

# State Personnel Board of Review

**Senate Finance and Financial Institutions Committee**

*Jeremie Newman, Budget Analyst  
Legislative Service Commission*

*May 3, 2005*

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**LSC Redbook**  
**for the**  
**State Personnel Board of Review**

**Senate Finance and Financial Institutions Committee**

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# State Personnel Board of Review

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- Budget cuts during the FY 2004-2005 biennium significantly reduced the Board's ability to provide seminars to individuals who work in the personnel area across the state.
- The Governor's recommendation provides funding for equipment replacement during the FY 2006-2007 biennium.

## 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. The PBR's jurisdiction also includes university and general health districts. Appeals typically involve disputed layoffs, abolishment's, displacements, removals, reductions, and reclassifications, but PBR also hears appeals filed by nonexempt classified employees who have not organized, and nonexempt 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.

The State Personnel Board of Review's core mission is to provide all parties appearing before the Board with a fair, comprehensive, and impartial review of their respective claims. The PBR's second core mission is to monitor and assist Ohio's 220 municipal civil service commissions and personnel boards to ensure that Ohio's civil service laws are being uniformly interpreted. In order to complete these missions, PBR has developed a Customer Service Program. This program is an effort to provide education about civil service law and issues to individuals who work in the personnel area across the state. In the past, PBR was able to provide seminars and to travel across the state to present information. For example, in 2001, PBR held two one-day seminars, attended by 109 civil service commissioners, staff, attorneys, and human resources professionals. However, budget cuts have reduced PBR's ability to provide this service.

### **Effect of FYs 2004-2005 Budget Cuts on PBR**

GRF budget cuts during the FY 2004-2005 biennium required PBR to reduce spending in many areas. During the FY 2004-2005 biennium, PBR eliminated all equipment purchases, suspended all contracts to provide software support and software services and for a Contract Fiscal Officer, eliminated Board member parking, and eliminated all Westlaw and West Group hard copy and on-line services. In addition, budget cuts have significantly reduced PBR's ability to continue to provide their Customer Service Program across the state.

### **Staffing Levels**

In addition to the three Board members, the agency operates with eight full-time staff. Pursuant to collective bargaining contracts, state employees will receive a 4% raise on July 1, 2005. Benefit costs will also increase in the FY 2006-2007 biennium.

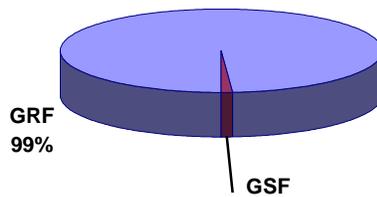
Personnel Board of Review Staffing Levels						
	2002	2003	2004	2005	<i>Estimated</i>	
	2006	2007				
<b>Total Personnel Board of Review</b>	11	11	11	11	11	11

\*Staffing levels represent the full-time equivalent (FTE) count funded by the Governor's recommendations and include three board members.

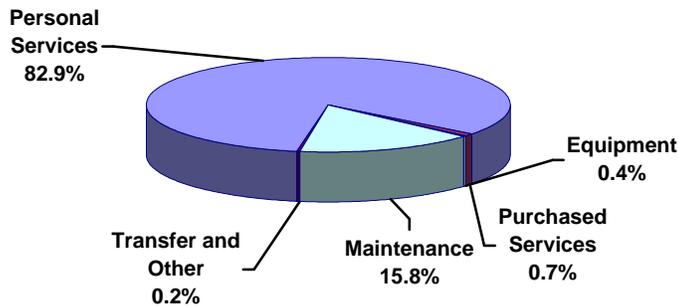
**Summary of FYs 2006-2007 Budget Issues**

Recommended FY 2006 appropriations of \$1,116,170 are 3.6% higher than estimated FY 2005 spending of \$1,077,170. Recommended FY 2007 appropriations of \$1,148,000 are 2.9% above FY 2006 levels. As the pie charts below demonstrate, the Board is 99% funded through the General Revenue Fund, and the majority of these funds are used for personnel costs and maintenance, such as computer software and repairs.

**Total Budget by Fund Group, FYs 2006-2007**



**Total Budget by Object Code, FYs 2006-2007**



## ANALYSIS OF EXECUTIVE PROPOSAL

### Personnel Board of Review

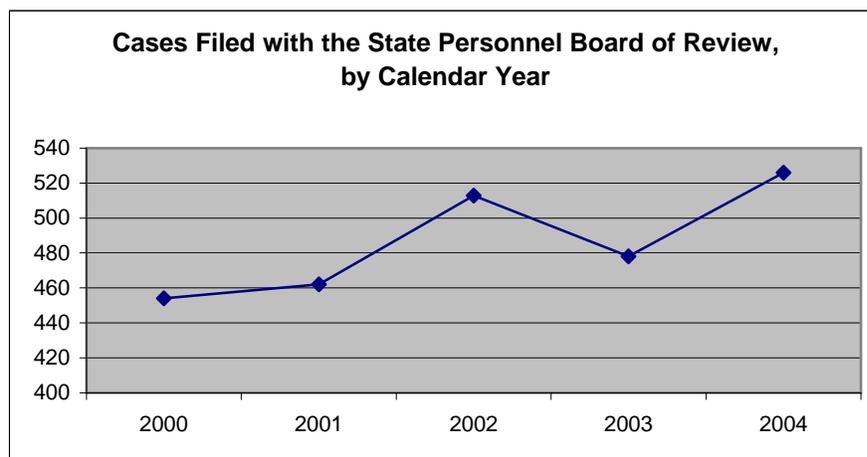
**Purpose:** The State Personnel Board of Review (PBR) reviews appeals filed by classified exempt employees in the civil service. The PBR also provides outreach programs to educate personnel officers at the state and local levels about employee laws

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

Fund	ALI	Title	FY 2006	FY 2007
<b>General Revenue Fund</b>				
GRF	124-321	Operating Expenses	\$1,116,170	\$1,148,000
<b>General Revenue Fund Subtotal</b>			<b>\$1,116,170</b>	<b>\$1,148,000</b>
<b>General Services Fund</b>				
636	124-601	Transcript and Other	\$12,000	\$15,000
<b>General Services Fund Subtotal</b>			<b>\$12,000</b>	<b>\$15,000</b>
<b>Total Funding: Personnel Board of Review</b>			<b>\$1,128,170</b>	<b>\$1,163,000</b>

**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, reclassifications, and other related matters.

Data compiled by the Board show that the Board received 526 new appeals in calendar year 2004, an increase of 10% over the 478 received in 2003. The Board anticipates an increase in caseload over the next biennium due to increased layoffs and other personnel adjustments occurring across the state. State and county agencies account for the majority of matters brought before the Board. The table below shows the number of cases filed with the State Personnel Board of Review over the past five years.



During the FY 2001-2002 biennium, PBR developed and implemented an automated Case Management Docketing System (CMDS). As well as scheduling hearings more efficiently, the system allows 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 on the PBR web site. However, PBR has not been able to purchase a service contract for this system and has not been able to update this system since its implementation.

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

***Line Items:*** GRF 124-321, Operating Expenses; Fund 636 124-601, Transcript and Other

***Implication of Executive Recommendation:*** In addition to PBR's FY 2005 levels, the Executive recommended \$29,968 in FY 2006 and \$64,798 in FY 2007. The additional funding in FY 2006 will be used to cover increased payroll costs, Central Service Agency costs, and new fees charged for the services provided by the Interior Design Services Section of the Department of Administrative Services. The additional funding in FY 2007 will allow PBR to contract for a hearing officer, provide for some software maintenance and software support for the CMDS system, and replacement of some computers.

***Temporary and Permanent Law Provisions:*** None

## REQUESTS NOT FUNDED

The section describes the Board's one line item that was not fully funded.

Transcript and Other						
Fund Line Item	FY 2006 Requested	FY 2006 Recommended	Difference	FY 2007 Requested	FY 2007 Recommended	Difference
124-601	\$21,032	\$12,000	(\$9,032)	\$21,032	\$15,000	(\$6,032)
<b>TOTALS</b>	\$21,032	\$12,000	(\$9,032)	\$21,032	\$15,000	(\$6,032)

The State Personnel Board of Review requested \$21,032 in line item 124-601, Transcript and Other, for each fiscal year of the 2006-2007 biennium. Appropriations to this line item are used to defray the cost of producing administrative records and pay for overpaid security deposits. According to the Board, this recommended level is based on the revenues collected in this fund and will not have a significant impact on the duties of the Board.

The State Personnel Board of Review also requested additional funds in addition to the FY 2005 levels. As a result, the Executive recommended an additional \$29,968 in FY 2006 and \$64,798 in FY 2007. These additional funds will be used to cover increased payroll costs, Central Service Agency costs, and new fees charged for the services provided by the Interior Design Services Section of the Department of Administrative Services. In addition, these additional funds will allow PBR to contract for a hearing officer, provide for some software maintenance and software support for the CMDS system, and replace some computers in FY 2007. However, PBR also requested funds to develop and distribution of training modules on CD-ROM to Ohio's civil service commissions. The Executive did not recommend funding for this request.

## General Revenue Fund

### GRF 124-321 Operating

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$1,008,656	\$1,012,006	\$1,029,552	\$1,077,170	\$1,116,170	\$1,148,000
	0.3%	1.7%	4.6%	3.6%	2.9%

**Source:** GRF

**Legal Basis:** ORC 124.03

**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

2002	2003	2004	2005 Estimate	2006 House Passed	2007 House Passed
\$5,404	\$10,759	\$19,524	\$12,000	\$12,000	\$15,000
	99.1%	81.5%	-38.5%	0.0%	25.0%

**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 is used to defray the cost of producing administrative records and pays for refunds of overpaid security deposits.

**LSC Budget Spreadsheet by Line Item, FY 2006 - FY 2007**

<i>Fund</i>	<i>ALI</i>	<i>ALI Title</i>	<i>Estimated 2005</i>	<i>As Introduced 2006</i>	<i>House Passed 2006</i>	<i>% Change Est. 2005 to House 2006</i>	<i>As Introduced 2007</i>	<i>House Passed 2007</i>	<i>% Change House 2006 to House 2007</i>
<b>PBR State Personnel Board of Review</b>									
GRF	124-321	Operating	\$1,077,170	\$ 1,116,170	\$ 1,116,170	3.6%	\$ 1,148,000	\$ 1,148,000	2.9%
<b>General Revenue Fund Total</b>			<b>\$ 1,077,170</b>	<b>\$ 1,116,170</b>	<b>\$ 1,116,170</b>	<b>3.6%</b>	<b>\$ 1,148,000</b>	<b>\$ 1,148,000</b>	<b>2.9%</b>
636	124-601	Transcript and Other	\$12,000	\$ 12,000	\$ 12,000	0.0%	\$ 15,000	\$ 15,000	25.0%
<b>General Services Fund Group Total</b>			<b>\$ 12,000</b>	<b>\$ 12,000</b>	<b>\$ 12,000</b>	<b>0.0%</b>	<b>\$ 15,000</b>	<b>\$ 15,000</b>	<b>25.0%</b>
<b>Total All Budget Fund Groups</b>			<b>\$ 1,089,170</b>	<b>\$ 1,128,170</b>	<b>\$ 1,128,170</b>	<b>3.6%</b>	<b>\$ 1,163,000</b>	<b>\$ 1,163,000</b>	<b>3.1%</b>

As Introduced (Executive)

As Passed by the House

(CD-338-PBR) Transcript and Other

Section: 209.39

Section: 209.39

States that appropriation item 124-601, Transcript and Other, may be used to defray the costs of producing an administrative record.

Same as the Executive.

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