

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0042

Sponsored by: **County Executive Budish/Departments of Law and Public Works and Councilmembers Brady, Brown, Gallagher and Simon**

A Resolution approving an amendment to a Collective Bargaining Agreement between Cuyahoga County and Laborers' International Union of North America, Local 860, representing approximately 125 employees in various classifications in the Department of Public Works/Division of Maintenance for the period 1/1/2018 - 12/31/2020 to establish terms of the 2019 and 2020 healthcare insurance and to modify Article 54; directing that funds necessary to implement the Collective Bargaining Agreement 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 Laborers' International Union of North America, Local 860 ("the Union"), are parties to a Collective Bargaining Agreement ("CBA") governing the terms and conditions of employment for approximately 125 employees in the Cuyahoga County Department of Public Works/Division of Maintenance; and,

WHEREAS, the parties desire to amend the CBA under the terms of the attached Agreement to Amend Article 54 which has been approved by 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 and Departments of Law and Public Works 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 Laborers' International Union of North America, Local 860, representing approximately 125 employees in various classifications in the Department of Public Works/Division of Maintenance for the period 1/1/2018 - 12/31/2020 to establish terms of the 2019 and 2020 healthcare insurance and to modify Article 54, 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 Laborers' Local 860 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 Ms. Brown, seconded by Ms. Simon, the foregoing Resolution was duly adopted.

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

Nays: None


County Council President

2/13/2020
Date


County Executive

2-21-20
Date


Clerk of Council

2/11/2020
Date

Journal CC037
February 11, 2020

AGREEMENT TO AMEND
THE COLLECTIVE BARGAINING AGREEMENT
BETWEEN CUYAHOGA COUNTY AND
LABORERS' LOCAL 860

Parties: This Agreement is entered by and between Cuyahoga County, Ohio, as the public employer ("County"), and the Laborers' Local 860 ("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 in the Maintenance Division. The CBA is effective from January 1, 2018 through December 31, 2020 and includes a provision for the negotiation of a health insurance re-opener for 2020 in Article 54, Section 2. Pursuant to the re-opener, the Parties have reached an agreement as stated below. In addition, the parties have also agreed to amend Article 54, Section 2 as it relates to the 2019 contribution rates.

Terms: Article 54, Section 2 of the CBA between the Parties is amended as follows (deleted language is stricken and new language appears in **Bold**):

ARTICLE 54: INSURANCE

Section 1. An eligible employee is defined as a full-time employee covered by this Agreement. A section 125 or cafeteria plan will be provided by the Employer for health care benefits for County employees. The Employer shall provide eligible employees the opportunity to enroll in the plan once during each plan year at its annual open enrollment period. The plan year commences on January 1, and ends on December 31 of the calendar year, but is subject to change.

Section 2. Effective the first day of the first month following full execution of this Agreement, bi-weekly employee contributions for medical, and prescription drug benefits shall be determined as follows:

A) MetroHealth Plans

- 1) For all three (3) years of the Agreement, the County shall offer an HSA plan through the MetroHealth System with no biweekly contribution from employees;
- 2) The bi-weekly contribution for a non-HSA plan offered through MetroHealth shall be as follows:
 - a. 2018: 95% Employer, 5% Employee
 - b. 2019: ~~93~~5% Employer, ~~7~~5% Employee

c. 2020: ~~Re-opener~~ **93% Employer, 7% Employee**

B) Other Plans

Biweekly contribution rates for all other plans shall be as follows:

- 1) 2018: 88% Employer, 12% Employee
- 2) 2019: ~~868%~~ 86% Employer, 14% Employee
- 3) 2020: ~~Re-opener~~ **86% Employer, 14% Employee**

Section 3. The costs of the medical and prescription drug plans will be determined through an actuarially certified process that is verified through an outside party and that includes reserves necessary to sustain the plans. In successive plan years, the Employer may add to or delete plans/providers offered and/or employees may be offered additional plans with reduced or increased benefit levels.

Section 4. Effective the first day of the first month following full execution of this Agreement, the Employer shall pay 88% of the cost of the ancillary benefit plans and the employees shall pay 12%. Effective January 1, 2019, the Employer shall pay ~~868%~~ 86% of the cost of the ancillary benefit plans and the employees shall pay 14%. **Effective January 1, 2020, the Employer shall pay 86% of the cost of the ancillary benefit plans and the employees shall pay 14%.**

Section 5. The Employer shall be entitled to increase the cost containment features of the plans which may include, but are not limited to, deductibles, and co-insurance.

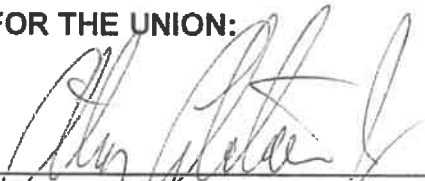
Section 6. The Employer may implement or discontinue incentives for employees to participate in Employer sponsored wellness programs, including, but not limited to, the right to offer the opportunity to reduce employee contributions through participation in wellness programs as determined by the Employer.

Section 67. The Employer may offer incentives to encourage use of low-cost providers/plans (including HSA plans) which may be discontinued or modified by the Employer in future plans years with notification to the Union.

Section 78. A waiting period of no more than 120 calendar days may be required before new employees are eligible to receive health and/or other insurance benefits. During the waiting period, the Employer may require employees who desire coverage to purchase it through a third-party vendor instead of participating in the County plans that are offered to regular full-time employees. New employees shall be eligible to participate in the County plans on the first date of the first month following completion of the waiting period.

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:



Anthony Liberatore, Jr.
Business Manager/Secretary-Treasurer

Date: 2-3-2020

FOR CUYAHOGA COUNTY:

Armond Budish,
Cuyahoga County Executive

Date: _____

Approved as to Legal Form:

Nora L. Hurley, Deputy Chief Director of Law