

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0022

<p>Sponsored by: <b>County Executive Budish/Departments of Law and Public Works</b></p>	<p><b>A Resolution</b> approving an amendment to a Collective Bargaining Agreement between Cuyahoga County and Teamsters Local 436, affiliated with International Brotherhood of Teamsters, representing approximately 38 employees in 17 classifications at the Department of Public Works/Division of Maintenance for the period 1/1/2015 - 12/31/2017 to establish terms of the wage re-opener and to modify Article XXXI; 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.</p>
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WHEREAS, Cuyahoga County and Teamsters Local 436, affiliated with International Brotherhood of Teamsters (“the Union”), have agreed to amend the Collective Bargaining Agreement (CBA) for the period 1/1/2015 – 12/31/2017, representing approximately 38 employees at the Department of Public Works/ Division of Maintenance, to establish a COLA for 2017 pursuant to a previously negotiated wage re-opener and to modify Article XXXI, Section 1 of the CBA; and

WHEREAS, the parties desire to amend the CBA under the terms of the attached 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 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 Department of Public Works, Division of Maintenance.

**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 Teamsters Local 436, affiliated with International Brotherhood of Teamsters (“the Union”), representing approximately 38 employees at the Department of Public Works/ Division of Maintenance for the period 1/1/2015 – 12/31/2017 to establish a COLA pursuant to a previously negotiated wage re-opener and to modify language in Article XXXI, Section 1 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 (8) 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 (8) 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. Miller, the foregoing Resolution was duly adopted.

Yeas: Conwell, Jones, Brown, Hairston, Simon, Baker, Miller, Tuma, Gallagher, Schron and Brady

Nays: None

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

Journal CC025  
February 14, 2017

**AGREEMENT TO AMEND**  
**THE COLLECTIVE BARGAINING AGREEMENT**  
**BETWEEN**  
**CUYAHOGA COUNTY AND**  
**THE TEAMSTERS LOCAL 436,**  
**AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS**

**Parties:** This Agreement is entered by and between Cuyahoga County, Ohio, as the public employer (“County”), and the Teamsters Local 436, Affiliated with the International Brotherhood of Teamsters (“Union”). The County and the Union are collectively referred to herein as “the Parties.”

**Background Facts:** The County and the Union are parties to a collective bargaining agreement (“CBA”) governing terms and conditions of employment of the Cuyahoga County Department of Public Works employees in the Maintenance Division. The CBA is effective from January 1, 2015 through December 31, 2017 and includes a provision for the negotiation of a wage re-opener for 2017 in Article XXXI, Section 1. The Parties engaged in good faith negotiations and reached an agreement as stated below.

**Terms:** Article XXXI, Section 1 of the CBA between the Parties is amended as follows (deleted language is stricken and new language appears in **Bold**):

**ARTICLE XXXI – WAGES**

Section 1. There shall be a 2% wage increase, effective the first date of the first full pay period in January, 2015, and a 2% wage increase, effective the first date of the first full pay period in January 2016. ~~Wage rates for 2017 shall be subject to wage re-opener negotiations.~~ **There shall be a 2% wage increase, effective January 1, 2017.**

Effective January 2015, the wage rates for all bargaining-unit classifications are as follows:

<u>Position:</u>	<u>Rates:</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
Maintenance Laborer (Hired prior to 1 Jan 03)		\$20.88	\$21.30	<b>\$21.73</b>
Maintenance Laborer		\$19.27	\$19.66	<b>\$20.05</b>
Maintenance Laborer with CDL		\$19.54	\$19.93	<b>\$20.33</b>
Vehicle Electronic Technician (new)		\$18.84	\$19.22	<b>\$19.60</b>
HMO Light		\$21.74	\$22.17	<b>\$22.61</b>
Construction Laborer		\$21.45	\$21.88	<b>\$22.32</b>
Construction Laborer with CDL		\$21.73	\$22.16	<b>\$22.60</b>

Mechanic I	\$22.33	\$22.78	<b>\$23.24</b>
Sign Shop Technician	\$21.83	\$22.27	<b>\$22.72</b>
Sign Shop Technician with CDL	\$22.09	\$22.53	<b>\$22.98</b>
Special Equipment Operator	\$23.09	\$23.55	<b>\$24.02</b>
Mechanic II	\$23.55	\$24.02	<b>\$24.50</b>
Tire Repairman	\$23.27	\$23.74	<b>\$24.21</b>
Construction Foreman	\$24.60	\$25.09	<b>\$25.59</b>
General Welder Craftsman	\$25.63	\$26.14	<b>\$26.66</b>
Mechanic III	\$25.63	\$26.14	<b>\$26.66</b>
Lead Mechanic	\$27.23	\$27.79	<b>\$28.35</b>

The Parties hereby acknowledge and warrant that they understand and agree to all of the terms of this Agreement to Amend the CBA and they affix their signatures below to indicate their assent to such terms:

**FOR THE UNION:**

**FOR CUYAHOGA COUNTY:**

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Gary M. Tiboni,  
President

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Armond Budish,  
Cuyahoga County Executive

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Christopher J. Pavoni,  
Vice President

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John M. Fortesque,  
Secretary Treasurer

**Approved as to Legal Form:**

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Nora L. Hurley, Deputy Chief Director of Law