

County Council of Cuyahoga County, Ohio

Ordinance No. O2019-0008

Sponsored by: County Executive Budish	An Ordinance authorizing measures to assist employees of the Sheriff's Department who are being displaced because of the transition of medical services to The MetroHealth System, and declaring the necessity that this Ordinance become immediately effective.
--	---

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, Council adopted Resolution No. R2019-0092 authorizing an agreement with The MetroHealth System for Correctional Health Care Services for detainees of the Cuyahoga County Jail System for the period 5/9/2019 - 5/8/2022; and,

WHEREAS, the primary goal of the transfer of medical services to The MetroHealth System was for the purpose of providing medical services to detainees of the Cuyahoga County Jail System as mandated by ORC 5120:1-8-09, which mandates medical, dental and mental health services to all County Jail inmates; and,

WHEREAS, this transfer of medical services to The MetroHealth System arises out of unique circumstances and will affect several bargaining and non-bargaining employees of the Sheriff's Department and cause their displacement; 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. The County Executive is hereby authorized to offer continued employment to the employees of the Sheriff's Department who are displaced as a result of the contract with The MetroHealth System for Correctional Health Care Services, into existing vacant positions or newly created positions for which they are

qualified. The process established herein of placing qualified employees into alternative positions shall be administered by the Department of Human Resources and shall precede the placement of individuals on an eligibility list for the affected job classification(s). Employees placed into positions through the process established herein shall retain all paid leave balances and service credit and shall be required to serve the same probationary period as newly appointed employees.

SECTION 2. The County Executive is hereby authorized to compensate all non-bargaining employees of the Sheriff in the same manner as provided through a collective bargaining agreement to similarly displaced unionized employees if the non-bargaining employees are (1) displaced because of the 2019 transition of medical services to The MetroHealth System, and (2) are not placed into alternative positions by June 30, 2019, or (3) are placed into alternative positions but do not pass their probationary periods. Employees who are terminated for misconduct providing just cause for removal shall not be eligible for the compensation authorized herein.

SECTION 3. The provisions of this Ordinance shall not be codified and shall expire upon full implementation of all provisions contained herein.

SECTION 4. 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 5. 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. Brady, seconded by Ms. Brown, the foregoing Ordinance was duly enacted.

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

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

Journal CC034
May 14, 2019