

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

Carol A. Gaertner,

Appellant,

v.

Case No. 07-REC-03-0092

Ohio State University,

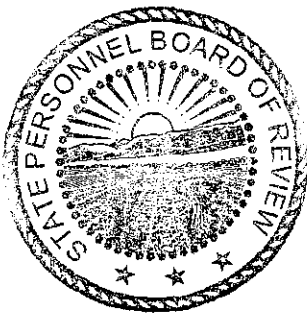
Appellee.

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 record and 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 instant appeal be **DISMISSED** for lack of jurisdiction, pursuant to O.R.C. §§ 124.03(A) and 124.14.



Lumpe – Aye
Booth – Aye
Tracy – Aye

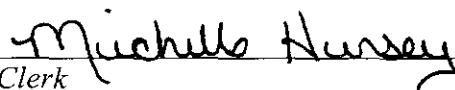


J. Richard Lumpe, *Chairman*

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 the foregoing is ~~(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, August 20, 2007.



Michelle Hursey
Clerk

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

8.2007

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

Carol A. Gaertner,

Case No. 07-REC-03-0092

Appellant

v.

June 29, 2007

Ohio State University,

Jeannette E. Gunn

Appellee

Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This cause came on for consideration pursuant to a review of the information contained in the record. Appellant filed a reclassification appeal with this Board on March 16, 2007. On May 8, 2007, Appellee Ohio State University filed a response to this Board's questionnaire, indicating that Appellant had not made a request for a reclassification or job audit, and Appellee had not otherwise conducted a job audit on Appellant's position.

R.C. 124.03(A) and O.A.C. 124-1-03(C) provide that a job classification decision rendered by the Director of the Department of Administrative Services, or anyone authorized to perform the director's functions may be appealed to this Board within thirty calendar days after receipt of the notice of results of a job audit.

In this instance, since there is no evidence indicating that a job audit has been performed or a job classification decision rendered within the appropriate time period, I find that Appellant has suffered no employment action over which this Board may exercise jurisdiction. Therefore, I respectfully **RECOMMEND** that the instant appeal be **DISMISSED** for lack of jurisdiction pursuant to R.C. 124.03(A) and R.C. 124.14.



Jeannette E. Gunn
Administrative Law Judge

JEG: