

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

Kenneth C. Huelsman,

Appellant,

v.

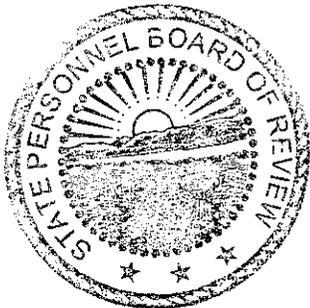
Case No. 08-RED-09-0501

Department of Transportation,

Appellee.

ORDER

This matter came on for consideration on the notice 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**.



Lumpe - Aye

Booth - Aye

Sfalcin - Aye

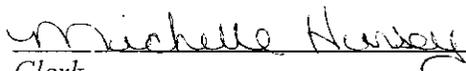


J. Richard Lumpe, *Chairman*

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 this document and any attachment thereto constitute ~~(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, 2008.



Michelle Hursey
Clerk

10-31-08

To: State personnel Board Of Review
Attention: Jeannette Gunn
Admin. Law Judge

STATE PERSONNEL BOARD
BOARD OF REVIEW
2008 OCT 17 PM 1:35

SUBJECT Case # 08-RED-09-0501
Ken Huelsman VS Ohio Dept Of Trans.

Due to a ruling by The Dept. Of Administrative Services, I'm formally requesting this case be dismissed. Attached is their finding. If there any Question I can be reached at 513/858-1365

Attachments D.A.S. Ruling

Thanks for your help.
Ken Huelsman
Ken Huelsman

10-17-08

Ohio Department of Administrative Services
Ted Strickland, *Governor*
Hugh Quill, *Director*

Human Resources Division
100 East Broad Street, 15th Floor
Columbus, Ohio 43215-3607

614.466.3455 voice
614.728.2785 fax
<http://das.ohio.gov>



October 8, 2008

Ken Huelsman
6068 Ricky Drive
Fairfield, Ohio 45014

Dear Mr. Huelsman:

I have been asked to respond to your September 11, 2008 letter to Governor Strickland regarding step increases for intermittent employees. Responding to letters, such as this, is a part of my duties in the Office of Policy Development at the Department of Administrative Services.

My office has sent a letter to the Department of Transportation requesting they fix this situation, re-institute your step increase and discontinue any effort to collect past monies paid by you. A copy of this letter is included in this correspondence.

I trust this addresses your concerns, but please feel free to contact our office at (614) 728-7443 if you have any additional questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads "Monica L. Rausch".

Monica L. Rausch, Policy Analyst
Office of Policy Development

CC: Ted Strickland, Governor
Hugh Quill, Director

Ohio Department of Administrative Services
Ted Strickland, *Governor*
Hugh Quill, *Director*

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October 8, 2008

Mike Bussa
Human Resources Administrator
Ohio Department of Transportation
1980 West Broad Street
Columbus, Ohio 43223

Dear Mr. Bussa:

Through a correspondence to the Governor's Office, Policy has learned that ODOT has changed the practice with regard to step increases for intermittent employees. The practice of giving step increases to intermittent employees is long-standing and DAS has not issued any guidance to the contrary. The current issue concerns ODOT employee, Ken Huelsman, who has been an intermittent since February of 2001 and has received step increases until recently when ODOT changed its policy. It is our understanding that not only has ODOT discontinued the granting of step increases, but this particular employee has been asked to reimburse the state for the step increases he received over the past 6 years. This change is in error.

Intermittent employees receive a step increase after they serve their initial probationary period. Subsequently, intermittent employees are eligible for a step increase after 26 pay periods have passed in which they have worked at least one day. These 26 pay periods do not have to be contiguous and it may take several years for the intermittent employee to accumulate the 26 pay periods. However, once the 26th pay period is worked, the employee goes to the next higher step. One way to avoid an intermittent employee's receipt of a step increase is to remove them at the end of their 1000 hours and not reinstate them until at least 31 days after. Reinstatement 31 or more days later causes a "break in service."

Thus, Policy is requesting that ODOT cease the repayment schedule applicable to Mr. Huelsman and reimburse him for any monies already paid to ODOT. In addition, Mr. Huelsman's hourly rate should reflect the initial probationary as well as any increases to which he would have been entitled to since he began as an intermittent.

Finally, Policy requests that ODOT look at similarly situated employees to ensure step increases are being applied as warranted. Please inform my office when all of the changes are complete.

Sincerely,

A handwritten signature in cursive script that reads "Janine Ashanin".

Janine Salloum Ashanin, Policy Administrator
Office of Policy Development

CC: Ted Strickland, Governor
Hugh Quill, Director