

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2012-0025

<b>Sponsored by: County Executive FitzGerald/Fiscal Officer and Department of Human Resources on behalf of Human Resource Commission</b>	<b>An Ordinance</b> amending Section 6.12 of the County's Human Resources Personnel Policies and Procedures Manual to make it mandatory for the County to use direct deposit for paying employees' compensation, effective 11/1/2012; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the County Executive/Fiscal Officer and Department of Human Resources on behalf of the Human Resource Commission has recommended to amend the Human Resources Personnel Policies and Procedures Manual to clarify Section 6.12 to make it mandatory for the County to use direct deposit for paying employees' compensation, effective 11/1/2012; and,

WHEREAS, Ohio Revised Code Section 9.37(G) provides that the County:

...may adopt a direct deposit payroll policy under which all employees of the municipal corporation, all county employees, or all township employees, as the case may be, provide a written authorization designating a financial institution and an account number to which payment of the employee's compensation shall be credited under the municipal corporation's, county's, or township's direct deposit payroll policy; and,

WHEREAS, many public and private employers mandate the use of direct deposit for paying employee compensation; and,

WHEREAS, Section 6.12 in its current format may be subject to interpretation suggesting the use of direct deposit is not mandatory; and,

WHEREAS, it is necessary to clarify Section 6.12 to make the use of direct deposit mandatory to comply with Ohio Revised Code Section 9.37(G) and to standardize benefits with some of the County's unionized employees who are now subject to mandatory direct deposit requirements; and,

WHEREAS, on July 5, 2012, the Human Resource Commission fully reviewed and considered the proposed revision to the County's Personnel Policies and Procedures Manual; and,

WHEREAS, the Human Resource Commission recommends approval of the proposed revisions to County Council; and,

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily, operation of a County departments, offices, and agencies.

**NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1. Adoption of Revised Human Resource Personnel Policies and Procedures Manual:** Council hereby adopts the amended version of the County's Human Resources Personnel Policies and Procedures Manual (added language **bolded**; deleted language in ~~strike through~~), effective 11/1/2012, and shall remain in force and effect and shall be followed by county employees under the authority of the County Council and County Executive:

**Direct Deposit Program:** In lieu of paper paychecks, the County ~~can~~ **shall** electronically transfer net pay into an employee's checking or savings account at the financial institution of the employee's choice. Employees interested in participating in the Direct Deposit Program ~~should contact the Payroll Division at~~ **shall contact the Time and Attendance Division at (216) 443-7380 for more information or** to complete a Direct Deposit Authorization Form on the ~~MyHR website~~ **County's electronic system (currently MyHR) and submit it to the Payroll Division Time and Attendance Division. If an employee can provide documentation that he/she made good faith efforts to obtain a savings and checking account from the list of financial institutions in which direct deposit is available to the County (including an attempt to obtain a savings and checking account through one of the credit unions that services County employees) and the employee was unable to obtain an account, then the County shall make the sole determination as to whether the employee may be exempt from the direct deposit requirement. If an employee fails to comply with the terms of this direct deposit policy, then the employee may be subject to discipline. In addition, at the County's sole discretion, the County may provide for the direct deposit of an employee's compensation into an account where the employee will have access to the compensation within the same period of time that other employees of the County have access to their compensation.**

**SECTION 2.** It is hereby found and determined necessary for this Ordinance to become immediately effective, for the reason that this Ordinance provides for the usual daily and necessary operations of Cuyahoga County government in accordance with the requirements of the Cuyahoga County Charter; therefore, this Ordinance, provided it receives the affirmative vote of at least eight members of County Council, shall become effective immediately; otherwise it shall be in full force and effect from and immediately after the earliest time permitted by law.

**SECTION 3.** It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

