

# County Council of Cuyahoga County, Ohio

## Resolution No. R2019-0130

<p>Sponsored by: <b>County Executive Budish/County Sheriff and Department of Human Resources</b></p>	<p><b>A Resolution</b> approving an amendment to a Collective Bargaining Agreement between Cuyahoga County and Ohio Patrolmen's Benevolent Association representing approximately 613 employees in the classification of Correction Officer for the period 1/1/2017 - 12/31/2019 to amend Article 7: Probationary Period, Article 14: Wages and Article 27: Post Assignment; 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 County has been engaged in negotiations with the Ohio Patrolmen's Benevolent Association (hereinafter referred to as "OPBA") to amend Article 7: Probationary Period, Article 14: Wages and Article 27: Post Assignment of the Collective Bargaining Agreement ("CBA") between the Parties; and,

WHEREAS, the parties have met in a concerted effort to negotiate terms and have reached a tentative agreement on an amended CBA;" and,

WHEREAS, the Cuyahoga County Sheriff's Department has experienced difficulty hiring and retaining Correction Officers and the amendment is intended to support the recruitment and retention of Correction Officers and to allow for appropriate evaluation during the probationary periods of new hires; and,

WHEREAS, the proposed amendment to Article 27 is for the purpose of promoting operational effectiveness and flexibility by eliminating seniority bidding to particular inmate housing units and instead to assign Correction Officers to designated floors; 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, County Sheriff, and the Department of Human Resources are recommending that Council approve the proposed CBA amendment; 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 an amendment to a Collective Bargaining Agreement between Cuyahoga County and Ohio Patrolmen's Benevolent Association representing approximately 613 employees in the classification of Correction Officer for the period 1/1/2017 - 12/31/2019 to amend Article 7: Probationary Period, Article 14: Wages and Article 27: Post Assignment and authorizes the County Executive to execute all documents consistent with this Resolution.

**SECTION 2.** Funds necessary to implement the amendment to the CBA between the County and OPBA shall be budgeted and appropriated.

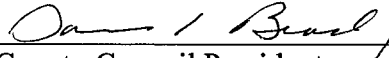
**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force 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.

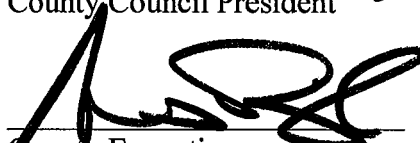
On a motion by Mr. Schron, seconded by Ms. Conwell, the foregoing Resolution was duly adopted.

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

Nays: None

  
County Council President

5-29-19  
Date

  
County Executive

5-30-19  
Date

  
Clerk of Council

5/28/2019  
Date

Journal CC034  
May 28, 2019