

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0111

Sponsored by: County Executive FitzGerald/Department of Law on behalf of Office of the Public Defender	A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and American Federation of State, County and Municipal Employees, Ohio Council 8, AFL-CIO, Local 3631, covering approximately 64 employees in the classification of Assistant Public Defender at the Office of the Public Defender for the period 1/1/2013 - 12/31/2015; 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 Department of Law has been engaged in collective bargaining negotiations with American Federation of State, County and Municipal Employees, Ohio Council 8, AFL-CIO, Local 3631 (hereinafter collectively referred to as “AFSCME, Ohio Council 8, AFL-CIO, Local 3631”), for a collective bargaining agreement (“CBA”) covering approximately 64 employees in the classification of Assistant Public Defender employed at the Cuyahoga County Public Defender’s Office; and

WHEREAS, the parties have met on multiple occasions to negotiate new terms and have reached a tentative agreement on a successor collective bargaining agreement covering the period of January 1, 2013 through December 31, 2015; and

WHEREAS, on or about April 14, 2014, AFSCME, Ohio Council 8, AFL-CIO, Local 3631 ratified the tentative agreement; 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 CBA; and

WHEREAS, it is necessary that this Resolution become immediately effective to ensure the efficient operation of the County's Public Defender's Office.

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

SECTION 1. The Cuyahoga County Council hereby approves the CBA between Cuyahoga County and the American Federation of State, County and Municipal Employees, Ohio Council 8, AFL-CIO, Local 3631, covering approximately 64 employees in the classification of Assistant Public Defender employed at the Public Defender's Office for the period January 1, 2013 through December 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 the AFSCME, Local 3631 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 Mr. Schron, seconded by Ms. Conwell, the foregoing Resolution was duly adopted.

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

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading of Legislation Postponed until May 13, 2014 by Council Vice-
President: April 22, 2014

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