

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0058

Sponsored by: **Council President Connally on behalf of Cuyahoga County Board of Developmental Disabilities**

A Resolution approving a collective bargaining agreement between Cuyahoga County Board of Developmental Disabilities and Ohio Association of Public School Employees, Local 744, representing approximately 105 employees in 5 classifications in transportation services for the period 1/1/2013 - 12/31/2015; and declaring the necessity that this Resolution become immediately effective.

WHEREAS, the Cuyahoga County Board of Developmental Disabilities (“CCBDD”) has been engaged in collective bargaining negotiations with Ohio Association of Public School Employees, Local 744 representing approximately 105 employees in 5 classifications in transportation services for the period 1/1/2013 - 12/31/2015; and,

WHEREAS, the current collective bargaining agreement between the parties expired on December 31, 2013; and,

WHEREAS, pursuant to these negotiations, the parties have reached a Tentative Agreement setting forth a successor collective bargaining agreement; and,

WHEREAS, the CCBDD by unanimous vote at its regular meeting on February 22, 2013 approved the agreement and recommended approval by the Cuyahoga County Council, and Ohio Association of Public School Employees, Local 744 ratified the tentative agreement on February 19, 2013; 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 collective bargaining agreement between Cuyahoga County Board of Developmental Disabilities and Ohio Association of Public School Employees, Local 744 representing approximately 105 employees in 5 classifications in transportation services for the period 1/1/2013 - 12/31/2015; 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 Ohio Association of Public School Employees, Local 744 and make any and all expenditures as required by the provisions of this collective bargaining agreement.

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution 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 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

The County Council of Cuyahoga County, Ohio at its meeting held on March 27, 2013 was requested to consider a collective bargaining agreement between Cuyahoga County Board of Developmental Disabilities and Ohio Association of Public School Employees, Local 744, representing approximately 105 employees in 5 classifications in transportation services for the period 1/1/2013 - 12/31/2015. The County Council entered the agreement into its official record and determined to take no further action at this time.


Clerk of Council

3/27/2013
Date

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