

STATE OF OHIO
STATE PERSONNEL BOARD OF REVIEW

EDWARD F. GRIFFITH,

Appellant,

v.

Case No. 12-TFR-04-0058

CIRCLEVILLE CITY SCHOOL DISTRICT,

Appellee

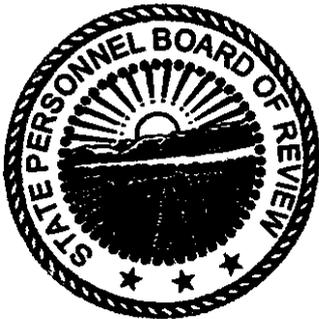
ORDER

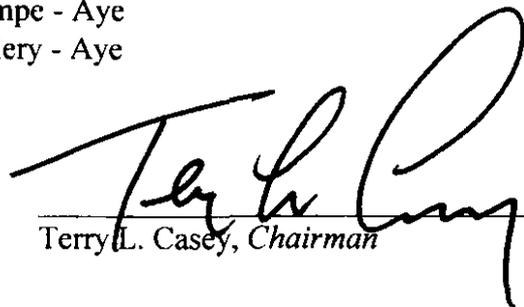
This matter came on for consideration on the Report and Recommendation of the Administrative Law Judge in the above-captioned appeal.

After a thorough examination of the entirety of the record, 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 case is **DISMISSED** for lack of jurisdiction.

Casey - Aye
Lumpe - Aye
Tillery - Aye



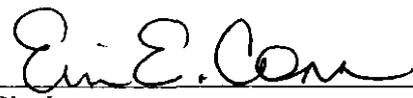

Terry L. Casey, Chairman

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, June 07, 2012.




Erin E. Conner
Clerk

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

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

Edward F. Griffith,

Case No. 12-TFR-04-0058

Appellant

v.

May 10, 2012

Circleville City School District,

Jeannette E. Gunn

Appellee

Administrative Law Judge

REPORT AND RECOMMENDATION

To the Honorable State Personnel Board of Review:

This matter came on for consideration on May 10, 2012. Appellant filed an appeal with this Board arising from his reassignment from day shift to evening shift; Appellant is an employee of the Circleville City School District. Appellee filed a Motion to Dismiss with this Board on April 20, 2012, asserting that this Board is without jurisdiction to hear the appeal. Appellant filed no memorandum *contra* within the time period allowed by this Board's administrative rules. O.A.C. 124-11-07.

R.C. Section 124.03(A) provides that this Board shall hear appeals of employees in the state service. R.C. Section 124.01(B) defines "state service" as follows:

* * *

(B) "State service" includes all offices and positions in the service of the state and the counties and general health districts of the state. "State service" does not include offices and positions in the service of the cities, city health districts, and city school districts of the state.

* * *

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Uncontroverted information contained in the record indicates that Appellee is a city school district, as referenced in R.C. 124.03(B), therefore, this Board lacks jurisdiction to hear a direct appeal arising from an employee of Appellee.

Accordingly, I respectfully **RECOMMEND** that this case be **DISMISSED** for lack of jurisdiction.


Jeannette E. Gunn
Administrative Law Judge