

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0231

Sponsored by: County Executive FitzGerald on behalf of Cuyahoga County Board of Developmental Disabilities	A Resolution approving a Collective Bargaining Agreement between Cuyahoga County Board of Developmental Disabilities and Association of Cuyahoga County Employees for Special Students, an affiliate of National Education Association and Ohio Education Association, covering approximately 141 employees for the period 9/1/2012 - 12/31/2015; approving a side letter of agreement to change the time period to 9/1/2012 - 8/31/2015; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Cuyahoga County Board of Developmental Disabilities (“CCBDD”) has been engaged in collective bargaining negotiations with the Association of Cuyahoga County Employees for Special Students (“ACCESS”), an affiliate of the National Education Association and the Ohio Education Association, for a collective bargaining agreement (“CBA”) covering approximately 141 employees, effective September 1, 2012 – December 31, 2015; and approving a side letter of agreement to change the time period to September 1, 2012 – August 31, 2015; and,

WHEREAS, the current collective bargaining agreement between the parties expired on August 31, 2012; and,

WHEREAS, the negotiation teams representing ACCESS and CCBDD met on multiple occasions and were assisted in reaching a tentative agreement by FMCS Commissioner, Carolyn Brommer; and,

WHEREAS, the ACCESS ratified the tentative agreement on September 26, 2012 and the CCBDD by unanimous vote at its regular meeting on September 25, 2012 approved the agreement and recommended approval by the Cuyahoga County Council; and,

WHEREAS, O.R.C. 4117.10 (B) requires that a public employer submit a request for funds necessary to implement an agreement, and for approval of any other matter requiring the approval of the appropriate legislative body to the legislative body within thirty days of the date on which the parties finalize the agreement, unless otherwise specified or if the legislative body is not in session at the time, then within fourteen days after it convenes; and,

WHEREAS, O.R.C. 4117.10(B) further states that the legislative body must approve or reject the submission as a whole, and the submission is deemed approved if the legislative body fails to act within thirty days after the public employer submits the agreement; and,

WHEREAS, it is necessary that this Resolution become effective immediately to ensure the efficient operation of the Cuyahoga County Board of Developmental Disabilities.

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

SECTION 1. The Cuyahoga County Council hereby approves the CBA between CCBDD and ACCESS, covering approximately 141 employees, effective September 1, 2012 through December 31, 2015; approves the side letter of agreement to change the time period to September 1, 2012 – August 31, 2015; and authorizes the execution by the CCBDD and its administrators of all the documents necessary to execute this transaction.

SECTION 2. The Cuyahoga County Council determines hereby that the CCBDD has the necessary funds to compensate the employees of the ACCESS and make any and all expenditures as required by the provisions of this CBA .

SECTION 3. It is necessary that this Resolution become effective immediately in order that critical services provided by Cuyahoga County of Developmental Disabilities can continue. This CBA becomes a binding agreement upon the affirmative vote of a majority of members of this Council.

SECTION 4. 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.

On a motion by _____, seconded by _____, the foregoing Resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

NO ACTION WAS TAKEN BY COUNCIL ON THIS RESOLUTION

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