

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

Jill Elson,

Appellant,

v.

Case No. 2015-REC-07-0126

Department of Rehabilitation & Correction,
and
Department of Administrative Services,

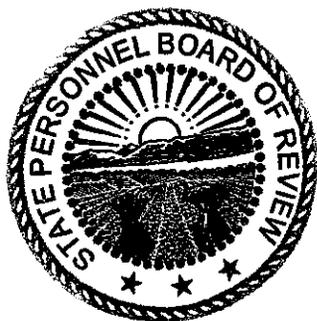
Appellees,

ORDER

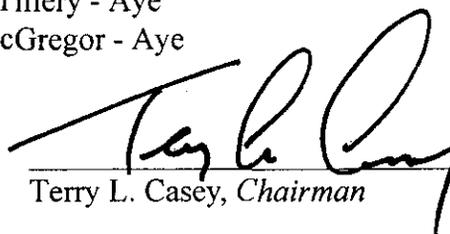
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

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 review determination of the Department of Administrative Services to reclassify Appellant's position to Financial Associate Supervisor, (66565), is **AFFIRMED**, pursuant to R.C. 124.03 and R.C. 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, July 14, 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 July 21, 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-07-0126

Transcript Costs: \$58.50 Administrative Costs: \$25.00

Total Deposit Required: * \$83.50

Notice of Appeal and Deposit Must
Be Received by SPBR on or Before: July 29, 2016

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

Jill Elson

Case No. 2015-REC-07-0126

Appellant

v.

June 16, 2016

Dept. of Rehabilitation and Correction

and

Ohio Dept. of Administrative Services

Appellee

Raymond M. Geis
Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

Appellant, Jill Elson ("Elson"), timely appeals her reclassification from Account Clerk Supervisor 2, Pay Range 10 to Financial Associate Supervisor (66565), also Pay Range 10. Elson works at the Ohio Reformatory for Women ("ORW") in Marysville, Ohio.

The record hearing occurred June 13, 2016. Elson appeared *Pro se*. Elson's Supervisor, Boniface Ogbonna ("Ogbonna"), Business Administrator ("BA") 3, appeared on behalf of the Department of Rehabilitation and Correction ("DRC") and was represented by Ami Parmi, DRC Staff Counsel. Human Capital Management Senior Analyst Renee' Norris ("Norris") appeared on behalf of the Department of Administrative Services ("DAS").

Jurisdiction is established pursuant to R.C. 124.03 and R.C. 124.14.

CONSOLIDATED STATEMENT OF THE CASE AND FINDINGS OF FACT

Elson seeks reclassification to an unspecified higher pay range. Elson was reclassified as a result of the "Fiscal Reclassification Project" which was part of a class plan review conducted by DAS in 2014-2015. Elson's effective date of reclassification was July 26, 2015.

At hearing, Elson, Ogbonna, and Norris testified.

Jill Elson, Appellant

Elson testified that she worked as an Account Clerk Supervisor 2 at ORW since 1996 before being reclassified approximately a little less than one year ago. She was asked to describe the organization of the business office:

Elson replied that she reports to BA 3 Ogonna. She went on to state that Ogonna has responsibility for what Elson refers to as the non-business office "outside administration" areas of commissary, laundry, quartermaster, and storekeeping (warehouse), in addition to his overall responsibility for the business related areas. Ogonna supervises Elson. Elson, in turn, manages the business office and cashier's office under his general direction.

Elson states she supervises two Financial Associates in each section. She therefore manages a total of four subordinates. The cashier's office section performs work in CACTUS, a software system which tracks internal funds and sales (i.e. commissary, hair care, doggy day care, et cetera).

In contrast, the business office "pays the bills" through OAKS and includes requisitions, credit card payments and all institutional purchasing including generation of purchase orders, vouchers, collections and other financials and some asset management.

In Ogonna's absence, Elson will approve requests for leave ("RFL") and find coverage in the "outside administration" areas previously mentioned. This happens infrequently. Other than this, Elson has no responsibilities in the "outside administration" areas. However, she touches all parts of the institution in the sense that she is responsible to ensure the bills are paid for the entire institution.

Elson notes "there have been lots of changes" since the coming of "OSS".¹ When questioned, Elson responded that her PD is accurate except for her "fill in" role when Ogonna is absent. She also commented that she has no role in creating the budget but she does watch the internal funds balances. Elson made clear she never regarded herself as Ogonna's assistant, but she does ensure coverage and supervises the outside administrative areas when Ogonna is absent.

¹ Elson's reference to OSS is presumed to mean to the State of Ohio Office of Shared Services. I take administrative notice that the, "Ohio Shared Services, a division of the Ohio Office of Budget and Management, is a business processing center that processes common administrative transactions for state agencies and business suppliers, with an emphasis on efficiency and customer service." <http://ohiosharedservices.ohio.gov/> (June 15, 2016).

The first managerial level class works under general direction & requires considerable knowledge of accounting & business in order to **act as assistant** to business administrator 2 or 3 or institution deputy superintendent (i.e., only one assistant per agency/institution &/or in community) **in overall management of business office** or plan direct & coordinate all fiscal & support functions for clubhouse & in either case, supervise business office &/or support services employees. (emphasis added)

The record establishes that Elson has not been designated as the Assistant Business Administrator. The testimony of Elson and Ogbonna agree that Elson fills in for Ogbonna about once per year when he is out on vacation, and occasionally every few months if he takes a day off.

This extra duty is limited to approving requests for leave, and finding coverage for absences in the "outside administrative" areas such as commissary, storekeeping, quartermaster and laundry. These are outside of Elson's usual area and not strictly related to traditional business office functions. Therefore, Elson does not assist in overall management of the business office, defined as all of the areas coming under the authority of the BA 3, Ogbonna.

Since the record establishes that Elson is not a candidate for BA 1; I turn to the Financial Analyst series.

The class concept for Financial Associate Supervisor states in pertinent part:

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. (emphasis added)

It is undisputed that Elson is the supervisor of record for four Financial Associates. Two work in the cashiers office and two work in the business office. She evaluates them, assigns their daily work, redistributes their work and approves their requests for leave.

The class concept for Financial Analyst Supervisor states in pertinent part:

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.

Likewise, it is undisputed that Elson does NOT supervise Financial Analysts.

Since the record demonstrates that Elson cannot be a Financial Analyst Supervisor because she does not supervise analysts, the final analysis is whether Elson's current position description and actual duties substantially comport with the major job duties and class concept for the Financial Associate Supervisor.

The major illustrated job duties for the Financial Associate Supervisor state in pertinent part:

1. **Supervises 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:
 - Provides guidance & training
 - Coaches & develops staff
 - Establishes work unit procedures
2. **Analyzes & oversees preparation of invoices, encumbrances, remittances, vouchers, requisitions, auditing of accounts, time reports &/or inventory**
3. Answers inquiries & requests according to established procedures:
 - Resolves problems
 - Evaluates policies & procedures & makes recommendations for implementation to ensure efficient operation of financial associate activities
4. Collects, analyzes & prepares financial reports
5. Performs variety of related clerical tasks (e.g., correspondence, records) (emphasis added)

Elson testified that her current PD was accurate except that it did not make mention of her occasional filling in for Ogbonna when he is absent. The next step is

to compare Elson's undisputed position description duties against her classification concept and major job duties:

The duties being performed must satisfy the class concept or function statement at least twenty percent of the time unless another percentage has been stated in the class concept or function statement. Other factors, including the table of organization of an agency, may be used to determine the classification of a position and to distinguish among classifications. OAC 123:1-3-01 (D) See also O.A.C. 123:1-7-15 (emphasis added)

This Board is limited to correctly classifying Elson and is restricted from awarding a classification on any other basis including merit. The record conclusively shows that Elson is performing duties within her classification for a substantial majority of the time. Elson's and Ogbonna's testimony establish that Elson spends a majority of her time supervising financial associates and performing financial and accounting work such as "paying the bills".

RECOMMENDATION

Therefore, I respectfully **RECOMMEND** that the State Personnel Board of Review **AFFIRM** the review determination of the Department of Administrative Services to reclassify Appellant's position to Financial Associate Supervisor, (66565), pursuant to R.C. 124.03 and R.C. 124.14.



Raymond M. Geis
Administrative Law Judge