

State Personnel Board of Review

Overview

The State Personnel Board of Review (PBR) reviews appeals filed by classified exempt employees in the civil service at the state and local levels. PBR's jurisdiction also includes university and general health districts. Appeals typically involve disputed layoffs, abolishments, displacements, removals, reductions, and reclassifications, but PBR also hears appeals filed by non-exempt classified employees who have not organized, and non-exempt employees whose bargaining agreement specifies a right to appeal to the Board. The Board has jurisdiction over investigations, whistle blower cases, and OSHA violations as well.

In addition to the three Board members, the agency operates with nine full-time staff, one contract staff person, and two interns.

One of PBR's priorities during the current biennium was to implement a new Case Management Docketing System (CMDMS) that allows for quick access of case files and convenient data retrieval and statistical analysis. Over the upcoming biennium, the Board may have to cope with many new cases as a result of layoffs stemming from budget reductions on the state and local level. This prospect, as well as any school funding proposals which might force staff reductions or abolishments in state agencies, could affect the workload of the Personnel Board of Review.

Recommended FY 2002 appropriations of \$1,096,951 are 16.1 percent lower than estimated FY 2001 spending of \$1,307,226. Recommended FY 2003 appropriations of \$1,143,965 are 4.3 percent above FY 2002 levels.

ADDITIONAL FACTS AND FIGURES

State Personnel Board of Review Staffing Levels						
Program Series/Division	1998	1999	2000*	2001*	<i>Estimated</i>	
					2002*	2003*
TOTAL PERSONNEL BOARD OF REVIEW	12	11	11	11	11	11

Included in the staff count is one Administrative Law Judge, who is a contract employee and two interns. Data are from DAS payroll reports, and reflect estimated head counts.

ANALYSIS OF EXECUTIVE PROPOSAL

PERSONNEL BOARD OF REVIEW

Personnel Board of Review

Purpose The State Personnel Board of Review (PBR) reviews appeals filed by classified exempt employees in the civil service.

The following table shows the line items that are used to fund the Personnel Board of Review, as well as the Governor’s recommended funding levels.

Fund	ALI	Title	FY 2002	FY 2003
GRF	124-321	Operating Expenses	\$1,057,353	\$1,103,378
636	124-601	Transcript and Other	\$39,598	\$40,587
Total funding: PERSONNEL BOARD OF REVIEW			\$1,096,951	\$1,143,965

The Personnel Board of Review is a single program series agency.

■ PERSONNEL BOARD OF REVIEW

Program Description: The State Personnel Board of Review (PBR) reviews appeals filed by classified exempt employees in the civil service. Appeals involve contested layoffs, abolishments, displacements, removals, reductions, and reclassifications. PBR also hears appeals filed by non-exempt classified employees who have not organized, and non-exempt employees whose bargaining agreement specifies a right to appeal to the Board. In addition, the Board handles cases of investigations, whistle blower cases, and OSHA violations.

Data compiled by the Board for CY 1999 show that the Board received 429 new appeals in 1999, down from 626 in CY 1998. Over this same period, Board orders issued declined from 752 in CY 1998 to 535 in CY 1999. State and county agencies account for the lion’s share of matters brought before the Board.

One major project that should lead to more efficient case management in the upcoming biennium is a \$191,248 automated Case Management Docketing System (CMDS). As well as scheduling hearings more efficiently, the system should enable the Board to gather and analyze case statistics that the Board could use to make operational improvements. By way of customer service, appellants are able to review the disposition of their case files online on the PBR website.

In March 2001 the Board will be hosting a statewide seminar to foster better understanding of Ohio’s civil service laws among the 226 municipal commissions and other state jurisdictions responsible for carrying out these laws. This effort is viewed as a way to assist both civil service administrators and public employees understand these civil service matters and resolve potential problems before appeals are filed.

Funding Source: GRF, security deposits and other payments made by appellants

Line Items: 124-321 Operating Expenses, 124-601 Transcript and Other

Implication of the Executive Recommendation: The governor's recommendations would allow for services to continue at present levels. Although it appears as though the Board would absorb a 16 percent cut over expected FY 2001 expenditures of \$1.31 million, almost

\$200,000 of the FY 2001 funding includes a special allowance to buy the Case Management Docketing System. Funding is also sufficient to provide a raise to the new board appointee. The Governor, not the Board, establishes the new member's compensation. Also, the recommendations allow for the Board to retain an Administrative Law Judge, a contract position.

PERMANENT AND TEMPORARY LAW

This section describes permanent and temporary law provisions contained in the executive budget that will affect the Board's activities and spending decisions during the next biennium.

There are no permanent law provisions with fiscal effects on the Board.

Temporary Law

This provision specifies that line item 124-601, Transcript and Other, may be used to produce and distribute transcripts and other documents. Revenues generated by changes from transcripts are to be deposited in Fund 636.

REQUESTS NOT FUNDED

PERSONNEL BOARD OF REVIEW						
Fund Line Item	FY 2002 Requested	FY 2002 Recommended	Difference	FY 2003 Requested	FY 2003 Recommended	Difference
GRF 124-321	\$1,107,256	\$1,057,353	(\$49,903)	\$1,170,460	\$1,103,378	(\$ 67,082)
636 124-601	\$39,598	\$39,598	\$0	\$40,587	\$40,587	(\$0)
Total	\$1,146,854	\$1,096,951	(\$49,903)	\$1,211,047	\$1,143,965	(\$67,082)

The Board requested funding for four additional items not included in their base request. In sum, the executive recommendations appear to provide the Board with a continuation budget. Of the items listed below, only Item 2 was fully funded. Adjustments could be made in order to fund the other desired items.

1. The Board requested an additional \$163,693 to fund a contract Administrative Law Judge (ALJ) and law clerk. Recommendations allow for partial funding of \$113,064 over the biennium.
2. \$9,100 in FY 2002 and \$12,400 in FY 2003 to account for the increased compensation for new Board appointee. This is fully funded.
3. \$64,000 over the biennium for maintenance costs associated with the new automated docketing system and the Board's share of user charges for the Ohio Data Network, the statewide server system operated by DAS.
4. \$11,000 to expand training and outreach services for agency customers. No additional funding was provided.

LSC Budget Spreadsheet by Line Item, FY 2002 - FY 2003

<i>Fund</i>	<i>ALI</i>	<i>ALI Title</i>	<i>2000</i>	<i>Estimated 2001</i>	<i>Executive 2002</i>	<i>% Change 2001 to 2002</i>	<i>Executive 2003</i>	<i>% Change 2002 to 2003</i>
<i>PBR State Personnel Board of Review</i>								
GRF	124-321	Operating Expenses	\$ 971,122	\$1,268,480	\$ 1,057,353	-16.6%	\$ 1,103,378	4.4%
General Revenue Fund Total			\$ 971,122	\$ 1,268,480	\$ 1,057,353	-16.6%	\$ 1,103,378	4.4%
636	124-601	Transcript and Other	\$ 11,031	\$38,746	\$ 39,598	2.2%	\$ 40,587	2.5%
General Services Fund Group Total			\$ 11,031	\$ 38,746	\$ 39,598	2.2%	\$ 40,587	2.5%
Total All Budget Fund Groups			\$ 982,153	\$ 1,307,226	\$ 1,096,951	-16.1%	\$ 1,143,965	4.3%

General Revenue Fund

GRF 124-321 Operating Expenses

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$900,527	\$901,614	\$971,122	\$1,268,480	\$1,057,353	\$1,103,378
	0.1%	7.7%	30.6%	-16.6%	4.4%

Source: GRF

Legal Basis: ORC 124.03, created by Am. Sub. H.B. 694 of the 114th G.A.

Purpose: This fund pays for the personnel, maintenance, and equipment costs of the Personnel Board of Review.

General Services Fund Group

636 124-601 Transcript and Other

1998	1999	2000	2001 Estimate	2002 Executive Proposal	2003 Executive Proposal
\$21,296	\$10,335	\$11,031	\$38,746	\$39,598	\$40,587
	-51.5%	6.7%	251.2%	2.2%	2.5%

Source: GSF: security deposits and other payments made by appellants

Legal Basis: ORC 124.03 (creates the fund); ORC 119.12 (authorizes the collection of security deposits from parties filing appeals)

Purpose: This fund pays for copies, rule books, transcriptions, transcriptionists, and refunds of overpaid security deposits.