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IN THE COURT OF CLAIMS OF OHIO

WILLIAM RUSSELL,)	CASE NO. 2013-00138
)	
Plaintiff,)	JUDGE PATRICK M. McGRATH
)	
vs.)	MAGISTRATE HOLLY T. SHAVER
)	
CLEVELAND STATE UNIVERSITY,)	<u>PLAINTIFF WILLIAM RUSSELL'S</u>
)	<u>MOTION FOR PARTIAL SUMMARY</u>
Defendant.)	<u>JUDGMENT</u>

Plaintiff William Russell respectfully requests that the Court grant him partial summary judgment on his claim for breach of contract regarding CSU's failure to pay Russell the compensation and credits due to him.¹ CSU breached its employment contract with Russell in numerous manners. Three of its breaches are undisputed and warrant summary judgment: (1) CSU did not pay Russell for all time worked, as evidenced by its own documents; (2) contrary to its contractual obligation to Russell, CSU did not permit him to use vacation time instead of compensatory time, which resulted in Russell losing vacation time, and (3) CSU did not appropriately credit Russell's service as required by the rules and guidelines issued by the Ohio Public Employees Retirement System. The only conclusion a reasonable jury could make with respect to this conduct is that it amounts to a breach of CSU's contract with Russell. Accordingly, the Court should grant Russell partial summary judgment.

FACTUAL BACKGROUND

I. Russell Was an Outstanding Long-Time Employee.

Russell was employed by CSU for over 40 years, serving as its Greek Life Coordinator for the last twelve years of his employment. Russell became a licensed attorney in the State of

¹ As discussed in more detail below, this Motion relates to only three of Defendant's numerous breaches of its contract with Russell and Russell respectfully reserves the right to put on evidence, at trial, concerning the other breaches by Defendant.

ON COMPUTER

Ohio in 1974 and beginning in 1979, he was employed as a professor at Cleveland-Marshall College of Law where he taught tax law courses, including legal accounting, and state and local tax. During this time, he co-authored a treatise on Ohio tax law published by Matthew Bender and served on the Board of Directors and as the President of the Cleveland Tax Club.

In 2000, Russell agreed to take on the role of CSU's Greek Life Coordinator. He was very successful in this role and consistently earned high performance reviews.² In 2005, 2007 and 2012, he was nominated for CSU's "Distinguished Service Award,"³ in 2006, he received Delta Sigma Phi's national "Lifetime Achievement Award,"⁴ in 2008, he received Phi Delta Psi's national "Founder's Achievement Award,"⁵ and in 2009, he received Greek Council's "Lifetime Service Award."⁶

II. CSU Hired Russell as Greek Life Coordinator and Certain Terms and Conditions Governed the Employment Relationship.

Russell was hired as CSU's Interim Greek Life Coordinator, within its Student Life department, on or about October 23, 2000, and was told that the temporary position would exist through June 30, 2001. As a professional employee, Russell was covered by CSU's union contract, *Agreement Between Cleveland State University and Service Employees International Union, District 1199 WV/KY/OH, the Health Care and Social Service Union, CTW/CLC*, (the "Union Contract").⁷ The Union Contract set forth additional rights and obligations related to the employment relationship between Russell and CSU, including:

- CSU's agreement that the general rule that compensatory time should be used prior to vacation leave "does not apply when an employee's vacation balance is

² *Affidavit of William Russell* ("Russell Aff."), attached hereto as Exhibit 1, at Exhibit 1-1.

³ Russell Aff. at Exhibit 1-2.

⁴ Russell Aff. at ¶9.

⁵ Russell Aff. at Exhibit 1-3.

⁶ Russell Aff. at ¶11.

⁷ Excerpts from the Union Contract are attached hereto as Exhibit 2 (CSU 004143, 004173 & 4212-4215). The undersigned certifies that Exhibit 2 is a true and accurate copy of a portion of the document production received from CSU's counsel on or about September 20, 2013.

approaching his or her maximum annual vacation leave carry-over (240 hours) [and] [i]n this case, the employee would be allowed to use his or her vacation leave first in order to avoid being penalized by losing vacation leave[.]”⁸ and

- CSU’s agreement to “abide by any and all rules and regulations now in effect or subsequently enacted by OPERS [Ohio Public Employee Retirement System] or STRS [State Teachers’ Retirement System].”⁹

III. CSU Refused to Pay Russell for All Time Worked, Required Russell to Forfeit Vacation Leave and Failed to Award OPERS Service Credit for All Periods Worked.

In 2001, Russell’s supervisor at the time, Sandra Emerick, sought funding for Russell’s Coordinator position on a permanent basis; ultimately, the funding request was granted.¹⁰ Russell continued to work throughout 2001, including past June 30, and ultimately was hired as CSU’s permanent Greek Life Coordinator in September 2001. Russell was not paid for all work performed while the Coordinator position was transitioned from a temporary to a permanent position, in 2001. CSU memorialized this failure to compensate¹¹ as well as certain other periods during which CSU “shorted” Russell’s pay.¹²

In or around March 2011, Russell’s supervisor—James Drnek—refused to permit Russell to use vacation time for a two-week leave, instead requiring Russell to utilize compensatory time even though Russell was “approaching his . . . maximum annual vacation leave carry-over (240 hours)[.]”¹³ While Russell’s past supervisors had approved an exemption to the 240-hour carry-over limit, Drnek refused to do so.¹⁴

⁸ Union Contract at Appendix B.

⁹ Union Contract at Article 19.

¹⁰ Russell Aff. at Exhibit 1-4.

¹¹ Russell Aff. at Exhibit 1-5.

¹² CSU_004015, attached hereto as Exhibit 3; CSU_003995, attached hereto as Exhibit 4. The undersigned certifies that Exhibits 3 and 4 are true and accurate copies of a portion of the document production received from CSU’s counsel on or about September 20, 2013. See also authenticity stipulation included in Exhibit 2.

¹³ Russell Aff. at ¶15.

¹⁴ Russell Aff. at Exhibits 1-6 & 1-7.

Finally, CSU failed to award Russell any OPERS service credit for 2000, awarded him only one-third of a year credit for 2001 (even though he worked the entire year) and awarded him only two-thirds of a year credit for 2012 (even though he worked over 80% of the year).¹⁵

IV. In 2012, Russell's Supervisor Made Age-Related Remarks and Otherwise Discriminated Against Russell.

In February 2012, CSU hired Dr. Willie Banks as the head of the Student Life department. Within six months, Banks terminated every older employee within the department and made numerous age-related slurs. From the on-set, Banks made his preference for younger employees apparent, including telling Russell's supervisor—Steve Liss—that Banks did not believe “old dogs can learn new tricks” and consistently excluding Russell and other older employees from social gatherings during work. Banks also ordered Liss to write-up Russell and another older employee, and retaliated against Liss when Liss complained to Human Resources about this and other acts of age discrimination.

V. Under the Guise of a Fraudulent Re-organization, CSU Terminated Russell and Other Older Employees While Promoting Younger Employees.

Without issuing an RFP or considering other candidates, Banks retained T.W. Cauthen to prepare a recommendation with respect to re-organizing the Student Life department. Cauthen had no prior experience with urban universities or commuter universities. In advance, by email, Banks informed Cauthen that he wanted to “restructure” the department in such a way that the result would be the termination of the positions of the three oldest workers, including Russell. Unsurprisingly, Cauthen's report suggested re-structuring identical to the manner in which Banks wanted to re-structure the department.

CSU implemented Banks's recommendations, claimed that they were Cauthen's independent suggestions, and terminated Russell on or about October 5, 2012.

¹⁵ Russell Aff. at Exhibit 1-8.

LAW AND ARGUMENT

I. Summary Judgment Is Appropriate Where There Is No Genuine Issue of Material Fact: the Non-Moving Party Cannot Create an Issue of Material Fact by Relving on Unsupported Allegations.

To survive summary judgment, the non-moving party "must establish, by specific facts, that there is a genuine issue for trial." *Albritton v. Neighborhood Centers Assn. for Child Dev.*, 12 Ohio St. 3d 210, 211, 466 N.E.2d 867, 869 (1984). *See also* Civ.R. 56(C) ("Summary judgment shall be rendered forthwith if . . . it appears from the evidence or stipulation, and only from the evidence or stipulation, that reasonable minds can come to but one conclusion and that conclusion is adverse to the party against whom the motion for summary judgment is made[.]"). "Unsupported allegations in opposition to a motion for summary judgment are insufficient to require denial of the motion." *Albritton*, 12 Ohio St. 3d at 211. *See also Dohme v. Eurand Am. Inc.*, 130 Ohio St. 3d 168, 2011-Ohio-4609, 956 N.E.2d 825, ¶21 (non-moving party "may not merely upon the pleadings or upon unsupported allegations.") (internal citations omitted).

II. CSU Did Not Pay Russell for at Least 65.5 Hours of Work.

A reasonable jury could only find that Russell worked as Greek Life Coordinator from October 23, 2000, through October 5, 2012. There is no reasonable dispute that Russell worked during the weeks of July 30, August 16 and September 10, 2001 because time sheets he submitted reflect this work.¹⁶ Specifically, they show that he worked 19.5 hours the week of July 30, 19.5 hours the week of August 16, and 13.5 hours the week of September 10. He was not compensated for this work.¹⁷ Similarly, CSU recognized that there were instances where it "shorted" Russell's pay, including during the September 8, 2002 through September 21, 2002

¹⁶ Russell Aff. at Exhibit 1-9. *See also* Russell Aff. at Exhibit 1-10.

¹⁷ Russell did not receive paychecks for the pay periods that included the weeks of July 30 and August 16. Russell Aff. at ¶22. The paycheck he received for the pay period that included the week of September 10 only paid him for the 35 hours that he worked week of September 17, 2001. *See* Russell Aff. at Exhibit 1-11 (pay stub for 35 hours of work for pay period ending September 22, 2001 and time sheet for week of September 16, showing Russell worked 35 hours that week).

pay period¹⁸ and the February 5, 2006 through February 18, 2006 pay period.¹⁹ CSU never paid Russell for these “shorted” hours.²⁰

CSU’s failure and refusal to pay Russell for all time worked constitutes a breach of contract. No reasonable jury could find otherwise. As such, the Court should grant Russell summary judgment on this aspect of his breach of contract claim.

III. CSU Refused To Permit Russell To Utilize Vacation Time, Instead Forcing Him To Use Compensatory Time, Which Caused Russell To Lose Unused Vacation Time.

In or around March 2011, Russell’s supervisor—James Drnek—refused to permit Russell to use vacation time for a two-week leave, instead requiring Russell to utilize compensatory time.²¹ Despite Russell informing Drnek that Russell was “approaching his . . . maximum annual vacation leave carry-over (240 hours)[,]” Drnek refused to permit Russell to use his vacation leave and as a result Russell was “penalized by losing vacation leave[,]” in violation of the Union Contract.

Russell would have been entitled to a pay-out of this two-weeks of vacation leave upon his termination²² but because he could not carry it over, he was not paid for this accumulated leave. A reasonable jury could only find that CSU’s actions, through Drnek, plainly violate the Union Contract, which provides that where an employee is “approaching his or her maximum annual vacation leave carry-over (240 hours) . . . the employee would be allowed to use his or her vacation leave first [before using compensatory time] in order to avoid being penalized by

¹⁸ CSU_004015, attached hereto as Exhibit 3.

¹⁹ CSU_003995, attached hereto as Exhibit 4.

²⁰ Russell Aff. at ¶23.

²¹ *Transcript of deposition of Steve Vartorella*, excerpts attached hereto as Exhibit 5, 132:18-133:14.

²² Union Contract at Article 21 (“Upon termination of employment, employees are entitled to pay for up to a maximum of twenty-two days [of accumulated vacation leave].”).

losing vacation leave.”²³ The Court should grant Russell summary judgment with respect to this portion of his breach of contract claim.

IV. CSU Failed To Accurately Report Russell’s Service Credit Earned.

It is undisputed that Russell was employed by CSU in the Greek Coordinator role commencing on October 23, 2000 and that his original contract ran through June 23, 2001.²⁴ Similarly, it is undisputed that Russell continued to work in the Greek Coordinator position throughout the remainder of 2001. Finally, Russell’s last day of employment as Greek Coordinator was October 5, 2012 and he received his final payment from CSU on or around November 10, 2012. Nonetheless, CSU failed to award Russell any OPERS service credit for 2000, awarded him only one-third of a year credit for 2001 and awarded him only two-thirds of a year credit for 2012.²⁵ Russell was entitled to credit for the period October 23, 2000 through December 31, 2000; the entire 2001 calendar year; and the period January 1, 2012, through November 10, 2012. Nonetheless, Russell was only awarded OPERS credit for 10 years; he should have been awarded credit for over 12 years. As such, CSU has violated R.C. 145.016, which provides, in pertinent part:

For [OPERS] service not later than December 31, 2013, credit for any contributing service shall be allowed as follows . . . For each month for which the member’s earnable salary is two hundred fifty dollars or more, allow one month’s credit[.]²⁶

Summary judgment should be granted.

²³ Union Contract at Appendix B.

²⁴ Russell Aff. at Exhibit 1-12.

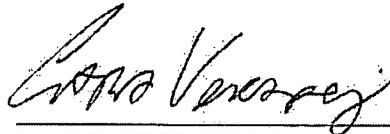
²⁵ Russell Aff. at Exhibit 1-8.

²⁶ R.C. 145.016(A)(1). CSU also violated the Union Contract as it failed to “abide by any and all rules and regulations now in effect or subsequently enacted by OPERS [Ohio Public Employee Retirement System] . . .” Union Contract at Article 19.

CONCLUSION

For the foregoing reasons, the Court should find that CSU breached its contract with Russell by (1) failing to compensate him for all time worked, (2) refusing to comply with its contractual obligations to permit Russell to use vacation time in lieu of compensatory time, and (3) under-reporting Russell's OPERS service credit, and grant Russell partial summary judgment.

Respectfully submitted,



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Attorneys for Plaintiff William Russell

CERTIFICATE OF SERVICE

A true and accurate copy of the foregoing was served via electronic mail, on this 29th day
of September 2014 to:

Randall W. Knutti, Esq.
Amy S. Brown, Esq.
Emily M. Simmons, Esq.
Ohio Attorney General's Office
Court of Claims Defense Section
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Attorneys for Defendant



Attorney for Plaintiff

STATE OF OHIO)
) ss. AFFIDAVIT OF WILLIAM RUSSELL
COUNTY OF CUYAHOGA)

Now comes Affiant, William Russell, and after being duly sworn according to law attests that:

1. I have personal knowledge of the facts set forth in this affidavit and am competent to testify as to these facts.
2. I was admitted to the Ohio Bar in 1974.
3. From 1979 until 1999, I worked as an adjunct tax professor at CSU's law school—Cleveland-Marshall College of Law.
4. The courses I taught while employed by Cleveland-Marshall included legal accounting, and state and local tax.
5. During my time as a professor, I co-authored an Ohio tax law treatise published by Matthew Bender.
6. I also served on the Board of Directors and as the President of the Cleveland Tax Club.
7. Attached hereto as **Exhibit 1-1** are true and accurate copies of my performance evaluations for the 2009/2010, 2010/2011 and 2011/2012 school years.
8. In 2005, 2007 and 2012, I was nominated for CSU's "Distinguished Service Award." Attached hereto as **Exhibit 1-2** are true and accurate copies of letters I received confirming the 2007 and 2012 nominations.
9. In 2006, I received Delta Sigma Phi's national "Lifetime Achievement Award."
10. Attached hereto as **Exhibit 1-3** is a true and accurate copy of the national Phi Delta Psi "Founder's Achievement Award" that I received in 2008.



11. In 2009, I received Greek Council's "Lifetime Service Award."
12. Attached hereto as **Exhibit 1-4** is a true and accurate copy of the letter of appointment I received to serve as CSU's Coordinator of Greek Affairs on a permanent basis.
13. Attached hereto as **Exhibit 1-5** is a true and accurate copy of an email I received on September 20, 2001, from Sandra Emerick.
14. In or around March 2011, James Drnek refused to permit me to use vacation hour for time off and instead, required me to use compensatory hours.
15. When Drnek refused to permit me to use vacation hours and required me to, instead, use compensatory hours, I sought to use vacation hours because I was close to or at the maximum number of vacation hours I was permitted to carry-over into the new school year.
16. My supervisors prior to Drnek had granted me an exemption from the 240-hour carry-over limit on vacation hours.
17. Attached hereto as **Exhibit 1-6** is a true and accurate copy of a letter I received granting one such request for exemption.
18. Attached hereto as **Exhibit 1-7** is an email chain between James Drnek and me in May and June 2009, in which Drnek denied my request for exemption from the 240-hour carry-over limit on vacation hours.
19. Attached hereto as **Exhibit 1-8** is a true and accurate copy of my OPERS *Contributing Service Record*, which I obtained from OPERS.
20. Attached hereto as **Exhibit 1-9** are true and accurate copies of time sheets for hours I worked for CSU during the weeks of July 30, 2001, August 16, 2001 and September 10, 2001.

21. Attached hereto as **Exhibit 1-10** is a true and accurate copy of the letter of appointment I received to serve as CSU's Coordinator of Greek Affairs for the period July 1, 2001, through August 3, 2001.

22. I did not receive paychecks from CSU for any work performed during the weeks of July 30 and August 16, 2001.

23. I did not receive pay for the hours set forth in CSU_004015 or CSU_003995.

24. Attached hereto as **Exhibit 1-11** is a true and accurate copy of the time sheet for hours I worked for CSU during the week of September 17, 2001 and a true and accurate copy of my pay stub for the pay period September 9, 2001 to September 22, 2001.

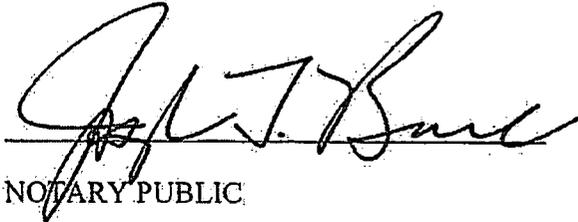
25. Attached hereto as **Exhibit 1-12** is a true and accurate copy of the letter of appointment I received to serve as CSU's Coordinator of Greek Affairs for the period October 23, 2000, through June 30, 2001.

[left intentionally blank]



WILLIAM RUSSELL

Sworn to before me and subscribed in my presence this 29th day of September
2014.



NOTARY PUBLIC

JOSEPH T. BURKE, ATTY.
NOTARY PUBLIC • STATE OF OHIO
My Commission Has No Expiration Date
Section 147.03 O.R.C.

Welcome William Russell. You are logged in.
Your Current Group:Employee.

Friday, September 23, 2011

View Professional Staff Annual or Probationary Performance Evaluation Summary - Coord, Greek Affairs

To change the status of this action, choose from the statuses below:

Go To Tab View

 Printer-Friendly Version

Evaluation Status

No Status Changes Available.

CANCEL

Evaluation Details

Employee First Name: William
 Employee Last Name: Russell
 Employee ID Number: 1001397
 Business Title: Coord, Greek Affairs
 Job Code Title: Coordinator (Admin)-4
 Evaluation Cycle: Calendar
 Evaluation Cycle Begin Date: 07/01/2009
 Evaluation Cycle End Date: 06/30/2010
 Department: Student Life
 Supervisor: Myers, Mary
 Supervisor Title: Coord, Student Organizations / Dir, Student Involvement
 Next Level Supervisor: Liss, Steven

Last Year's Goal Statements

5 Records

Goal:	Goal Met: (Entered by Supervisor)	Employee Comments:	Supervisor Comments:
Formalize relationship agreement.	Yes		Goal met, passed out and Greek Letter organization are aware of the agreement.
Establish file to chronicle Greek Life @ CSU	Yes		Greek events and activities have been chronicled and filed.
Establish formal presentation			Formal Banquet has been established for



leaders, to include risk management, recruitment/retention, hazing, etc.	Expectations	Expectations	part-time status. Greek retention rate is more than double CSU retention rate.
7. Ensures all Greek Chapters have risk management plans and are in full compliance with their constitutions and their national organization's plans and policies.	Meets All Expectations	Meets All Expectations	
8. Works with executive officers of governing bodies and chapter presidents to address issues related to creating and maintaining a strong, stable, and prosperous fraternity and sorority system.	Exceeds Expectations	Meets All Expectations	Met with several National Executive Directors, including promotion of Cleveland as the site for Sigma Tau Gamma National Convention site.
9. In conjunction with key constituent groups, develops strategic plans for Greek Life at CSU. Assists in the development, interpretation and implementation of University policies and procedures affecting students affiliated with Greek letter organizations.	Meets All Expectations	Meets Most Expectations	
10. Maintains updated information, files and records on active Greek letter organizations, e.g. officers, advisors, membership rosters, budgetary status, activities and constitutions.	Meets All Expectations	Meets All Expectations	
11. Works collectively with Department of Student Life staff on organizational functions (e.g. Springfest, Welcome Week, etc.).	Meets All Expectations	Meets All Expectations	
12. May assign and review the work of graduate students.	Meets All Expectations	Meets All Expectations	
13. Enhances professional growth and development through participation in continuing education courses, professional organizations, seminars and workshops, reading current literature and maintaining professional contacts in the community.	Meets All Expectations	Meets All Expectations	
14. Performs other functionally related duties as assigned.	Meets All Expectations	Meets All Expectations	

Individual Competencies

Work Quality/Quality Standards/Quality Service

Below signifies MEETS ALL EXPECTATIONS performance. Rating in this area should be based on applicability to the employee's current position and job duties. This competency is defined as the ability to:

- * Demonstrate high quality standards in all work

- Display good listening skills
- Keep appropriate CSU staff informed, including supervisor, when information received is (or could be) relevant to them
- Provide for timely, accurate and complete information between various departments in a helpful, assistive manner

Employee Rating: Meets All Expectations

Supervisor Rating: Meets All Expectations

Employee Comments:

Supervisor Comments:

Supervisor comments are required for any ratings other than Meets All Expectations or Meets Most Expectations.

Productivity, Initiative and Creativity

Below signifies MEETS ALL EXPECTATIONS performance. Rating in this area should be based on applicability to the employee's current position and job duties. This competency is defined as the ability to:

- Distinguish between necessary and unnecessary activities
- Effectively plan work to avoid constant deadline crises
- Effectively organize own work schedule
- Find ways to "add value"
- Work effectively and efficiently under general supervision where only broad work instructions are provided
- Recommend and/or implement improvements to methods, procedures, and services
- Effectively utilize department resources, identify and secure external resources (as applicable)
- Keep current on recent developments and new information in his/her department or field, including new technology, equipment, programs, and services

Employee Rating: Exceeds Expectations

Supervisor Rating: Meets All Expectations

Employee Comments: New initiatives like the Greek year-end Awards Banquet and various Greek Alumni initiatives (GAC Scholarship, etc.) were very successful, in addition to staples like Greek Week, Greek Fest, Fall and Spring Greek Recruitment Weeks, GAC Tailgate event and the Greek Retreat.

Supervisor Comments:

Supervisor comments are required for any ratings other than Meets All Expectations or Meets Most Expectations.

Analytical Skills, Report Writing, Data Management and Analysis

Below signifies MEETS ALL EXPECTATIONS performance. Rating in this area should be based on applicability to the employee's current position and job duties. This competency is defined as the ability to:

- Adhere to financial and record keeping procedures of department and University
- Maintain documentation that is complete, organized, legible, and concise
- Search for and investigate many different kinds of relevant information to assist in decision-

Supervisor Rating: Meets All Expectations

Employee Comments: Time management was especially critical this past year given the significant reduction (100+ hours) in comp-time available. As a consequence much off the clock time was used.

Supervisor Comments:

Supervisor comments are required for any ratings other than Meets All Expectations or Meets Most Expectations.

Next Year's Goal Statements

3 Records

Goal:	Goal Met:	Employee Comments:
Establish a Greek organization presence in the new Student Center.	No Response	
Increase service opportunities for Greek letter participants through outreach and information sharing.	No Response	
Outline process and parameters for publication on establishing a local fraternity or sorority.	No Response	

Overall Rating Comments

Overall Performance Rating

Overall Performance Rating: Meets All Expectations

Comments

Supervisor Comments: Bill has done a wonderful job of promoting Greek Life and working to increase membership in National and local fraternities and sororities at CSU. His enthusiasm and energy will be missed as he approaches retirement. He has met the objective of the Greek Alumni Council which was to rekindle Greek Life and Greek-Letter organizations on campus. Job well done!

Employee Comments:

Next Level Supervisor Comments:

Notes/History

08-31-2010 11:07 AM <i>Saved Without Submitting</i> View Summary	William Russell
09-15-2010 11:08 AM <i>Sent to Supervisor to Conduct Evaluation</i> View Summary	William Russell
09-20-2010 5:26 PM	Mary Myers

Welcome William Russell: You are logged in.
Your Current Group: Employee.

Monday, September 19, 2011

View Professional Staff Annual or Probationary Performance Evaluation Summary - Coord, Greek Affairs

To change the status of this action, choose from the statuses below:

Edit Evaluation

 Printer-Friendly Version

Evaluation Status

Save

Send to Supervisor to Conduct Evaluation

Evaluation Details

Employee First Name: William
 Employee Last Name: Russell
 Employee ID Number: 1001397
 Business Title: Coord, Greek Affairs
 Job Code Title: Coordinator (Admin)-4
 Evaluation Cycle: Fiscal
 Evaluation Cycle Begin Date: 09/01/2010
 Evaluation Cycle End Date: 08/31/2011
 Department: Student Life
 Supervisor: Myers, Mary
 Supervisor Title: Coord, Student Organizations / Dir, Student Involvement
 Next Level Supervisor: Liss, Steven

Last Year's Goal Statements

3 Records

Goal:	Goal Met: (Entered by Supervisor)	Employee Comments:	Supervisor Comments:
Establish a Greek organization presence in the	Yes	The Greek orgs. have established the greatest presence in the SC and have had several events both on our own (Greek Recruitment weeks, Greek Week, Greek Fest/Greek games, Greek Xmas party, Alcohol Awareness seminar, Blood drive, various 24	Bill and the Greek letter organizations are utilizing the Student Center in efforts to

4. Represents the department at Greek Council and Greek Alumni Council meetings and other meetings and programs related to Greek Affairs.

Outstanding

Important meeting regarding Greek participation despite working a part-time schedule.

5. Maintains, monitors and reconciles Greek Affairs and Greek Council budgets.

Meets All Expectations

6. In conjunction with department staff, ensures on-going training and development of Greek leaders, to include risk management, recruitment/retention, hazing, etc.

Exceeds Expectations

Bill is constantly communicating with members of organizations about liability issues. The hope is that there will be ongoing programming each semester to touch on these issues and concerns.

7. Ensures all Greek Chapters have risk management plans and are in full compliance with their constitutions and their national organization's plans and policies.

Meets All Expectations

8. Works with executive officers of governing bodies and chapter presidents to address issues related to creating and maintaining a strong, stable, and prosperous fraternity and sorority system.

9. In conjunction with key constituent groups, develops strategic plans for Greek Life at CSU. Assists in the development, interpretation and implementation of University policies and procedures affecting students affiliated with Greek letter organizations.

10. Maintains updated information, files and records on active Greek letter organizations, e.g. officers, advisors, membership rosters, budgetary status, activities and constitutions.

11. Works collectively with Department of Student Life staff on organizational functions (e.g. Springfest, Welcome Week, etc.).

12. May assign and review the work of graduate students.

13. Enhances professional growth and development through participation in continuing education courses, professional organizations,

Supervisor comments are required for any ratings other than Meets All Expectations or Meets Most Expectations.

of the diverse nature of our campus and its challenges for the Greek Council.

Communication Skills

Below signifies MEETS ALL EXPECTATIONS performance. Rating in this area should be based on applicability to the employee's current position and job duties. This competency is defined as the ability to:

- Effectively use oral and written communication skills to convey ideas to others in a clear and informative manner
- Be tactful and professional in all oral and written communications
- Display good listening skills
- Keep appropriate CSU staff informed, including supervisor, when information received is (or could be) relevant to them
- Provide for timely, accurate and complete information between various departments in a helpful, assistive manner

Employee Rating: N/A

Supervisor Rating: Exceeds Expectations

Employee Comments:

Supervisor Comments:

Supervisor comments are required for any ratings other than Meets All Expectations or Meets Most Expectations.

Bill is a good listener for the students and keeps me abreast of situations that may have an impact on our students and the Greek community.

Productivity, Initiative and Creativity

Below signifies MEETS ALL EXPECTATIONS performance. Rating in this area should be based on applicability to the employee's current position and job duties. This competency is defined as the ability to:

- Distinguish between necessary and unnecessary activities
- Effectively plan work to avoid constant deadline crises
- Effectively organize own work schedule
- Find ways to "add value"
- Work effectively and efficiently under general supervision where only broad work instructions are provided
- Recommend and/or implement improvements to methods, procedures, and services
- Effectively utilize department resources, identify and secure external resources (as applicable)
- Keep current on recent developments and new information in his/her department or field, including new technology, equipment, programs, and services

Employee Rating: N/A

Supervisor Rating: Exceeds Expectations

Employee Comments:

Supervisor Comments:

Supervisor comments are required for any ratings other than Meets All Expectations or

Bill does a great job making the most of part-time schedule.

applicability to the employee's current position and job duties. This competency is defined as the ability to:

- Manage multiple priorities effectively
- Set priorities and delegates effectively
- Set clear meeting agendas and involve appropriate people for meetings
- Manage tasks and responsibilities for all departmental projects
- Meet project deadlines or communicate effectively when deadlines are compromised

Employee Rating: N/A
 Supervisor Rating: Exceeds Expectations

Employee Comments:

Supervisor Comments:

Supervisor comments are required for any ratings other than Meets All Expectations or Meets Most Expectations.

Bill makes sure things are taking care of and is not hesitant to rely on the student leaders to ensure priorities and deadlines are established.

Next Year's Goal Statements

3 Records

Goal:	Goal Met:	Employee Comments:
Increase outreach and collaboration with students and entities (not apart of Greek life) to co-host or sponsor events to increase awareness of the opportunities and philanthropic nature of students participating in Greek-letter organizations.	No Response	
Outline process and parameters for publication on establishing a local fraternity or sorority.	No Response	
Work to increase outreach and participation of NPHC organizations at Cleveland State University.	No Response	

Overall Rating Comments

Overall Performance Rating

Overall Performance Rating:

Comments

Supervisor Comments:

Employee Comments:

Next Level Supervisor Comments:

Notes/History

09-16-2011 10:38 AM

William Russell

Saved Without Submitting

[View Summary](#)

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Evaluation Details:

Employee First Name: William
 Employee Last Name: Russell
 Employee ID Number: 1001397
 Employee Account Name: Russell, William
 Business Title: Coord, Greek Affairs
 Job Code Title: Coordinator (Admin)-4
 Evaluation Cycle: Fiscal
 Evaluation Cycle Begin Date: 07/01/2011
 Evaluation Cycle End Date: 06/30/2012
 Department: Student Life
 Supervisor: Myers, Mary
 Supervisor Title: Coord, Student Organizations / Dir, Student Involvement
 Next Level Supervisor: Liss, Steven
 Other Users in Department Who Need Access to this Evaluation: Banks, Willie
 Lee, Olga
 Liss, Steven
 Myers, Mary

Last Year's Goal Statements

6 Records

Goal:	Goal Met: (Entered by Supervisor)	Employee Comments:	Supervisor Comments:
Increase outreach and collaboration with students and entities (not apart of Greek life) to co-host or sponsor events to increase awareness of the opportunities and philanthropic nature of students participating in Greek-letter organizations.	Yes	Goal met	Bill has worked to increase outreach and collaboration.
Increase outreach/collaboration outside of Greek life to co-host or sponsor events to increase awareness of opportunities and philanthropic nature of students participating in Greek Life	Yes	Established parameters in Greek Org of the Year award to reward Greek Orgs for their participation in community service and philanthropic events. Accordingly, community service was up considerably over our already high levels. Co-sponsored and hosted events with Athletics, Alumni, Residence Life, Rec Center, CAD, GCA, Student Involvement Committee, Susan Koinon Race for the Cure, etc., ensuring their success via Greek Council donations and Greek member participation. Substantial value added. Awareness of Greek Campus pride and engagement; outreach significantly promoted by the imposing 12 banners hung in the Student Center. Initiated GAC scholarship drive to endow a \$25,000 scholarship in the name of Greek Life, funded by donations of Greek Alumni and profits from annual GAC Taggate event.	
Outline process and parameters for publication on establishing a local fraternity or sorority.	Yes	Goal met	Bill has begun the process of outlining the process to establish local fraternities and societies.

10. Maintains updated information, files and records on active Greek letter organizations, e.g. officers, advisors, membership rosters, budgetary status, activities and constitutions.
11. Works collectively with Department of Student Life staff on organizational functions (e.g. Springfest, Welcome Week, etc.).
12. May assign and review the work of graduate students.
13. Enhances professional growth and development through participation in continuing education courses, professional organizations, seminars and workshops, reading current literature and maintaining professional contacts in the community.
14. Performs other functionally related duties as assigned.

Individual Competencies

Work Quality/Quality Standards/Quality Service

Below signifies **MEETS ALL EXPECTATIONS** performance. Rating in this area should be based on applicability to the employee's current position and job duties. This competency is defined as the ability to:

- Demonstrate high quality standards in all work.
- Meet deadlines and notify affected parties when meeting deadline is not possible.
- Interact with internal and external customers exhibiting professional courtesy, respect and quality service behaviors.
- Present and promote a positive image of CSU.
- Provide high levels of service in all situations.

Employee Rating: Exceeds Expectations

Supervisor Rating: Meets All Expectations

For the period of this Evaluation (7-1-2011 to 6-30-2012):

Undergrad Greek membership continued to grow significantly as did Greek Alumni involvement. We reached a nearly tenfold increase in membership this Spring from where we started, as well as continuing to add new Chapters.

In both Fall and Spring semesters we initiated more new members into Greek Life than the sum total of all the CSU Greeks that existed when I became the Part-time Greek Coordinator.

Retention/engagement/graduation/job acquisition (often made thru alumni connections) continue to far exceed the non-Greek CSU population and other urban universities (see later rating category below). Greek Fest and Greek Awards Banquet turnout was largest in CSU history. Engagement in CSU, Greek Council attendance, and enthusiasm of both undergrads and alumni is at its peak.

You will not find anybody that promotes a more positive/upbeat image of CSU and Student Life to our alumni and external partners (parents/businesses/community service agencies), as I have this year and for the past 47 years. Through alumni and community connections that I have established over that time, I have been requested to speak to several groups. My compilation of the "History of CSU Greek Life" has been a great success with both undergrads and alumni, and continues to be requested, even by the President's office.

Continued support for Athletics, Alumni, Conference Services, African American Cultural Center, Admissions/Orientation, President's Office, etc., have been well received as evidenced by communicated appreciation given by Coach's Waters and Peterson-Abiad, Director Champion-Sloan, Director Gaspitch, Preter Pickett, Elizabeth Lee, Barb Smith, and Dean Drake, as well as National Greek reps. Once again, I was nominated for a CSU Distinguished Service Award.

New this year, and one of the most positive and enthusiastic displays of Greek promotion at CSU, appears in the Student Center Atrium, with the 12 tasteful Greek banners that adorn the balcony. These are all hung at the expense of the individual chapters, and represents an effort to show our commitment to traditional college engagement activities, despite a woeful economy and limited financial resources.

As has been the case for all of my tenure, the accomplishments were achieved on part time hours and with additional restriction of not being able to accumulate comp hours, as had been allowed in the past.

Employee Comments:

Supervisor Comments:

Supervisor comments are required for any ratings other than Meets All Expectations or Meets Most Expectations.

Interpersonal Relations/Team Interactions

Below signifies **MEETS ALL EXPECTATIONS** performance. Rating in this area should be based on applicability to the employee's current position and job duties. This competency is defined as the ability to:

- * Create and/or contribute to a work climate that reflects trust, openness, and good relations among the University community
- * Work cooperatively with supervisors to accomplish tasks and is willing to accept advice and follow directions
- * Work cooperatively with team to ensure outcomes and high levels of service
- * Demonstrate an ability to effectively manage conflict
- * Recognize the diversity of the campus community and treat everyone with equal respect and dignity

Employee Rating: Outstanding

Supervisor Rating: Meets All Expectations

Employee Comments:

This year, as in year's past, I have enjoyed the best of relationships with our Greek students and the hundreds of Greek Alumni that I come in contact with. Most are surprised that not only do I take the time to know their names, but also seek to know something about them in order to establish the trusting relationship that has been achieved these past 12 years. This has helped considerably in areas such as retention, CSU engagement, community service, volunteering, job acquisition support, encouragement to continue education at CSU grad/law school, and ultimately via continued post-graduation CSU participation as alumni.

I have been blessed in the past by having Awards named after me, notwithstanding, I was extremely proud that the Greek Alumni Council in special session (I was not privy), named their CSU Greek Man of the Year after me, and my own National fraternity honored me with a Lifetime Achievement Award.

All of our traditional Greek Chapters continue to be significantly diverse, each having between 1/4 and 1/3 minority membership, something quite rare on most college campuses. Greek unity never has been an issue.

Up to this point there has been little conflict to manage, inasmuch as Greek Life continues to show a unified front, something quite different from when I experienced Greek Life at CSU back in the 60's. Unlike other election campaigns (US Presidential, CSU SGA, etc.) that become ultra negative or contested, I am especially proud that Greek non-winners of elections (and awards, etc.) have remained active participants despite not achieving their desired outcome. The same can be said for the participation in our Greek Games and the upbeat aftermath displayed. It was impressive that after 5 hours of competition (physical and mental), an upbeat showing of Greek unity was very evident and very rewarding.

On a personal note, I had a heart attack in the fall after an alumni undergrad softball game at Krenzel field. The dozens of cards, emails, fruit baskets, hospital and home visits (especially since I live in Huron, Erie County), by both undergrads and alumni were overwhelming, and clearly reflect the interpersonal relationship that we have been able to establish as we continue to grow Greek Life at Cleveland State.

I will miss this, inasmuch as I will be retiring after this year, however, I still expect to continue to be active in several CSU areas, especially as they will relate to fundraising and Greek alumni scholarships, of which we will hope to add to the substantial number already in existence (e.g., J. Maurice Stuchert, a fraternity brother and past Chairman of the CSU Board of Trustees). I have already talked to Dean Ornek about the creation of a new scholarship in the name of my daughter, a CSU grad, that is now fighting terminal Stage IV breast cancer.

Supervisor Comments:

Supervisor comments are required for any ratings other than Meets All Expectations or Meets Most Expectations.

Communication Skills

Below signifies **MEETS ALL EXPECTATIONS** performance. Rating in this area should be based on applicability to the employee's current position and job duties. This competency is defined as the ability to:

- * Effectively use oral and written communication skills to convey ideas to others in a clear and informative manner
- * Be tactful and professional in all oral and written communications
- * Display good listening skills
- * Keep appropriate CSU staff informed, including supervisor, when information received is (or could be) relevant to them
- * Provide for timely, accurate and complete information between various departments in a helpful, assistive manner

Employee Rating: Exceeds Expectations
 Supervisor Rating: Meets All Expectations

This year, as in years passed, I have been asked to speak at several CSU (Sporty and Fraternity formal, Award Banquets, Chapter/Alumni meetings, Alumni-brunches, etc.) and non-CSU Community functions (nursing homes, churches, youth groups, etc.) over the years and this past year was no exception. I always eagerly promote a positive image of the school and seem to be able to find an area of interest in that I have been a part of so many different CSU areas (Undergrad student, Class President, Fraternity President, Student Athlete, Law School grad, Alumni Board of Trustees, Law Professor, parent of a CSU grad, and Student Life staff). With this background, I am able to address students and alumni needs on many different fronts.

I was recently appointed to the Cleveland Indian's Fan Advisory Council, and even found a way to interject positive things about CSU in our last meeting, triggering a call last week from the Indian's offering fundraising possibilities. I've had similar involvement with the Cleveland Cavaliers in the past and was able to use the Q arena floor for an Alpha Phi Alpha fundraiser some years past. Likewise, the Cleveland Browns' games have been a source of fundraising for our Greek groups for many years.

Although I have authored other publications in my past life as a Tax Attorney and Law Professor (e.g., Mathew Bender Treatise on Ohio Tax law), I far more enjoyed authoring the "History Of CSU Greek Life As Experienced By Someone Who Has Been There From The Beginning". The even greater enjoyment has come from the overwhelming response and comments noting CSU/Greek motivation from undergrad and alumni alike, although most inquire as to why my name does not appear anywhere and why I want to be anonymous. The reason was that I wanted the focus on CSU and its Greek Life, and not on me.

Actually, this was going to be part of a Greek Council project to produce a Greek Yearbook, which was intended to perhaps spur the school into restoring the CSU Fanfare. If not, the Greeks were having fun reliving experiences and gathering photos with captions to depict CSU Greek Life and use as promotion of Greek Life in the future. After working on the project for 6 months, Student Life administration shelved the project, however, maybe it can be resumed this next year. Fortunately, I was able to apply effective oral communication skills to get out of our contract with Interstate Publishing.

I always give a detailed description of Greek activities at our various staff meetings.

Supervisor Comments:

Supervisor comments are required for any ratings other than Meets All Expectations or Meets Most Expectations.

Productivity, Initiative and Creativity

Below signifies MEETS ALL EXPECTATIONS performance. Rating in this area should be based on applicability to the employee's current position and job duties. This competency is defined as the ability to:

- Distinguish between necessary and unnecessary activities
- Effectively plan work to avoid constant deadline crises
- Effectively organize own work schedule
- Find ways to "add value"
- Work effectively and efficiently under general supervision where only broad work instructions are provided
- Recommend and/or implement improvements to methods, procedures, and services
- Effectively utilize department resources, identify and secure external resources (as applicable)
- Keep current on recent developments and new information in his/her department or field, including new technology, equipment, programs, and services

Employee Rating: Meets All Expectations
 Supervisor Rating: Meets Most Expectations

Greek Life, like real life, is in constant change. Several new initiatives were developed by Greek Council and the Greek Alumni Council (GAC) and were implemented. Greek Council's new initiative of a Greek Yearbook was tabled; however, our Academic Challenge was a major hit, as were some new activities during Greek Week, Viking Madness, Alumni Tailgate, Greek Recruitment, Greek Fest and the Greek Awards Banquet. Due to the increased turnout, we often had to find larger venues to accommodate the turnout.

Our co-hosting/partnering with GAB, SGA, the President's Office,

Alumni, Rec Center, Wolslein Center certainly "added value" to the events, as well as putting butts in the seats. I am thankful to have enjoyed the freedom that my supervisors have allowed me in order to develop Greek Life over the years, as well as their support. Accordingly, they have been freed up to do the fine work they do in their own areas of concern. All activities were completed and deadlines met without the need for crisis management, much due to the leadership displayed by Greek Council officers and Committee chairs. Like the diversity of membership displayed in all of our Chapters, the Greek Council activities were led by a very diverse group of students.

Supervisor Comments:

Supervisor comments are required for any ratings other than Meets All Expectations or Meets Most Expectations.

Analytical Skills, Report Writing, Data Management and Analysis:

Below signifies MEETS ALL EXPECTATIONS performance. Rating in this area should be based on applicability to the employee's current position and job duties. This competency is defined as the ability to:

- Adhere to financial and record keeping procedures of department and University
- Maintain documentation that is complete, organized, legible, and concise
- Search for and investigate many different kinds of relevant information to assist in decision-making
- Demonstrate the ability to discover, understand, and verbalize the concepts and ideas held by others
- Use analytical skills to review information and formulate alternative solutions to problem
- Articulate the pros and cons of alternatives when devising plans or courses of action

Employee Rating: Meets All Expectations

Supervisor Rating: Meets Most Expectations

Employee Comments:

All events were voted on and approved by Greek Council, and all activities were done within budget. As has been the case since we made our presentation before the CSU Board of Trustees in 2006 to achieve General Fee status, we were financially responsible and had money left over. I was also asked to participate in a study by the Education Advisory Board regarding the structure and development of Greek Life at large, public, urban universities. The research revealed that despite the fact that CSU was the only institution with a part-time Greek Coordinator, CSU scored high in retention, graduation, and alumni involvement compared to our competition. All Greek files were reorganized, and rules relating to the Greek Organization of the Year streamlined. Upon retirement, I hope to leave my successor with a much more organized approach than I started with.

Supervisor Comments:

Supervisor comments are required for any ratings other than Meets All Expectations or Meets Most Expectations.

Leadership/People Management/Managing Performance of Others:

Below signifies MEETS ALL EXPECTATIONS performance. Rating in this area should be based on applicability to the employee's current position and job duties. This competency is defined as the ability to:

- Set clear focus and direction
- Provide ongoing feedback and coaching to employees
- Define roles and responsibilities and set clear expectations for performance
- Challenge and motivate employees
- Apply clear and consistent performance standards
- Handle performance issues decisively and objectively
- Manage collaboratively
- Make decisions systematically
- Maximize the diversity of the team to meet business objectives

Employee Rating: Meets All Expectations

Supervisor Rating: Meets Most Expectations

Employee Comments:

Establishing Greek unity in an environment that is typically quite competitive, is indicative of the focus of Greek Life, and an awareness that we can accomplish more together than we otherwise would individually. I have always had the cooperation of all the Greek chapters and their members, which probably accounts for the minimum of

incidents attributable to Greeks, especially compared to other college campuses. I am proud of the feedback that I have received from our peers regarding the support that Greek Life has provided, including a letter from Dean Greek in appreciation of my leadership. Diversity is now and has been a major accomplishment of Greek Life and Greek Council. I am proud that Greek Council leadership was effective in the discharge of its duties. They certainly utilized their officer training and more than earned the scholarships that we fought for a couple of years' back. This next year will be a challenge since we have lost many of our experienced Greek leaders to graduation, and new leadership is coming in.

Supervisor Comments:

Supervisor comments are required for any ratings other than Meets All Expectations or Meets Most Expectations.

Project, Meeting and Time Management:

Below signifies MEETS ALL EXPECTATIONS performance. Rating in this area should be based on applicability to the employee's current position and job duties. This competency is defined as the ability to:

- Manage multiple priorities effectively
- Set priorities and delegates effectively
- Set clear meeting agendas and involve appropriate people for meetings
- Manage tasks and responsibilities for all departmental projects
- Meet project deadlines or communicate effectively when deadlines are compromised

Employee Rating: Meets All Expectations

Supervisor Rating: Meets Most Expectations

Employee Comments: Attended all Greek Council and Greek Alumni Council meetings (except during heart attack recovery). This year's challenge of time management skills was presented when, due to the inability to schedule the Greek Awards Banquet the week after Greek Fest, we had to do both in the same week. As mentioned earlier, I was not allowed to accumulate comp hours as in the past, and a normal Greek Fest (with evening activities) usually triggers a 60+ hour week even without the Banquet. Notwithstanding, I was able to effectively manage all our events, on time, under budget, and without incident. Needless to say, I had to use substantial personal time "off the clock", however, we were able to achieve record participation in both Greek Fest and Greek Award Banquet events. A good time was had by all. I would hope that after my retirement, some organizational changes could take place, to avoid a similar time problem.

Supervisor Comments:

Supervisor comments are required for any ratings other than Meets All Expectations or Meets Most Expectations.

Next Year's Goal Statements

3 Records

Goal:	Goal Met:	Employee Comments:
Formalize recruitment procedures and data collection process,	No Response	
Modify and Implement the Greek Relationship Agreement that was first crafted in 2002. Upon final approval to ensure enforcement of all its provisions. This will cover the 6 overarching goals of the university;	No Response	
Work to increase outreach participation of NPHC organization at Cleveland State University.	No Response	

Overall Rating Comments

Overall Performance Rating

Overall Performance Rating: Meets Most Expectations

Comments:

Supervisor Comments: Bill has been a valued staff member for many years. He has dedicated his time and commitment to Cleveland State University and the expansion of Greek Life. I must say, for someone who is not

trained in the area of Student Affairs he has managed to increase the enthusiasm among students regarding the Greek life experience and serves as a father figure and role model for many. I appreciate his dedication and willingness to give back to his Alma Mater and wish him well in his 2nd retirement.

Employee Comments:

Next Level Supervisor Comments:

Notes/History

08-13-2012 9:18 AM	William Russell
<i>Saved Without Submitting</i>	
08-13-2012 10:37 AM	William Russell
<i>Saved Without Submitting</i>	
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<i>Save</i>	
08-14-2012 8:32 AM	William Russell
<i>Save</i>	
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08-15-2012 3:00 PM	William Russell
<i>Save</i>	
08-16-2012 1:44 PM	Richard Horsfall
<i>Save</i>	
08-20-2012 4:22 PM	William Russell
<i>Save</i>	
08-21-2012 9:02 AM	William Russell
<i>Save</i>	
08-26-2012 1:17 PM	William Russell
<i>Save</i>	
08-26-2012 1:18 PM	William Russell

Save

08-27-2012 10:05 AM

Richard Horsfall

Sent to Employee to Conduct Self Evaluation

08-27-2012 10:29 AM

William Russell

Save

08-27-2012 10:32 AM

William Russell

Save

08-27-2012 10:40 AM

William Russell

Save

08-27-2012 10:48 AM

William Russell

Sent to Supervisor to Conduct Evaluation

08-28-2012 9:38 AM

Mary Myers

Save

08-28-2012 1:24 PM

Mary Myers

Save

08-28-2012 1:44 PM

Mary Myers

Save

08-29-2012 1:52 PM

Mary Myers

Save

08-28-2012 2:01 PM

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08-28-2012 2:05 PM

Mary Myers

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08-28-2012 2:07 PM

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Save

08-28-2012 2:09 PM

Mary Myers

Save

08-28-2012 2:14 PM

Mary Myers

Send to Next Level Supervisor for Review or Approval

08-29-2012 10:37 AM

Mary Myers

Save

08-29-2012 10:40 AM

Mary Myers

Save