

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0099

<p>Sponsored by: County Executive Budish/Departments of Law and Health and Human Services/ Cuyahoga Job and Family Services</p>	<p>A Resolution approving an amendment to a Collective Bargaining Agreement between Cuyahoga County and Teamsters Truck Drivers Union, Local 407, representing approximately 20 employees in the classifications of Investigator and Investigation Assistant in the Department of Health and Human Services/Cuyahoga Job and Family Services for the period 7/1/2015 - 6/30/2018 to establish terms of the wage re-opener for the period 7/1/2017 - 6/30/2018 and to modify Article 32; 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 the Teamsters Truck Drivers Union, Local 407 (“the Union”), have agreed to amend the Collective Bargaining Agreement (CBA) representing approximately 20 employees in the classifications of Investigator and Investigation Assistant in the Department of Health and Human Services/Cuyahoga Job and Family Services to establish wage rates for the period 7/1/2017 – 6/30/2018 pursuant to a previously negotiated wage re-opener and to modify Article 32 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 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 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 Department of Health and Human Services.

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 Truck Drivers Union, Local 407, representing approximately 20 employees in the classifications of Investigator and Investigation Assistant in the Department of Health and Human Services/Cuyahoga Job and Family Services for the period 7/1/2015 - 6/30/2018 to establish wage rates pursuant to a previously negotiated wage re-opener for the period 7/1/2017 - 6/30/2018 and to modify language in Article 32 of that CBA, and authorizes the County Executive to execute all documents consistent with this Resolution.

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. Schron, seconded by Ms. Conwell, the foregoing Resolution was duly adopted.

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

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

Journal CC026
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**AGREEMENT TO AMEND THE COLLECTIVE BARGAINING AGREEMENT
BETWEEN CUYAHOGA COUNTY AND TEAMSTERS TRUCK DRIVERS
UNION, LOCAL 407**

Parties: This Agreement is entered by and between Cuyahoga County, Ohio, as the public employer (herein referred to as the “County”), and Teamsters Truck Drivers Union, Local 407 (herein referred to as the “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 for employees in the Department of Health and Human Services. The CBA is effective from July 1, 2015 through June 30, 2018, and includes a provision for wage reopener negotiations for Year 3 of the CBA in Article 32, Section 1. The parties engaged in good faith negotiations and reached an agreement as stated below.

Terms: Article 32, Section 1 of the Collective Bargaining Agreement is amended as follows (deleted language is stricken and new language appears in **Bold**):

ARTICLE 32 - WAGES

Section 1. Effective July 1, 2016, the pay ranges shall be increased two percent (2%). ~~There shall be a wage re-opener for Year 3. The wage re-opener and negotiations shall be subject to the statutory impasse procedures as defined in Chapter 4117 of the Ohio Revised Code.~~ **Effective July 1, 2017, the pay ranges shall be increased by two percent (2%).**

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 all terms:

FOR THE UNION:

By: _____
Dennis Roberts

By: _____
Paul Wojnar

By: _____
Mark Bresky

Date: _____

FOR THE COUNTY:

By: _____
Armond Budish
Cuyahoga County Executive

Date: _____

Approved as to Legal Form:

By: _____
Todd M. Ellsworth
Assistant Law Director
Cuyahoga County Law Department

Date: _____