

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

Michael Shapiro,

Appellant,

v.

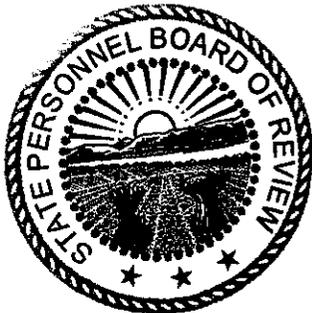
Case No. 2013-REC-11-0328

Department of Job & Family Services, and
Department of Administrative Services, Human Resources Division,

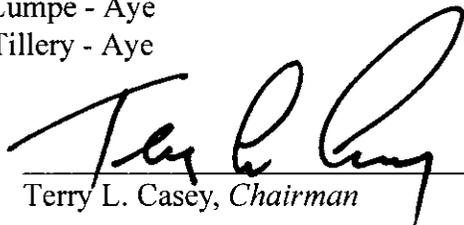
Appellees,

ORDER

This matter came on for consideration on the motion of Appellant that the Withdrawal attached hereto be adopted. Being fully advised in the premises, the Board hereby orders that the attached withdrawal, incorporated herein by reference and made a part of the case file in this appeal, 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 12, 2014.



Clerk

Gunn, Jeannette

From: MICHAEL SHAPIRO [Michael.Shapiro@jfs.ohio.gov]
Sent: Friday, June 06, 2014 12:50 PM
To: Gunn, Jeannette
Cc: NANCY JANCSO-KOCAREK; Moss, Nicole; ROBERT KENNEDY
Subject: Withdrawal of MAS Reclassification Appeal - Shapiro

Your Honor:

I respectfully request to withdraw my reclassification appeal. I did want to be sure to thank you. Your kindness and friendly mannerisms at the preliminary hearing made a very uncomfortable process much more pleasant. While I am sure you would decide my case in accordance with the law based on the evidence presented by both sides, I had to weigh the cost and benefit to me of pursuing this appeal to hearing. While the psychological impact of my reclassification is great, the actual impact to me is negligible. Also, I have been applying for other positions, and expect that my education, experience, and skills will allow me to progress into a higher management position than I formerly held.

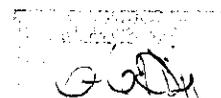
I have responded to all requests made of me for information, and made sincere attempts to settle this case without going to hearing. I fully accept that the HR and DAS professionals know more about Job classifications than me, and if I had chosen to follow this through to hearing, I would be basing my arguments almost completely on the professional recommendation of Nancy Jancso-Kocarek CCP that states UC Examiner Specialist 2 classification "DOES NOT cover Mr. Shapiro's duties", and her recommendation that I be classified as "Unemployment Compensation Administrator 1 (after DAS approves update to specification)". The update she refers to by her statement is eliminating the supervisory requirement currently attached to the UC Admin 1 position. Nancy's CCP designation distinguishes her as an expert in the area of position classification, so she is exceptionally well qualified to make classification recommendations. I am thankful to Nancy for her time, and was really pleased when I found her recommendation to reclassify my position to UC Admin 1 (which would have actually been a promotion for me). While her recommendation was not echoed by DAS, I am OK with agreeing to disagree, accepting what has occurred, being the best UC Examiner Specialist 2 that I can be for now, and moving on with other opportunities that I am sure will come.

Attorney Nicole Moss has also been very kind in her willingness to explain the appeal process, and forward my settlement requests. None of my attempts were accepted resulting in a settlement, but Nicole was an absolute pleasure to work with at every turn.

I am aware that if I did wish to pursue this my only next step would be to follow through with a formal hearing on 6/17/14, I have concluded that it is in the best interest of me and my family to withdraw my appeal. I am in the process of selling my home, purchasing a new one, and taking on additional responsibilities here at work. I really don't wish to explain my position once again. HR and DAS have received this information from me in detail on multiple occasions. Again, they are the professionals and I accept that they know more than I do about classifying jobs. If they can see things more favorably for me, great! However I do not wish to present my case at hearing.

I realize that this message contains some case specific information, but since I am withdrawing my appeal effective today I thought it would be acceptable to include this so you can have a good understanding of what led me to appeal in the first place, and why I have made the personal choice not to follow this appeal through to hearing. I probably should be clear that my withdrawal is not in any way an admission that I am wrong. However, I just want to have a nice Summer and I hope you all do too. So, please accept this e-mail as my formal request to withdraw my appeal.

Thank You,



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