

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0117

<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 Cleveland Building and Construction Trades Council representing approximately 103 employees in 27 classifications in the Department of Public Works for the period 7/1/2015 - 6/30/2018; to establish the terms of the wage re-opener and to modify Article 30; 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, the Cuyahoga County and the Cleveland Building and Construction Trades Council (“the Union”) have agreed to amend the Collective Bargaining Agreement (“CBA”) for the period of 7/1/2015 - 6/30/2018, representing approximately 103 full time employees in 27 classifications in the Cuyahoga County Department of Public Works, to establish a COLA for 2017 pursuant to a previously negotiated wage re-opener and to modify Article 30 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 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, the Departments of Law and Public Works and the County Executive are recommending that Council approve the proposed amendment to Article 30 of the CBA; and,

WHEREAS, it is necessary that this Resolution become immediately effective to ensure the efficient operation of the Cuyahoga County Department of Public Works.

**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 Cleveland Building and Construction Trades Council representing approximately 103 employees in 27 classifications in the Department of Public Works for the period 7/1/2015 - 6/30/2018, to establish a COLA pursuant to a previously negotiated wage re-opener and to modify language in Article 30 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 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 (8) 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 (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:     Hairston, Simon, Baker, Miller, Tuma, Gallagher, Schron, Conwell, Jones, Brown and Brady

Nays: None

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

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

\_\_\_\_\_  
Deputy Clerk of Council                      Date

Journal CC026  
June 27, 2017

**AGREEMENT TO AMEND**  
**THE COLLECTIVE BARGAINING AGREEMENT**  
**BETWEEN CUYAHOGA COUNTY AND**  
**CLEVELAND BUILDING AND CONSTRUCTION TRADES COUNCIL**

**Parties:** This Agreement is entered by and between Cuyahoga County, Ohio, as the public employer (“County”), and the Cleveland Building and Construction Trades Council (“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. The CBA is effective from July 1, 2015 through June 30, 2018 and includes a provision for the negotiation of a wage re-opener for 2017 in Article 30, Section 3. The Parties engaged in good faith negotiations and reached an agreement as stated below.

**Terms:** Article 30, Section 3 of the CBA between the Parties is amended as follows (deleted language is stricken and new language appears in **Bold**):

**ARTICLE 30 - WAGES**

**SECTION 1.** Effective July 1, 2015, the base wage rate for 2015 shall be increased by two percent (2%).

**SECTION 2.** Effective the first date of the first full pay period in July, 2016, the base wage rate for 2016 shall be increased by two percent (2%).

**SECTION 3.** ~~Effective July 1, 2017, there shall be a wage re-opener for the base wage rate for 2017.~~ **Effective the first date of the first full pay period in July, 2017, the base wage rate for 2017 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 such terms:

**FOR THE UNION:**

**FOR CUYAHOGA COUNTY:**

\_\_\_\_\_  
David J. Wondolowski  
President, Cleveland Building Trades Council

\_\_\_\_\_  
Armond Budish,  
Cuyahoga County Executive

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Approved as to Legal Form:**

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Nora L. Hurley, Deputy Chief Director of Law