

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0227

Sponsored by: **County Executive Budish/Departments of Law and Public Works**

A Resolution approving an amendment to a Collective Bargaining Agreement between Cuyahoga County and International Union of Operating Engineers, Local 18-S, AFL-CIO, representing approximately 4 employees in the classification of Electronic Technician at the Department of Public Works for the period 1/1/2017 - 12/31/2019 to establish terms of the wage re-opener and to modify Article 29; 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.

WHEREAS, Cuyahoga County and the International Union of Operating Engineers, AFL-CIO, Local 18-S Electronic Technicians (“the Union”), have agreed to amend the Collective Bargaining Agreement (CBA) representing approximately 4 employees in the classification of Electronic Technician at the Department of Public Works to establish a COLA pursuant to a previously negotiated wage re-opener for period 1/1/2017 – 12/31/2019 and to modify Article 29 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 (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 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.

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 International Union of Operating Engineers, Local 18-S, AFL-CIO, representing approximately 4 employees in the classification of Electronic Technician at the Department of Public Works for the period 1/1/2017 - 12/31/2019 to establish terms of the wage re-opener and to modify Article 29 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. Brady, seconded by Ms. Brown, the foregoing Resolution was duly adopted.

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

Nays: None

Dawn R. Bunk
County Council President

11/14/18
Date

[Signature]
County Executive

11-14-18
Date

[Signature]
Clerk of Council

11/13/2018
Date

Journal CC032
November 13, 2018

AGREEMENT TO AMEND
THE COLLECTIVE BARGAINING AGREEMENT BETWEEN
CUYAHOGA COUNTY AND
THE INTERNATIONAL UNION OF OPERATING ENGINEERS, AFL/CIO,
LOCAL 18-S (TECHNICIANS)

Parties: This Agreement is entered by and between Cuyahoga County, Ohio, as the public employer (“County”), and the International Union of Operating Engineers, AFL/CIO, Local 18-S Electronic Technicians (“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 Electronic Technicians. The CBA is effective from January 1, 2017 through December 31, 2019 and includes a provision for the negotiation of a wage re-opener for 2019 in Article 29, Section 3. The Parties engaged in good faith negotiations and reached an agreement as stated below.

Terms: Article 29, Section 3 of the CBA between the Parties is amended as follows (deleted language is stricken and new language appears in **Bold**):

ARTICLE 29 - WAGES

SECTION 3: ~~Effective the first (1st) date of the first (1st) full pay period in January 1, 2019, the wage rate of the Electronic Technicians shall be subject to reopener negotiations. The wage reopener negotiations shall commence by October 15, 2018 or at a later date if mutually agreed to by the parties.~~ **Effective the first date of the first full pay period in January 2019, the base wage rate of the Electronic Technicians shall be increased by two percent (2%) to twenty dollars and four cents (\$20.04) per hour.**

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:

Eric Eastwood,
Business Representative
Local 18-S Technicians

Armond Budish,
Cuyahoga County Executive

Approved as to Legal Form:

Nora L. Hurley, Deputy Chief Director of Law