

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

Brenda Scarborough,

Appellant.

v.

Case No. 09-REC-09-0423

Youngstown State University,

Appellee.

ORDER

These matters came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeals. On September 22, 2010, this Board issued a final Order in this matter adopting the recommendation of the assigned Administrative Law Judge. On September 28, 2010, Appellant timely filed a motion for reconsideration. On October 1, 2010, this Board issued a discretionary Stay of this matter to allow Appellee the requisite opportunity to file a memorandum *contra* and to allow the Board to then consider the parties' pertinent pleadings regarding reconsideration. On October 19, 2010, Appellee timely filed its memorandum *contra*. Thereafter, the Board reviewed these respective pleadings. *It is noted that all other motions and responses thereto currently pending before the Board are now considered moot or are otherwise denied.*

After a thorough examination of the entirety of the record, including a review of the Report and Recommendation of the Administrative Law Judge, any objections to that report which have been timely and properly filed, Appellant's motion for reconsideration, and Appellee's memorandum *contra*, the Board finds that no good cause has been shown to set aside or otherwise disturb the previous final Order issued by the Board in these matters on September 22, 2010.

Wherefore, it is hereby **ORDERED** that this Board's final Order in this matter issued on September 22, 2010 **STANDS AS ISSUED** and, accordingly, that Appellant's position be **RECLASSIFIED** to Librarian 2 (Non-Degreed) *effective September 17, 2009* (the date of the issuance of Appellee's job audit determination regarding Appellant's position), pursuant to O.R.C. §§ 124.03 and 124.14.

Lumpe - Aye
Sfalcin - Aye
Tillery - 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, November 12, 2010.

Michelle Hursey
Clerk

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