
COLLECTIVE BARGAINING CLARIFICATION LETTER

NO. 13-09-02

To: All Labor Relations Officers and Personnel Officers
From: Michael Duco, Deputy Director
Date: September 23, 2013
Subject: **OCSEA Article 17; Order of Selection**

This letter provides clarification on the order of selection for internal agency bids for vacancies under Article 17 of the collective bargaining agreement with the Ohio Civil Service Employees Association (OCSEA).

Bids on vacancies must be awarded in the following order, if the applicant possesses and is proficient in the minimum qualifications for the position. This order starts if no one falls within the processes outlined in 17.02(E) 1 through 5.

- a) Bids for promotion within office, institution or county (17.04 (1));
- b) Bids for promotion within geographic jurisdiction by those applicants who are in same, similar, related class series (17.04 (2));
- c) Bids for promotion by all other employees within the geographic district (17.04 (3));
- d) Bids for lateral transfer within office, institution or county (17.04 (1));
- e) Bids for lateral transfer within geographic jurisdiction by those applicants who are in same, similar, related class series (17.04 (2));
- f) Bids for lateral transfer by all other employees within the geographic district (17.04 (3));
- g) Bids for demotion within office, institution or county (17.04 (1));
- h) Bids for demotion within geographic jurisdiction by those applicants who are in same, similar, related class series (17.04 (2));
- i) Bids for demotion by all other employees within the geographic district (17.04 (3));
- j) All other employees of the Agency, including intermittents (17.04 (4)); and
- k) All other employees of the State (17.04(5)).

Only employees who are in groups 17.04 (1), 17.04 (2) and 17.04 (3) may appeal non-selection to arbitration. As such, if an applicant possesses and is proficient in minimum qualifications of the classification specification, they must be awarded the position. If there are multiple applicants, the most senior (pay range 27 or below) or most qualified (pay range 28 or above) must be selected within that tier (i.e., the agency cannot consider other applicants in subsequent bidding groups).

For example, there are two employees who bid on a position and one employee falls in the a) group mentioned above and the other employee falls in the b) group. Both employees are proficient and meet qualifications. The employee in the a) group (*Bids for promotion within the office, institution or county*) would be awarded the position.

All bids by permanent employees in group 17.04 (4) shall be considered prior to bids submitted by intermittents. This group may only grieve non-selection through step 3.

Employees in group 17.05 (5) have no grievance rights.

External bids may be considered at the same time as bids from other employees of the State (17.04 (5)) as both groups are considered new hires with no grievance rights.