

STATE OF OHIO  
STATE PERSONNEL BOARD OF REVIEW

Jonathan Fritz,

*Appellant,*

v.

Case No. 2015-SUS-03-0028

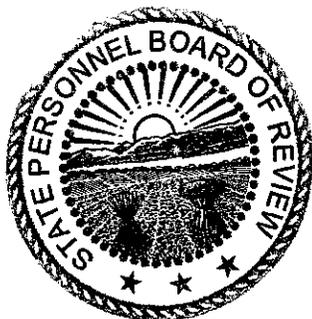
Montgomery County  
Stillwater Health Center,

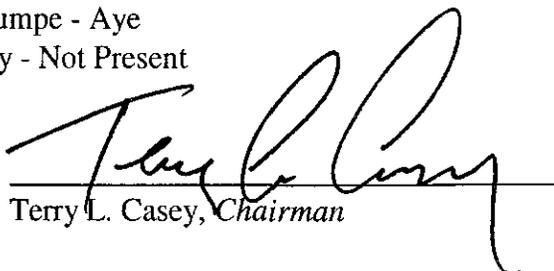
*Appellee,*

**ORDER**

This matter came on for consideration on Appellee's filing of a Notice of Suspension Rescission. Based upon Appellee's representation that Appellant's 10-day suspension has been rescinded, the Board hereby orders that the attached rescission, incorporated herein by reference and made a part of the case file in this appeal, is **ADOPTED**, and that Appellant's appeal is **DISMISSED**.

Casey - Aye  
Lumpe - Aye  
Tillery - Not Present



  
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 30, 2015.

  
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 6, 2015.** 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-SUS-03-0028

Transcript Costs: N/A Administrative Costs: \$25.00

Total Deposit Required: \* \$25.00

Notice of Appeal and Deposit Must  
Be Received by SPBR on or Before: November 16, 2015

10-16

STATE PERSONNEL BOARD OF REVIEW

Jonathan Fritz : CASE NO. 2015-SUS-03-0028

Appellant, : Jeannette E. Gunn

vs. : Administrative Law Judge

:

Stillwater Health Center :

Montgomery County :

Appellee.

Notice of Suspension Rescission

Appellee, Stillwater Health Center, through the undersigned legal counsel, hereby submits this Notice of Suspension Rescission to this Board. Appellee has rescinded the 10 day suspension, as described on the record before this Board at the October 7, 2015 hearing. Evidence of this rescission is attached.

MATHIAS H. HECK, JR.  
PROSECUTING ATTORNEY

BY: /s/ Jonathan Ketter  
Jonathan A. Ketter, #0084064  
Montgomery County Prosecutor's Office  
301 W. Third Street  
P.O. Box 972  
Dayton, Ohio 45422  
Telephone: (937) 225-3499  
Fax Number: (937) 225-4822  
E-mail: ketterj@mcohio.org

ENTERED  
7/10/15

**CERTIFICATE OF SERVICE**

On this, the 16<sup>th</sup> day of October, 2015, I hereby certify that, the foregoing Notice of Suspension Rescission was served on the following by electronic mail:

Jeffrey M. Silverstein  
Attorney for Appellant  
jsilverstein@frekingandbetz.com

State Personnel Board of Review  
spbr@spbr.state.oh.us

s/ Jonathan Ketter  
Jonathan A. Ketter, #0084064  
Assistant Prosecuting Attorney



**MONTGOMERY**  
C O U N T Y

**MONTGOMERY COUNTY  
ADMINISTRATION BUILDING**

451 W. Third Street  
P.O. Box 972  
Dayton, Ohio 45422-1110

**COUNTY COMMISSIONERS**  
Judy Dodge  
Dan Foley  
Deborah A. Lieberman

**COUNTY ADMINISTRATOR**  
Joseph P. Tuss

October 13, 2015

Mr. Jonathan Fritz  
Habilitation Care Supervisor  
Stillwater Center

Dear Mr. Fritz:

This letter is notification that on October 13, 2015, the Board of County Commissioners rescinded the ten (10) day suspension from your position of Habilitation Care Supervisor, Stillwater Center, for ten (10) workdays effective March 10, 11, 13, 16, 18, 20, 24, 25, 27 and 30.

Sincerely,

Stephanie R. Echols, MLHR  
County Human Resources Director

C: Michelle Pierce-Mobley  
File

b i r t h p l a c e o f i n n o v a t i o n

**Montgomery County  
Personnel/Payroll Action Form - 41763**

Change Reason: 412-SUSPENSION RESCINDED  
 Effective Date: 10/13/2015  
 Name: JONATHAN R. FRITZ Employee No: 255708  
 Address: 3829 PALMERSTON AVE DAYTON, OH 45417

	COMMERCIAL	PERSONNEL
Department	0100-STILLWATER	
OCA/Object	05505548 / 5102	1
Classification	44115 HABILITATION CARE SUPERVISOR	
EEO Job	N	
PCN	05000155-HABILITATIVE CARE SUPERVISOR	
Supervisor	DETTY-JENK, JANE O	
Grade/Step		
Pay Level	09	
Hourly Rate	21.78	
Scheduled Hours	80.00	
Pay Cycle	BH	
Name Change	FRITZ, JONATHAN R.	
Bargaining Unit	16 - PAY LEVEL 8-15 - BCC	
Employment Type	A- FULL TIME REGULAR	

Health/Life Insurance:

Vacation to be Paid: 0.00 Date Pay Stops: —  
 Sick Leave 0.00 Sick Payment: 0.00  
 Date of Injury: — Est Date of Return: —

Comments:  
 RESCIND 10 DAY SUSPENSION. ORIG. PA# 38202

\_\_\_\_\_  
 County Administrator or Designee      Stephanie R. Echols  
 Human Resources Director      \_\_\_\_\_  
 \_\_\_\_\_  
 Date

PA Number: 41763      Resolution Date: 10/13/2015

*W  
10/14*

**Mills, Diana**

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**From:** Ketter, Jonathan [KetterJ@mcoho.org]  
**Sent:** Friday, October 16, 2015 2:25 PM  
**To:** SPBR  
**Subject:** Fritz v. Stillwater Health Center; Case no 2015-SUS-03-0028  
**Attachments:** Notice of Suspension Rescission.pdf

Please see the attached documents regarding the above mentioned case. If you have any questions or concerns, please feel free to contact me anytime.

Jonathan Ketter  
Assistant Prosecuting Attorney  
Legal Counsel for Appellee  
937-225-3499