

County Council of Cuyahoga County, Ohio

Ordinance No. O2017-0001

Sponsored by: Councilmember Miller	An Ordinance enacting Section 303.051 of the Cuyahoga County Code to authorize the Personnel Review Commission to adopt Merit Principles in its Administrative Rules, and declaring the necessity that this Ordinance become immediately effective.
Co-sponsored by: Councilmembers Brown and Conwell	

WHEREAS, Article IX of the Charter of Cuyahoga County creates a Personnel Review Commission that shall be responsible for administering, for and in cooperation with the officers, agencies, boards and commissions of the County, an efficient and economical system for the employment of persons in the public service of the County according to merit and fitness; and,

WHEREAS, Section 9.01 of the Charter of Cuyahoga County states that the County's human resources policies and systems shall be established by ordinance and shall be administered in such a manner as will eliminate unnecessary expense and duplication of effort, while ensuring that persons will be employed in the public service without discrimination on the basis of race, color, religion, sex, national origin, sexual orientation, disability, age or ancestry; and,

WHEREAS, Section 9.02(4) of the Charter of Cuyahoga County provides that the Personnel Review Commission shall have "[r]esponsibility for creation of rules and policies related to the Personnel Review Commission's authority set forth in this Charter in accordance with the human resource policies established by ordinance;" 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 entity.

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

SECTION 1. Cuyahoga County Code Section 303.051 is hereby enacted as follows. The remaining Sections of Chapter 303 shall remain in full force and effect.

Section 303.051 Merit Principles

Pursuant to Article 15, Section 10 of the Ohio Constitution and pursuant to Section 9.01 of the Charter, appointments, promotions, and personnel management in the civil

service of the county shall be conducted according to merit and fitness. The Personnel Review Commission may adopt merit principles in its Administrative Rules to guide its work to fulfill its Charter responsibilities; provided, however, that such merit principles shall not conflict with this Code or with state or federal law, nor shall such merit principles confer any additional legal rights upon employees of the county.

SECTION 2. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed 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.

On a motion by Mr. Miller, seconded by Ms. Brown, the foregoing Ordinance was duly enacted.

Yeas: Jones, Brown, Hairston, Simon, Baker, Miller, Tuma, Gallagher, Schron, Conwell and Brady

Nays: None

_____	_____
County Council President	Date
_____	_____
County Executive	Date
_____	_____
Clerk of Council	Date

First Reading/Referred to Committee: May 23, 2017

Committee(s) Assigned: Human Resources, Appointments & Equity

Additional Sponsorship Requested on the Floor: May 23, 2017

Additional Sponsorship Requested: June 6, 2017

Journal CC026

June 13, 2017