

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0192

Sponsored by: County Executive FitzGerald/Department of Public Works	A Resolution accepting the report containing findings and recommendations of Fact-Finder Nels E. Nelson regarding negotiations between the Cuyahoga County Department of Public Works and Service Employees International Union, District 1199, for a collective bargaining agreement covering approximately 111 employees in various classifications, and declaring the necessity that this Resolution become immediately effective.
---	--

WHEREAS, O.R.C. 4117.14(C)(3) of the Public Employees Collective Bargaining Act expressly authorizes parties who are engaged in collective bargaining negotiations to request fact-finding, an impasse resolution procedure, and the appointment of a fact-finding panel to assist the parties to resolve an impasse in contract negotiations; and,

WHEREAS, Cuyahoga County Department of Law has been engaged in collective bargaining negotiations with the Service Employees International Union, District 1199, covering approximately 111 employees in various classifications in the Department of Public Works for the period of 1/1/2012 – 12/31/2014; and,

WHEREAS, the parties reached impasse in contract negotiations and submitted their unresolved issues to fact-finding pursuant to O.R.C. 4117.14 (C), and a fact-finding hearing was conducted before Fact-Finder Nels E. Nelson; and,

WHEREAS, O.R.C. 4117.14(C)(6)(a) requires that not later than seven days after the findings and recommendations are sent, the legislative body, by a three-fifths vote of its membership, may reject the recommendations, and if the recommendations are not rejected, the recommendations shall be deemed agreed upon as the final resolution of the issues submitted and a collective bargaining agreement shall be executed between the parties, including the fact-finding panel's recommendations, except as otherwise modified by the parties by mutual agreement; and,

WHEREAS, Fact-Finder Nelson sent his findings and recommendations on September 18, 2012 and the County Executive and Director of Public Works are recommending that the fact-finding report be accepted.

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

SECTION 1. The findings and recommendations of Fact-Finder Nels E. Nelson regarding the collective bargaining agreement between the County and the Service Employees International Union, District 1199 covering approximately 111 employees in various classifications of the Department of Public Works for the period of 1/1/2012 – 12/31/2014 are hereby accepted.

SECTION 2. Funds necessary to implement the CBA between the County and the Service Employees International Union, District 1199 shall be budgeted and appropriated.

SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution 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.

SECTION 4. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

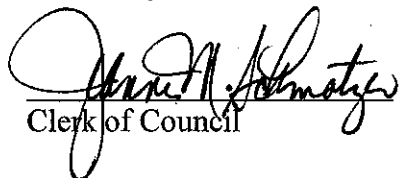
On a motion by Mr. Miller, seconded by Mr. Schron, the foregoing Resolution was duly adopted.

Yeas: Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers, Greenspan and Connally

Nays: None


County Council President 9-25-12
Date


County Executive 9/26/12
Date


Clerk of Council 9/25/2012
Date

Journal CC007
September 25, 2012