

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2021-0017

<p>Sponsored by: <b>County Executive Budish/Department of Human Resources and Council President Jones</b></p>	<p><b>An Uncodified Ordinance</b> providing for paid emergency administrative leave for County employees; and allowing the County Executive or his designee to temporarily expand the use of existing paid sick leave and unpaid personal leave of absence; and declaring the necessity that this Uncodified Ordinance become immediately effective.</p>
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WHEREAS, the life, safety, and welfare of the residents of Cuyahoga County are in jeopardy due to the continued spread of the deadly infectious disease identified as the Coronavirus disease (COVID-19); and

WHEREAS, Cuyahoga County is committed to the health and well-being of its employees and their families; and

WHEREAS, it is in the best interest of the employees of Cuyahoga County that they be encouraged to remain at home and out of the workplace when they have an illness especially during this period of emergency; and

WHEREAS, the Cuyahoga County Executive and the Cuyahoga County Council have determined that in an effort to keep Cuyahoga County employees and their families safe and healthy any employee who has tested positive for COVID-19 or who must quarantine due to exposure to someone who has tested positive for COVID-19 and whom County management has determined cannot work remotely while quarantined may receive up to eighty (80) hours of paid emergency administrative leave; and

WHEREAS, the eighty (80) hours of paid emergency administrative leave shall be effective as of the effective date of this Uncodified Ordinance and shall expire December 31, 2022; and

WHEREAS, this Uncodified Ordinance shall apply to any and all employees currently employed by Cuyahoga County or any employee hired by Cuyahoga County after the effective date hereof; and

WHEREAS, this Uncodified Ordinance authorizes the County Executive or his designee to provide additional paid emergency administrative leave to employees on an individual case by case basis; and

WHEREAS, the County Executive or his designee shall adopt rules and regulations regarding the authorization of additional paid emergency administrative leave; and

WHEREAS, if additional paid emergency administrative leave is approved by the County Executive or his designee, the usage of such time shall be recorded by the Department of Human Resources, and on a monthly basis the Director of the Department of Human Resources shall provide a written report to Council on the additional paid emergency administrative leave authorized; and

WHEREAS, the period during which the County Executive or his designee can approve any additional paid emergency administrative leave shall expire on December 31, 2022; and

WHEREAS, all other provisions contained in the Cuyahoga County Employee Handbook regarding call-off procedures, return-to-work procedures, and required documentation are still in effect and shall be complied with by any County employee under this Uncodified Ordinance; and

WHEREAS, policies applicable to bargaining employees shall be effective as permitted under state law and the Collective Bargaining Agreements. For bargaining unit employees, the terms and conditions regarding call-off procedures, return-to-work procedures, permissible and prohibited uses of sick leave and required documentation set forth in the Collective Bargaining Agreements shall supersede and govern; 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. Adoption of Uncodified Ordinance.** Council hereby authorizes the County Executive or his designee to provide any County employee who has tested positive for COVID-19 or who must quarantine due to exposure to someone who has tested positive for COVID-19 and whom County management has determined cannot work remotely while quarantined up to eighty (80) hours of paid emergency administrative leave. All employees currently employed by the County and any employee hired by the County after the effective date hereof shall receive this paid emergency administrative leave benefit. This paid emergency administrative leave policy is effective as of the date hereof and shall be in effect until December 31, 2022, at which time paid emergency administrative leave shall expire. If an employee should exhaust his or her paid sick leave and paid emergency administrative leave, then additional paid emergency administrative leave may be granted, on an individual case by case basis, at the discretion of the County Executive or his designee. The County Executive or his designee is authorized to adopt rules and regulations regarding the authorization of this paid

administrative leave and any additional paid emergency administrative leave; such rules and regulations shall require the employee to provide proof of a positive test or need to quarantine. The Director of the Department of Human Resources shall record the approval and use of paid administrative leave under this ordinance and shall provide a written report on a monthly basis to Council on any paid emergency administrative leave granted and used in accordance with this Ordinance. The period during which the County Executive or his designee can approve additional paid emergency administrative leave shall expire on December 31, 2022. Paid emergency administrative leave is not subject to pay out.

**SECTION 2.** Council hereby authorizes the County Executive or his designee to temporarily expand the use of paid sick leave as authorized in Section 11.03 of the Cuyahoga County Employee Handbook. Such authorization shall expire on December 31, 2022 .

**SECTION 3.** Council hereby authorizes the County Executive or his designee to temporarily expand the use of unpaid personal leave of absence as authorized in Section 11.06 of the Cuyahoga County Employee Handbook. Such authorization shall expire on December 31, 2022 .

**SECTION 4.** All provisions contained in the Cuyahoga County Employee Handbook regarding call-off procedures, return-to-work procedures, and required documentation are still in effect and shall be complied with by any County employee granted leave under this Uncodified Ordinance.

**SECTION 5.** Policies applicable to bargaining employees shall be effective as permitted under state law and the Collective Bargaining Agreements. For bargaining unit employees, the terms and conditions regarding call-off procedures, return-to-work procedures, permissible and prohibited uses of sick leave and required documentation set forth in the collective bargaining agreements shall supersede and govern.

**SECTION 6.** It is necessary that this Uncodified Ordinance become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional 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 7.** It is found and determined that all formal actions of this Council relating to the adoption of this Uncodified 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. Jones, seconded by Mr. Miller, the foregoing uncodified Ordinance was duly enacted.

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

Nays: None

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County Council President                      Date

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County Executive                                      Date

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Clerk of Council                                      Date

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