

# County Council of Cuyahoga County, Ohio

## Resolution No. R2016-0006

<b>Sponsored by: County Executive Budish/Department of Law on behalf of Cuyahoga County Court of Common Pleas/General Division/Probation Department</b>	<b>A Resolution</b> approving an amendment to a Collective Bargaining Agreement between Cuyahoga County and Fraternal Order of Police, Ohio Labor Council representing approximately 161 employees in various classifications at the Cuyahoga County Court of Common Pleas Probation Department for the period 2/1/2014 - 12/31/2016 to establish terms of the wage re-opener and to modify Article 11; directing that funds necessary to implement the amendment be budgeted and appropriated; authorizing the County Executive to execute the amendment 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 Court of Common Pleas, General Division (“County”) and the Fraternal Order of Police, Ohio Labor Council (“the Union”) have agreed to amend the Collective Bargaining Agreement between Cuyahoga County and Fraternal Order of Police, Ohio Labor Council representing approximately 161 employees in various classifications at the Cuyahoga County Court of Common Pleas Probation Department for the period 2/1/2014 - 12/31/2016 to establish terms of the wage re-opener and to modify Article 11, Section 2 of the CBA; and

WHEREAS, the parties desire to amend the CBA under the terms of the tentative agreement which has been ratified and approved by the Union members; 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 fourteen (14) days of the date on which the parties finalize the agreement, unless otherwise specified, but if the appropriate legislative body is not in session at the time, then within fourteen (14) 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 (30) 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 Court of Common Pleas Probation Department.

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

**SECTION 1.** The Cuyahoga County Council hereby approves an amendment to a Collective Bargaining Agreement between Cuyahoga County and Fraternal Order of Police, Ohio Labor Council representing approximately 161 employees in various classifications at the Cuyahoga County Court of Common Pleas Probation Department for the period 2/1/2014 - 12/31/2016 to establish terms of the wage re-opener and to modify Article 11, Section 2 of that CBA.

**SECTION 2.** Funds necessary to implement the amendment of the CBA shall be budgeted and approved.

**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 the 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. Brady, seconded by Mr. Schron, the foregoing Resolution was duly adopted.

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

Nays: None

Sam Burt  
County Council President

1-12-2016  
Date

Mark R. H.  
County Executive

1-13-16  
Date

Janine Acker  
Deputy Clerk of Council

1-12-2016  
Date

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