

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

Stephen Beckley,

Appellant,

v.

Case No. 2015-REC-07-0115

Department of Medicaid,
and
Department of Administrative Services,

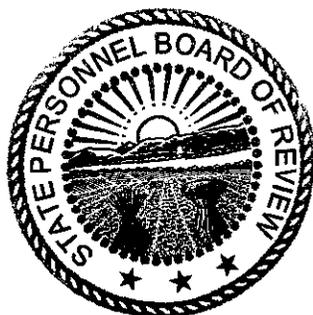
Appellees,

ORDER

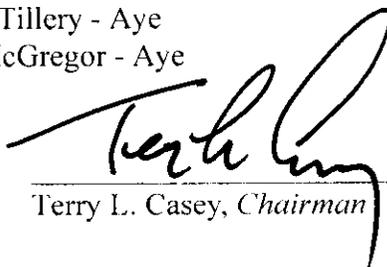
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

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 Ohio Department of Administrative Services' determination that Appellant's position is properly classified as Accountant/Examiner Supervisor I, classification number 66115, is **AFFIRMED**, pursuant to O.R.C. §§ 124.03 and 124.14.



Casey - Aye
Tillery - Aye
McGregor - Aye

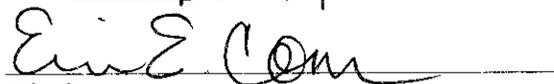


Terry L. Casey, *Chairman*

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, October 31, 2016.



Clerk

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

NOTICE

Where applicable, this Order may be appealed under the provisions of Chapters 124 and 119 of Ohio Revised Code. An original written Notice of Appeal or a copy of your Notice of Appeal setting forth the Order appealed from and the grounds of appeal must be filed with this Board fifteen (15) days after the mailing of this Notice. Additionally, an original written Notice of Appeal or a copy of your Notice of Appeal must be filed with the appropriate court within fifteen (15) days after the mailing of this Notice. At the time of filing the Notice of Appeal or copy of your Notice of Appeal with this Board, the party appealing must provide a security deposit to the Board. In accordance with administrative rule 124-15-08 of the Ohio Administrative Code, the amount of deposit is based on the length of the digital recording of your hearing and the costs incurred by the Board in certifying your case to court. The length of the digital recording, the costs incurred, the corresponding amount of deposit required, and the final date that the Notice of Appeal or copy of your Notice of Appeal and the Deposit will be accepted by this Board are listed at the bottom of this Notice. If a full or partial transcript of the digital recording has been prepared prior to the filing of an appeal, the costs of a copy of that certified transcript will be accepted by this Board; transcript costs will be listed at the bottom of this Notice.

IF YOU ELECT TO APPEAL THIS BOARD'S FINAL ORDER, THEN YOU MUST PROVIDE THE DEPOSIT LISTED BELOW AT THE TIME YOU FILE YOUR NOTICE OF APPEAL OR COPY OF YOUR NOTICE OF APPEAL WITH THIS BOARD. Please note that the law provides that you have fifteen (15) calendar days from the mailing of the final Board Order to file your Notice of Appeal or copy of your Notice of Appeal both with this Board and with the Court of Common Pleas. The fifteenth day is the date that appears at the bottom of this Notice.

METHOD OF PAYMENT: for all entities other than State agencies, payment of the deposit must be by money order, certified check, or cashier's check. State agencies are required to use the Intra-State Transfer Voucher (ISTV) system (OBM Form 7205), which must be processed prior to the filing of an appeal. To initiate an ISTV, State agencies may call the State Personnel Board of Review Fiscal Office at 614/466-7046.

IF YOU MAINTAIN YOU CANNOT AFFORD TO PAY THE DEPOSIT LISTED BELOW, THEN YOU MUST COMPLETE THE BOARD'S "AFFIDAVIT OF INDIGENCE" FORM. YOU CAN OBTAIN THAT FORM BY CALLING 614/466-7046. THE COMPLETED AFFIDAVIT MUST BE RECEIVED BY THIS BOARD ON OR BEFORE November 7, 2016. You will be notified in writing of the Board's determination. If the Board determines you are indigent, you will be relieved of the responsibility to pay the deposit to the Board. However, if the Board determines you are NOT indigent, then YOU MUST FILE YOUR NOTICE OF APPEAL OR A COPY OF YOUR NOTICE OF APPEAL AND PAY THE DEPOSIT BY THE DATE LISTED BELOW.

If you have any questions regarding this notice, please contact the Board at 614/466-7046.

Case Number: 2015-REC-07-0115

Transcript Costs: \$81.00 Administrative Costs: \$25.00

Total Deposit Required: * \$106.00

Notice of Appeal and Deposit Must
Be Received by SPBR on or Before: November 15, 2016

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

Stephen Beckley,

Case No. 2015-REC-07-0115

Appellant,

v.

September 15, 2016

Ohio Department of Medicaid,
and
Department of Administrative Services,

Appellees

Elaine K. Stevenson
Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This cause came on for consideration due to Appellant Stephen Beckley's ("Appellant") timely filing of a notice of appeal from the reclassification of his position with Appellee, the Ohio Department of Medicaid ("ODM"). In July 2015, the Ohio Department of Administrative Services ("ODAS") reclassified Appellant's position as Accountant/Examiner Supervisor 1, pursuant to the results of a comprehensive review of the state's fiscal classifications. The State Personnel Board of Review ("Board") has jurisdiction to hear Appellant's appeal pursuant to Ohio Revised Code (O.R.C.) §§ 124.03(A) and 124.14(D).

A record hearing was held on May 10, 2016, during which, testimonial and documentary evidence was presented. Appellant was present at record hearing and appeared *pro se*. Appellee, ODM, was present through its designee Heather Sullivan, Deputy Legal Counsel. Appellee, ODAS, was present through its designee Jeffrey Hazelton, Human Capital Management Senior Analyst in the Office of Talent Management. Also present was Appellant's immediate supervisor, Financial Manager Robin Ferguson.

FINDINGS OF FACT

Based upon a thorough review of the record evidence as a whole, and where relevant, credibility determinations of witness' testimony, I make the following Findings of Fact:

1. Appellant is employed by Appellee, ODM. Prior to 2015, Appellant's position was classified as Fiscal Officer 2.
2. In 2013, ODAS conducted a review of the state's fiscal and procurement job classifications (Fiscal Classification Project). The following three areas were reviewed: Accounting, Budget, and Sourcing (also known as Procurement). The review resulted in changes to the state's Class Plan.
3. In July 2015, Appellant's position was reclassified to Accountant/Examiner Supervisor 1 based upon the results of ODAS' fiscal classification review. Appellant filed an appeal of the reclassification of his position.
4. Appellant is assigned to the Payment Unit in the Accounting and Reporting Services Section of ODM's Office of Fiscal Services. Appellant's direct supervisor is Financial Manager Robin Ferguson.
5. Ms. Ferguson oversees the Encumbrance/Records Unit, the Payment Unit, and the Sister State Agency Reimbursement/Monitoring Unit. Ms. Ferguson plans, directs, and manages these three units. Ms. Ferguson reports to Senior Financial Manager James Travis Moore, who reports to the Deputy Director of Accounting and Reporting Services.
6. Appellant supervises two Accountant/Examiner 3s who review vouchers for payment and accuracy. Appellant assigns and reviews work, establishes goals and performance standards, approves leave, completes performance evaluations, provides training, and initiates discipline. Appellant spends approximately twenty percent of his work time performing these job duties.
7. Appellant's most important and time consuming job duty is to ensure that the weekly Medicaid Payment file is coded correctly and successfully transferred to the Ohio Administrative Knowledge System (OAKS) for processing and approval for payment. Appellant monitors for corrections to any voucher errors. This file is a weekly file that pays approximately 14,000 vouchers per week. Appellant oversees the matching of supporting documentations and ensures timely and accurate processing of authorized payment requests. Appellant manages subsidy payment processing activities and payment into OAKS, including Electronic Data Interchange (EDI) and Pay-Card (P-Card) payments for seven P-Cards. Appellant spends approximately forty to fifty percent of his work time performing these job duties.
8. As the P-Card administrator, Appellant monitors P-Card guidelines, maintains accountability by reviewing several daily reports to identify any voucher errors, unpaid vouchers, old vouchers, and pending P-Card transactions. Appellant

reviews reports and addresses any issues with content. If he is unable to remedy an issue, Appellant contacts the appropriate administrator. Appellant maintains the P-Card journal voucher and ensures coding is done properly. Appellant spends approximately ten to fifteen percent of his work time performing these job duties.

9. Appellant serves as the custodian of ODM's Petty Cash. Appellant directs and monitors the petty cash fund and prepares, maintains, and oversees financial reports for petty cash reconciliations. Appellant prepares a quarterly report for ODM staff regarding the petty cash fund. In this role, Appellant prepares correspondence to various levels of ODM staff to ensure the correct amount of funding is available for payments. Appellant spends approximately ten to fifteen percent of his work time performing these job duties.
10. Appellant follows established program policies regarding the Medicaid Payment file and subsidy payment processing activities and payment into OAKS. Appellant has developed processes with regard to the Payment Unit's functions. Appellant created desk procedures involving Interface payments and Petty Cash. Appellant does not draft or write policies for ODM.

CONCLUSIONS OF LAW

O.R.C. § 124.03(A) empowers this Board to hear appeals of employees in the classified state service from final decisions of appointing authorities or the director of administrative services relative to, *inter alia*, the reclassification of an employee's position, with or without a job audit under O.R.C. § 124.14(D). After the Board conducts a hearing in a reclassification appeal, the Board is to consider anew the reclassification and may order the reclassification of an employee's position to such appropriate classification as the facts and evidence warrant. (See O.R.C. § 124.14(D)(2))

The primary criteria for the Board to consider when determining the most proper classification for a position are the relevant classification specifications, including the class concepts, the job duties outlined, and the percentages of time devoted to each job duty. The Board's decision must be consistent with the applicable classification specifications. *Klug v. Dept. of Admin. Services*, No. 87AP-306, slip op. (Ohio Ct. App. 10th Dist., May 19, 1988). See also, *Ohio Dept. of Mental Retardation & Dev. Disability v. Ohio Dept. of Adm. Serv.* (1988), 44 Ohio App.3d 144.

Ohio Administrative Code Rule 123:1-7-15 provides the class concept shall set forth the mandatory duties which must be satisfied at least twenty percent of the time, unless otherwise stated in the class concept.

In this case, Appellant's position was reclassified pursuant to ODAS' Fiscal Classification Project. ODAS reviewed Appellant's job duties and determined that

Appellant's position is most appropriately classified as Accountant/Examiner Supervisor 1. Appellant asserts that the Accountant/Examiner Supervisor 1 classification is not an accurate description of his job duties when compared to his previous classification of Fiscal Officer 2. Since the Fiscal Officer classification series was deleted from the state's Classification Plan pursuant to the ODAS Classification Project, the Fiscal Officer 2 is no longer a valid classification specification. Upon further review of the state's classification specifications, the classifications of Accountant/Examiner Supervisor 1, Accountant/Examiner Supervisor 2, Financial Associate Supervisor, and Financial Analyst Supervisor were examined in this case.

The purpose of the Accountant/Examiner occupation is to review various transactions for given accounts, external audits, or program information to determine accuracy, completeness, compliance and/or need for further processing relative to billings, federal or third-party reimbursements, collection of fees or payments, payment of claims, bills and/or invoices, issuance of permits, licenses or registrations, or processing of contract estimates. At the lower three levels, incumbents review and process various transactions for given accounts, external audits, or program information. At the higher levels, incumbents act as lead worker, unit/section supervisor, or overall program administrator.

The class concept for the Accountant/Examiner Supervisor 1 classification states as follows:

The first supervisory level class works under general direction & requires thorough knowledge of accounting & state &/or federal guidelines applicable to documents processed, reviewed, &/or prepared in order to supervise accountant/examiners &/or deputy registrar field representatives or comparable financial positions assigned to one unit/section.

The class concept for the Accountant/Examiner Supervisor 2 classification states, in pertinent part, as follows:

The second level supervisory level class works under general direction & requires thorough knowledge of accounting & state &/or federal guidelines applicable to documents processed, reviewed &/or prepared in order to plan & administer agency's overall program for reimbursement, collections, motor vehicle licensing, loan service or audit & reimbursement or other like program activity & supervise examiners &/or other accounting/bookkeeping personnel or lower-level accountant/examiner supervisors...

The series purpose for the Financial Analyst occupation is to prepare, process, and/or analyze accounting records, financial statements, and/or other financial reports and data.

The class concept for the Financial Associate Supervisor classification states as follows:

The first supervisory level class works under general direction & requires thorough knowledge of accounting systems & procedures in order to supervise financial associates who perform payroll activities &/or prepare, compile, & verify statistical, financial, accounting or auditing data, reports & tables related to accounts payable & accounts receivable in assigned institution or satellite, district, regional or other field office.

The class concept for the Financial Analyst Supervisor classification states as follows:

The supervisory level class works under general direction & requires thorough knowledge of accounting systems & procedures in order to supervise financial analysts who prepare, process &/or analyze accounting records, financial statements, &/or other financial reports & data.

The record evidence demonstrates that Appellant meets the class concept of the Accountant/Examiner Supervisor 1 classification and performs a number of the illustrative duties set forth in this classification specification. Specifically, Appellant is a unit supervisor and the function of his position is to review various transactions for given accounts to determine accuracy, completeness, and compliance. Appellant spends at least twenty percent of his work time supervising the ODM Payment Unit, which consists of two Accountant/Examiner 3s who review vouchers for payment and accuracy. Appellant spends at least forty percent of his work time performing his most important and time consuming job duty, which is to ensure that ODM's weekly Medicaid Payment file is coded correctly and successfully transferred to OAKS for processing and approval for payment. Appellant also monitors data for corrections to any voucher errors. The Medicaid Payment file is a weekly file that pays approximately 14,000 vouchers per week. Appellant manages all subsidy payment processing activities and payment into OAKS. Appellant oversees the matching of supporting documentations and ensures timely and accurate processing of authorized payment requests. Appellant oversees prepares and maintains reports, records, and correspondence related to fiscal activities and operations of the Payment Unit, including EDI's and P-Card activities. Appellant acts as the agency's P-Card administrator who monitors the approximately seven P-cards assigned to specific ODM employees. Appellant also serves as the custodian of ODM's Petty Cash account.

With regard to the Accountant/Examiner Supervisor 2 classification, it is noted that the higher supervisory level in this classification series requires the incumbent employee to both plan and administer an overall agency program. Although Appellant plays an important role with respect to the weekly Medicaid Payment file, P-Card, and other fiscal activities assigned to the Payment Unit, the evidence presented is insufficient to support the conclusion that Appellant is responsible for planning and administering an overall ODM program for reimbursement, collections, motor vehicle licensing, loan service or audit and reimbursement or other like program activity. The testimonial and documentary evidence, including the table of organization, indicates that section administrators and other higher level administrators are responsible for the overall planning and administration of fiscal activities assigned to the Payment Unit.

With regard to the Financial Associate Supervisor and Financial Analyst Supervisor classifications, it is noted that the supervisory levels in this class series require the incumbent to directly supervise employees who hold positions classified as either Financial Associate in the case of the Financial Associate Supervisor, or Financial Analyst in the case of the Financial Analyst Supervisor. Appellant does not supervise Financial Associates or Financial Analysts. Therefore, since Appellant does not meet the class concept of either the Financial Associate Supervisor classification or the Financial Analyst Supervisor classification, his position may not properly be placed in either one of these classifications.

In summary, the evidence established that Appellant is a unit supervisor and the function of his position is to supervise unit employees and review various transactions for given accounts to determine accuracy, completeness, and compliance. Appellant spends at least twenty percent of his work time supervising two Account Examiner 3s who review vouchers for payment and accuracy in the ODM Payment Unit. Appellant spends at least forty percent of his work time ensuring that ODM's weekly Medicaid Payment file is coded correctly and successfully transferred in OAKS for processing and approval for payment. Appellant monitors for corrections to any voucher errors. Appellant spends the remaining work time performing other fiscal activities as noted above. All of these duties are best described by the Accountant/Examiner Supervisor 1 classification specification.

Based on the foregoing analysis, I respectfully recommend that the Ohio Department of Administrative Services' determination that Appellant's position is properly classified as Accountant/Examiner Supervisor 1, classification number 66115, be **AFFIRMED**, pursuant to O.R.C. §§ 124.03 and 124.14.


Elaine K. Stevenson
Administrative Law Judge