

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0004

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 Excavating, Building Material, Construction Drivers, Race Track Employees, Public Employees, Manufacturing, Processing, Assembling and Installer Employees, Local Union No. 436, Affiliated with International Brotherhood of Teamsters, representing approximately 10 employees at the Department of Public Works/Division of Animal Shelter for the period 1/1/2018 - 12/31/2020 to establish terms of the healthcare insurance and wages re-openers and to modify Articles 37 and 38; 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 Excavating, Building Material, Construction Drivers, Race Track Employees, Public Employees, Manufacturing, Processing, Assembling and Installer Employees, Local Union No. 436, Affiliated with the International Brotherhood of Teamsters (“the Union”), are parties to a Collective Bargaining Agreement (“CBA”) governing the terms and conditions of employment of approximately 10 employees at the Cuyahoga County Department of Public Works, Division of Animal Shelter; and,

WHEREAS, the parties desire to amend the CBA under the terms of the attached Agreement to Amend Articles 37 and 38, which has been 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 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 Department of Law and the County Executive are recommending that Council approve the proposed Collective Bargaining Agreement; 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 Excavating, Building Material, Construction Drivers, Race Track Employees, Public Employees, Manufacturing, Processing, Assembling and Installer Employees, Local Union No. 436, Affiliated with International Brotherhood of Teamsters representing approximately 10 employees at the Department of Public Works/Division of Animal Shelter for the period 1/1/2018 - 12/31/2020 to establish terms of the healthcare insurance and wages re-openers and to modify Articles 37 and 38, and authorizes the County Executive to execute all documents consistent with this Resolution.

SECTION 2. Funds necessary to implement the CBA between the County and the Excavating, Building Material, Construction Drivers, Race Track Employees, Public Employees, Manufacturing, Processing, Assembling and Installer Employees, Local Union No. 436, Affiliated with the International Brotherhood of Teamsters 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 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 Mr. Schron, the foregoing Resolution was duly adopted.

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

Nays: None

 County Council President	<u>1/16/20</u> Date
 County Executive	<u>1-16-20</u> Date
 Clerk of Council	<u>1/14/2020</u> Date

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