



**2025
APPOINTMENTS
COMPLIANCE AUDIT
REPORT**

**Cuyahoga County
Personnel Review Commission**

INTRODUCTION

Cuyahoga County Charter Article IX, Section 9.02, authorizes the Personnel Review Commission (PRC) to review and audit compliance with federal, state, and local laws regarding personnel matters within the County Executive's organization and departments. This includes the responsibility to submit reports and recommendations to the County Executive and County Council on issues of compliance. The County Charter also assigns the Personnel Review Commission with responsibility for ensuring a system of employment of persons in the public (civil) service of the County according to merit and fitness.

The focus of this audit is the County's compliance with civil service laws governing appointments to Cuyahoga County's classified positions.

BACKGROUND

Civil service laws governing appointments to positions in the classified service of the County can be found in the Ohio Constitution (Article XV, Section 10), Ohio Revised Code (ORC) (Chapter 124), Ohio Administrative Code (OAC) (Rule 123:1-25-02 and Rule 123:1-30-04), Cuyahoga County Charter (Section IX), Cuyahoga County Code (Section 303.03), and the PRC Administrative Rules (Section 3.04). A fundamental requirement of these laws is that appointments and promotions in the civil service of counties shall be made according to merit and fitness, to be ascertained, as far as practicable, by competitive examinations.

ORC Chapter 124 divides the civil service into the unclassified and the classified service, then further divides the classified civil service into the competitive class and the non-competitive class (ORC 124.11(B)(2) and ORC 124.30(A)(2)). The non-competitive class includes not only the "unskilled labor" class but also allows employers to consider other characteristics that may allow a classification to be designated as non-competitive. Employers may consider the practicality of testing for the class, any exceptional qualifications (including licenses and certifications) that are required, the level of education, field of study and specialization required, the nature of experience required and whether skilled labor is required. Public employers may suspend competitive testing for non-competitive positions. The PRC has established different procedures to ensure appointments to both the competitive and the non-competitive classes are made in accordance with applicable civil service laws.

For positions in the competitive classified service, the PRC administers civil service tests. Once the PRC administers a test for a competitive position, the PRC establishes an eligibility list (EL) consisting of those candidates who passed the test, listed in rank order of their test scores. Eligibility lists generally expire after a period ranging from 3 months to 1 year from the date they are originally established. If requested to do so by the County, the PRC will occasionally limit or extend the duration of an EL to meet the unique needs of a department. Once an EL is established, the PRC certifies a certain number of names from the list (either the top ten or top 25% of the names, whichever is greater) as eligible for hire;

that list is then provided to the County's Talent Acquisition team in the Department of Human Resources (HR). For purposes of this audit, these lists are referred to as "certified names lists," or CNLs. For competitive classified positions, the County can extend an offer of employment only to candidates who are on an active CNL. If the County wants to fill additional vacancies after an offer of employment has been extended, the County must submit a written request to the PRC for additional names to be certified from the eligibility list.

For positions in the non-competitive class, the PRC screens applicants to determine whether they meet the minimum requirements of the classification. The PRC then establishes an alphabetical eligibility list of those candidates who meet the minimum requirements of the classification. The entire EL is then provided to HR, and the County can then extend an offer of employment to anyone on that list while the list remains active.

While the PRC has established procedures to govern appointments to classified positions, the agency has also collaborated with HR in various situations to support the County's pressing needs to fill certain positions. For example, in certain competitive, critical positions, the County has historically had significantly more vacancies than names on the ELs. To expedite the hiring process, the PRC has eliminated the need for HR to request multiple certifications from the same EL once they've extended conditional offers or removed names from the original CNL. The PRC allows HR to use the full EL to consider additional candidates beyond the first CNL rather than requesting additional CNLs each time they're needed. This is done with the explicit expectation of HR that job offers must be extended following the same process and order as they would if additional CNLs had been requested for each vacancy. The PRC testing team reviews these appointments to assess the County's compliance with civil service law; any concerns about HR's actions are raised to the PRC's compliance team, and issues of non-compliance would be included in this report. In 2025, these critical positions included:

- Correction Officer
- Employment and Family Services Specialist
- Security Officer 2/Protective Services Officer
- Social Service Worker 3
- Support Officer

Another example of the PRC's collaboration with the County to expedite hiring is the Accelerated Entry Program (AEP) for Deputy Sheriff. This program allows the Sheriff's Department to expedite hiring of Deputy Sheriff applicants who meet certain specific requirements (currently employed as a sworn law enforcement officer in the State of Ohio or laid off from such a position within 1 year of application, a minimum of 2 years of sworn law-enforcement experience, and not currently under internal investigation). The PRC conducts civil service testing of Deputy Sheriff applicants who do not possess those qualifications and maintains eligibility lists for those tests, but HR manages the selection process for the AEP and verifies the qualifications of applicants hired through the AEP.

Occasionally, the County reinstates employees who were previously employed by the County; for purposes of this audit, the PRC refers to these actions as “rehires.” OAC Rule 123:1-25-02 provides that the County could reinstate an employee in the classified service if they served the necessary probationary period if it is within one year of their resignation. Additionally, OAC Rule 123:1-30-04 governs reinstatement of an employee following a disability separation.

Finally, when employees apply for and are appointed to a position with a lower pay grade, that action is entered as a “demotion” in the County’s Human Resources Information System (INFOR). Demotions for disciplinary purposes are not included in this report; the demotions included in the data set reflect either employees who sought a new position in a lower pay grade, or employees who voluntarily sought a demotion to return to a previously held position.

OBJECTIVE AND SCOPE

The objective of this audit is to ensure that the County Executive’s appointments to classified positions in 2025 met the requirements of applicable civil service laws. For purposes of this audit, the PRC reviewed appointments, promotions, rehires, and demotions approved by the County Executive during 2025. The audit includes appointments to both competitive and non-competitive positions and both bargaining and non-bargaining positions. This audit does not review appointments to unclassified roles, disciplinary demotions, promotions that did not go through a PRC civil service process due to a collective bargaining agreement (CBA), or appointments made into trade classifications.

METHODOLOGY

The County’s Department of Human Resources routinely prepares “personnel agendas” from INFOR; these are lists of personnel actions approved by the County Executive. To conduct this audit, the PRC compared the County’s personnel agendas with the PRC’s ELs and CNLs. Through this process, the PRC was able to verify whether candidates and employees were appointed to classified civil service positions in accordance with applicable civil service laws.

FINDINGS

In 2025, there were 727 appointments made by the County Executive. Of those, 129 were for unclassified positions, disciplinary demotions, promotions that did not go through the PRC civil service process due to a CBA, or appointments made into trade classifications; these are not covered by this audit. The remaining 598 appointments were reviewed by the PRC. Those 598 appointments included:

- 575 (96%) classified competitive and non-competitive appointments
- 15 (3%) Deputy Sheriff Accelerated Entry Program appointments
- 8 (1%) rehires

In total, the County complied with applicable civil service laws in 568 of the 575 appointments approved by the County Executive in 2025; this is a compliance rate of 99%. The 7 non-compliant actions represent 1% of the 617 actions reviewed and include:

- Four (4) appointments from an expired eligibility list
- Two (2) appointments not from eligibility lists
- One (1) appointment not from a certified names list

When the effective date for an appointment is later than the expiration date on an EL, the PRC will request the job offer letter from HR to confirm that the offer wasn't extended past the expiration. If the job offer letter is not available, the PRC will allow supplemental new-hire documentation such as a background check request form or email correspondence extending a job offer, if the supplemental documentation includes the applicant's name, the offer date, and the job title. In these four appointments from an expired EL, a job offer letter was not provided by HR in the requested time. For two appointments, email correspondence was provided, but the emails lacked an offer date. The PRC received no documentation from HR for the other two appointments. These appointments were in the Sheriff's Department, where a recent flood in the HR offices damaged or destroyed potentially relevant records.

Two appointments were made that were not from an EL. These were non-competitive ELs, so the requirement to be on the list is that the applicant meets the minimum requirements of the classification. Both applicants did meet the minimum requirements, so they could have been on the eligibility list if proper processes were followed. They were not on the lists due to an issue with the INFOR system where applications and resumes can show up as blank, which leads to an application's rejection. These applicants did not submit any supporting information or documentation during the request for reconsideration period. For one applicant, a PRC employee incorrectly moved the applicant to Hiring Manager Review in the INFOR system by mistake, which contributed to the applicant proceeding through the hiring process. The other candidate was moved to hire by an HR employee. Neither appointment was verified against the names certified from the applicable ELs.

Lastly, one appointment was made that was not from a CNL. The hiring manager interviewed and hired a lower-ranked candidate before considering the top ten candidates certified from the EL.

CONCLUSION AND RECOMMENDATIONS

The PRC commends the County and HR for the 99% compliance rate with civil service laws in 2025, which represents an improvement on the 2024 compliance rate.

The PRC recommends that HR further enhances their accountability measures in addressing noncompliant appointments. This includes investigating the facts and circumstances leading to the noncompliant finding and taking appropriate corrective action to ensure future compliance, including addressing the matter directly with the personnel involved with the appointment.

The PRC is encouraged by HR's response to this audit. Human Resources is currently working with the Information Technology department to store new-hire documentation within the INFOR system which will make the documents readily available and protected. Second, HR worked with the PRC during the audit review conference to strengthen procedures and prevent future errors. HR also agreed to quarterly appointment reviews, which will reduce the time between an offer being extended and it being reviewed in the audit. This will decrease the audit burden as well as increase the likelihood of the relevant documents being available. Finally, HR has already spoken with the hiring manager about the policies and procedures with the eligibility list and certified names list at the County. With all these actions already in motion and a 2025 compliance rate of 99%, the PRC's recommendation is to continue the dedication to meeting civil service laws.

The PRC would like to thank Julie McNulty, the County's Manager of Talent Acquisition & Employment, for helping to research and resolve issues raised during this audit.

A summary of this report will be posted on the PRC's website at <https://www.cuyahogacounty.gov/personnel-review-commission/about-us/compliance-reporting>. Full copies of this report and the data that support it are available through a public records request to the Personnel Review Commission.