

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0218

<b>Sponsored by: County Executive FitzGerald on behalf of Common Pleas Court/Juvenile Court Division</b>	<b>A Resolution</b> approving a Collective Bargaining Agreement between Cuyahoga County Common Pleas Court/Juvenile Court Division and Laborers' Local 860, a/w Laborers' International Union of North America, representing approximately 107 employees in 8 classifications in Probation, Clerks and Transportation Services for the period 11/1/2012 - 10/31/2015; 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.
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WHEREAS, the Cuyahoga County Common Pleas Court/Juvenile Court Division has been engaged in negotiations with the Laborers' Local 860, a/w Laborers' International Union of North America in an effort to negotiate a collective bargaining agreement ("CBA") that includes approximately 107 employees in 8 classifications in Probation, Clerks and Transportation Services; and,

WHEREAS, on or about October 31, 2012, the bargaining unit voted in a new Union, Laborers' Local 860, a/w Laborer's International Union of North America to replace Service Employees International Union (SEIU 1199); 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 collective bargaining agreement; and,

WHEREAS, on or about June 29, 2013, the members of the bargaining unit met and voted to ratify the proposed 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 County Executive on behalf of Common Pleas Court/Juvenile Court Division is recommending that Council approve the proposed Collective Bargaining Agreement for the period of November 1, 2012 – October 31, 2015; and,

WHEREAS, it is necessary that this Resolution become immediately effective to ensure the efficient operation of the Cuyahoga County Common Pleas Court/Juvenile Court Division.

**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 Common Pleas Court/Juvenile Court Division and with the Laborers' Local 860, a/w Laborers' International Union of North America in an effort to negotiate a collective bargaining agreement ("CBA") that includes approximately 107 employees in 8 classifications in Probation, Clerks and Transportation Services for the period of November 1, 2012 – October 31, 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 Laborers' Local 860, a/w Laborers' International Union of North America shall be budgeted and appropriated.

**SECTION 3.** It is necessary that this Resolution 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 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 October 8, 2013 was requested to consider a collective bargaining agreement between Cuyahoga County Common Pleas Court/Juvenile Court Division and Laborers' Local 860, a/w Laborers' International Union of North America, representing approximately 107 employees in 8 classifications in Probation, Clerks and Transportation Services for the period 11/1/2012 - 10/31/2015. The County Council entered the Agreement into its official record and determined to take no further action at this time.

  
Clerk of Council

10/8/2013  
Date

Journal CC012  
October 8, 2013