

# County Council of Cuyahoga County, Ohio

## Resolution No. R2019-0113

Sponsored by: **County Executive Budish/County Sheriff and Department of Human Resources**

**A Resolution** approving a Collectively Bargained Agreement on Transition of Work to The MetroHealth System between Cuyahoga County and American Federation of State, County and Municipal Employees, Ohio Council 8, Local 2927, necessary for the removal of work from bargaining unit employees and transfer of all medical services and other work performed by employees in the Local 2927 bargaining unit to The MetroHealth System; directing that funds necessary to implement the agreement be budgeted and appropriated; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

WHEREAS, the County has been engaged in negotiations with the American Federation of State, County and Municipal Employees, Ohio Council 8, Local 2927, (hereinafter collectively referred to as "AFSCME") to fulfill the statutory duty to bargain prior to the removal of work from bargaining unit employees and transfer of the work outside of the bargaining unit to The MetroHealth System; and,

WHEREAS, the parties have met on multiple occasions in a concerted effort to negotiate terms and have reached a tentative Agreement on the Transition of Work to The MetroHealth System that will resolve all matters related to the removal of work from Local 2927 bargaining unit employees and the transfer of the work outside of the bargaining unit which are or may be subject to the duty to bargain under O.R.C. Chapter 4117 and controlling cases of the Supreme Court of Ohio and the Ohio State Employment Relations Board; and,

WHEREAS, on April 29, 2019, the members of the bargaining unit met and voted to ratify the proposed Agreement in full and the Agreement was signed by duly authorized representatives of the Union; 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 thirty days of the date on which the parties finalize the agreement, unless otherwise specified or if the 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, the County Executive, the County Sheriff and the Department of Human Resources are recommending that Council approve the proposed Agreement; and,

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

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

**SECTION 1.** The Cuyahoga County Council hereby approves the Agreement on Transition of Work to The MetroHealth System between Cuyahoga County and AFSCME, Ohio Council 8, Local 2927, and authorizes the County Executive to execute all documents consistent with this Resolution.

**SECTION 2.** Funds necessary to implement the Agreement on Transition of Work to The MetroHealth System between the County and AFSCME, Ohio Council 8, Local 2927, shall be budgeted and appropriated.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight 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 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. Conwell, the foregoing Resolution was duly adopted.

Yeas: Miller, Tuma, Gallagher, Conwell, Jones, Brown, Stephens, Simon and Brady

Nays: Baker and Schron

  
County Council President

5-15-19  
Date

  
County Executive

5-15-19  
Date

  
Clerk of Council

5/14/2019  
Date

Journal CC034  
May 14, 2019