

STATE OF OHIO  
STATE PERSONNEL BOARD OF REVIEW

HYTARA LITTLE,

*Appellant,*

v.

Case Nos. 11-ABL-04-0103  
11-LAY-04-0104

CUYAHOGA COUNTY EXECUTIVE,

*Appellee*

**ORDER**

These matters came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeals.

After a thorough examination of the entirety of the records, 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 instant appeals be **DISMISSED** for lack of jurisdiction, pursuant to R.C. 124.03.



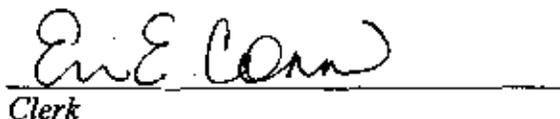
Casey - Aye  
Lumpe - Aye  
Tillery - Aye

  
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, September 28, 2011.

  
*Clerk*

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

Hytara Little,  
  
*Appellant*

Case No. 11-ABL-04-0103  
Case No. 11-LAY-04-0104

v.

May 3, 2011

Cuyahoga Co, Executive,  
  
*Appellee*

Christopher R. Young  
*Administrative Law Judge*

**REPORT AND RECOMMENDATION**

To the Honorable State Personnel Board of Review:

This cause comes on for consideration upon the filing of a notice of appeal in the above captioned cases. Appellant Little notes on her notice of appeal form that she was an employee of Cuyahoga County and was removed from her position with the County effective April 9, 2011.

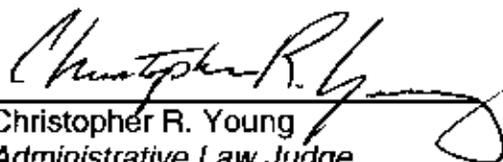
Cuyahoga County became a charter form of government with the passage of their Charter, effective January 1, 2010. Due to the transition provisions found in the Charter, the County Executive, who is the chief executive officer of the county, did not take office until January 1, 2011. (Article II, section 2.01 of the Charter). The County Executive, in turn, appointed members to the Human Resource Commission. (Article IX, section 9.01 of the Charter). As provided for in Article IX, section 9.02(1) of the Charter, the Human Resource Commission has:

- (1) Responsibility for the resolution or disposition of all personnel matters, with authority to appoint hearing officers to hear all employee appeals previously under the jurisdiction of the State Personnel Board of Review. . .

Therefore, this Board no longer possesses jurisdiction over an employee falling under the auspices of the Cuyahoga County Charter after January 1, 2011. Since Appellant Little states that she was removed effective April 9, 2011, her appeal lies with the Human Resource Commission and not with the State Personnel Board of Review.

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Therefore, I respectfully **RECOMMEND** that the instant appeals be **DISMISSED** due to this Board's lack of jurisdiction.

  
Christopher R. Young  
*Administrative Law Judge*

CRY: