

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0287

Sponsored by: **County Executive FitzGerald/County Sheriff and Department of Law**

A Resolution accepting the report containing findings and recommendations of Fact-finder Robert G. Stein regarding negotiations between the Cuyahoga County Sheriff and American Federation of State, County and Municipal Employees, Ohio Council 8 and Local 2927, for a collective bargaining agreement covering approximately 31 employees in 5 classifications in Inmate Services at the Sheriff's Department; and declaring the necessity that this Resolution become immediately effective.

WHEREAS, the Cuyahoga County Sheriff's Department has been engaged in negotiations with American Federation of State, County and Municipal Employees, Ohio Council 8, Local 2927, for a collective bargaining agreement that would cover approximately 31 employees in 5 classifications in Inmate Services at the Cuyahoga County Sheriff's Department; and

WHEREAS, O.R.C. 4117.14(C)(3) of the Public Employees Collective Bargaining Act ("CBA") 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, the parties reached impasse in contract negotiations and submitted their unresolved issues to fact-finding pursuant to the CBA and O.R.C. 4117.14 (C), and a fact-finding hearing was conducted before Robert G. Stein; 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, 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.

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

SECTION 1. The findings and recommendations of Fact Finder Robert G. Stein regarding open issues in the collective bargaining negotiations between the Cuyahoga County Sheriff's Department and the American Federation of State, County and Municipal Employees, Ohio Council 8, Local 2927, covering approximately 31 employees in 5 classifications in Inmate Services at the Cuyahoga County Sheriff's Department are hereby accepted.

SECTION 2. 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 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.

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

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

Nays: None


County Council President

12-10-13
Date


County Executive

12/17/13
Date

James M. Schotz
Clerk of Council

12/10/2013
Date

Journal CC012
December 10, 2013