



Ohio Administrative Code Rule 123:1-3-01 Position audits.

Effective: April 6, 2014

(A) General. The director may initiate and make continuing audits, inspections, and investigations of the positions, offices, and employments subject to sections 124.14, 124.15, and 124.152 of the Revised Code. The director may initiate and make continuing audits, inspections and investigations of positions, offices and employment in the classified service of the counties, where employees are paid under provisions other than section 124.15 or 124.152 of the Revised Code if the position to be audited is paid in whole or in part by the state, there is an appropriate contract between the department of administrative services and the county appointing authority pursuant to division (H) of section 124.14 of the Revised Code, or as otherwise allowed by statute. Any employee or any appointing authority, desiring to submit facts for consideration of the director shall be afforded reasonable opportunity to do so. When the director finds that improper classifications of positions exist, the director may reallocate any position to the appropriate classification as is necessary.

(B) Audits requested by employees. A classified employee of a state agency, including a board or a commission, or county office covered by this rule, or the employee's authorized representative, may request a review of the classification of his or her position, unless otherwise prohibited by law or a collective bargaining agreement.

(1) The employee's request must include the employee's name, the name of employing agency, the office address, the name of the employee's immediate supervisor, and the address where audit forms are to be mailed.

(2) Upon receipt of an employee's request for a position audit, the director shall date and time stamp the request and forward the job audit questionnaire packet to the employee for completion and, at the same time, notify the affected appointing authority of the audit request. The notice shall include a request to the appointing authority to submit the current position description, table of organization and any comments concerning the duties of the position.

(3) The employee shall complete part I of the job audit questionnaire packet and forward the



completed job audit questionnaire packet to the immediate supervisor within thirty days of receipt. The supervisor shall review the employee form within fifteen days of receipt and complete part II of the questionnaire. The supervisor shall return the job audit questionnaire packet to the employee. The employee shall complete part III within five days and return the job audit questionnaire packet to the director. The appointing authority shall forward the requested position description, table of organization and comments to the director within fifty days of receipt of the requested information.

(4) Employee requests for position audits shall generally be processed by the director without an on-site audit unless a substantial conflict in submitted documentation is found. The director may resolve the conflict by requiring additional documentation or clarification. If the conflict is not resolved, an on-site audit may be conducted.

(C) Audits requested by appointing authorities. An appointing authority may request the director to review any encumbered classified position within the appointing authority's agency for the purpose of determining whether the position is properly classified, unless otherwise prohibited by a collective bargaining agreement.

(1) The appointing authority's request shall include the name of the employee whose position is to be audited, the position number, the name of the employee's immediate supervisor, the names of other individuals to be interviewed, the name of the person to contact to arrange the audit, a current table of organization and a current position description reflecting the duties currently being performed by the employee. A request from an agency must be signed by the appointing authority or a designee if the appointing authority has provided the department of administrative services with a letter designating the names of individuals authorized to sign on the appointing authority's behalf.

(2) Agency requests for position audits may be scheduled for on-site audits.

(D) Audit findings. The audit findings will be premised upon the information and statements provided. The information and statements submitted will be compared to the existing classification specifications. If the duties being performed are not consistent with the existing classification, the classification which most accurately describes the duties performed shall be assigned to the position.

The duties being performed must satisfy the class concept or function statement at least twenty



percent of the time unless another percentage has been stated in the class concept or function statement. Other factors, including the table of organization of an agency, may be used to determine the classification of a position and to distinguish among classifications.

(E) On-site audits. An on-site audit may be conducted in person or by video conference. At the time of an on-site audit, the employee, the employee's immediate supervisor, and other persons as deemed necessary by the director shall be interviewed. It shall be the responsibility of the agency to ensure that the requested parties are available for an on-site audit. If any party refuses to attend on-site audit interviews the director shall render a decision based on the information and documentation submitted.

(F) Examination of current duties. Position audits shall examine the duties currently performed. The audit report reflects duties at the time of the audit and shall reflect any change in duties if such has occurred since the date of the audit request. Duties performed while assigned in a temporary work level shall not be considered for the purposes of a position audit.

(G) Cancellation of audit requests. Requests for audits will be deemed cancelled if:

(1) The party requesting the audit submits a written withdrawal of the request. Audit requests may be withdrawn any time before the notice of classification is mailed;

(2) The employee requesting an audit fails to timely forward the job audit questionnaire to the supervisor; or

(3) The employee requesting an audit fails to timely return the job audit questionnaire to the director; or

(4) The appointing authority requesting an audit fails to timely return the job audit questionnaire to the director; or

(5) An audit, that is made at the request of an appointing authority, is scheduled for an on-site audit and all the parties fail to appear or the appointing authority which requested the audit fails to schedule the interviews on two occasions; unless the appointing authority shows good reason why all



parties were not available; or

(6) The appointing authority fails to submit a position description reflecting the employee's current duties if the appointing authority requested the position audit.

(H) Implementation of audit findings. A position audit shall be deemed completed when the director sends written notification of the results to the employee and the employee's appointing authority.

(I) Effective date. Whenever a position is reclassified by the director, the employee's classification shall be changed in accordance with division (D) of section 124.14 of the Revised Code. The director shall give to the affected employee and to his or her appointing authority a written notice setting forth the proposed new classification. The effective date of such change shall be the first day of the pay period following DAS' receipt of the audit request.

(J) Submission of documents to implement classification change. The documents necessary to implement a classification change shall be submitted by the appointing authority within thirty days after the notification of the determination, unless the agency or the employee appeals the determination to the state personnel board of review.

(K) Appeal. The decision rendered by the director on positions in the classified service may be appealed to the state personnel board of review by the appointing authority or the employee. The appeal to the board shall be made according to the rules of the state personnel board of review.

(L) Effective date after appeal. The state personnel board of review shall determine the effective date of the classification change upon their completion or review of an appeal of an audit decision.

(M) Audit findings of a lower classification. If the results of a position audit indicate that a position would be properly allocated to a classification with a lower pay range assignment than the classification currently assigned, the director shall notify the appointing authority and the employee that the position will be reclassified pursuant to section 124.14 of the Revised Code.

(N) When position audits will not be performed. Position audits will not be performed on positions that are vacant or while the incumbent is assigned in a temporary work level, on a leave of absence,



serving a probationary period, or is receiving disability leave benefits.

(O) Audits of positions of incumbents who are subject to layoff or displacement. Requests for audits of positions will not be processed if the position is classified in a classification that is designated for calculation of retention points for purposes of a layoff or position abolishment under the provisions of Chapter 123:1-41 of the Administrative Code. The date the lists of classifications are submitted to the director for verification of retention points shall be the date the requests for position audits are suspended.

(P) Effective date of amended audit. If for any reason, the results of a position audit are amended, a corrective notice for a reclassification of a position shall be made and the effective date of the reclassification shall be the date indicated in the original letter of notification.

(Q) Positions to be audited no more than once a year. Requests for audits of a position, from either the incumbent or the appointing authority, may not be submitted more often than once a year. An employee may request only one audit of his or her position per year unless the employee provides, at the time of the request, documentation showing that the duties of his position have been substantially changed since the date of the completion of the previous audit. The "one-year period" will be defined as one calendar year from the date of the original request for the most recent position audit.

(R) Audits of positions in state-supported colleges and universities. The department of administrative services shall not conduct audits of positions at state-supported colleges or universities. Employees of state-supported colleges or universities shall submit requests for position audits in accordance with the policies and procedures of their respective institutions.

(S) Probationary period. An employee who has received a classification change pursuant to a position audit is not required to serve a new probationary period. The employee will continue to be a permanent employee in the classified service.