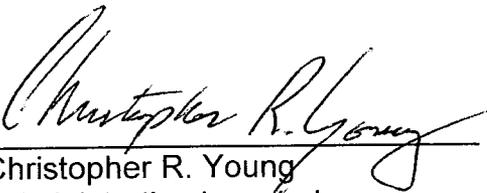
Based on the DAS reclassification process and based on the duties actually performed by the Appellant, she should not be reclassified as an Inventory Control Manager or an Inventory Control Specialist Supervisor.

After reviewing Ms. Ditto's testimony with regard to her job tasks and/or responsibilities it became apparent when reviewing the classification specification of Program Administrator 2 position, it served as the most appropriate or "best fit" for the Appellant. When reviewing the Series Purpose of the Program Administrator series, at the second level, incumbents relieve superior of variety of difficult administrative duties and formulates and implements program policy or does all the proceeding and supervises assigned staff. The evidence was clear that the Appellant relieved her superior of variety of difficult administrative duties while formulating and implementing program policy, along with supervising staff in the performance of her job. The administrative duties Appellant performed were those in creating, tracking, managing and maintaining an up-to-date picture of all the IT assets across the entire enterprise. Additionally, under the first and second job duties in order of importance of the above noted classification specification, the first is to act for administrator (e.g., responds to programmatic issues/needs of staff; leads/monitors task forces; plans, writes & implements departmental goals), and the second is to act as a liaison between the administrator & subordinates. The evidence at the hearing revealed that these duties are what the Appellant performed for the most part, thus the classification specification of a Program Administrator was an appropriate classification for the Appellant.

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### RECOMMENDATION

Therefore, I respectfully **RECOMMEND** that the State Personnel Board of Review **AFFIRM** the **CLASS PLAN REVIEW DETERMINATION** of the Department of Administrative Services that Appellant's position be re-classified to Program Administrator 2.

  
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Christopher R. Young  
Administrative Law Judge

CRY: