

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0089

Sponsored by: **County Executive FitzGerald/Departments of Law and Public Works/Division of Finance and Planning**

**A Resolution** approving a Collective Bargaining Agreement between Cuyahoga County and International Union of Operating Engineers, Local 18-S, representing approximately 17 employees in 14 classifications in the Department of Public Works for the period 5/7/2013 - 4/30/2015; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

WHEREAS, the Cuyahoga County Department of Law has been engaged in negotiations with the Local 18-S Union in an effort to negotiate a successor collective bargaining agreement (“CBA”) that includes approximately 17 employees in 14 classifications from the Cuyahoga County Department of Public Works; and,

WHEREAS, the parties have met on multiple occasions in a consolidated effort to negotiate new terms and have reached a tentative agreement on a single successor collective bargaining agreement; and,

WHEREAS, on or about May 1, 2013, the members of the bargaining unit met and voted to ratify the proposed successor collective bargaining agreement in full; 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, the Department of Law and the County Executive are recommending that Council approve the proposed Collective Bargaining Agreement for the period of 5/7/2013 – 4/30/2015; and,

WHEREAS, it is necessary that this Resolution become immediately effective to ensure the efficient operation of the Cuyahoga County Department of Public Works.

**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 and The International Union of Operating Engineers, Local 18-S, representing approximately 17 employees in 14 classifications from the Cuyahoga County Department of Public Works for the period of 5/7/2013 – 4/30/2015, and authorizes the County Executive to execute all documents consistent with this Resolution.

**SECTION 2.** Funds necessary to implement the CBA between the County and The International Union of Operating Engineers, Local 18-S shall be budgeted and appropriated.

**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 Mr. Miller, seconded by Mr. Germana, the foregoing Resolution was duly adopted.

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

Nays: None

Daniel R. Brady  
County Council Vice-President

5/15/2013  
Date

[Signature]  
County Executive

5/15/13  
Date

[Signature]  
Clerk of Council

5/14/2013  
Date

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