

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0108

Sponsored by: County Executive Budish/Departments of Law, Public Works and Human Resources and County Sheriff	A Resolution approving Hazard Pay Agreements for employees in various bargaining units of the County, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the novel coronavirus disease (“COVID-19”) is rapidly spreading, as numerous members of the community have been infected with the disease and the risk of serious illness is imminent and the resulting impact of the disease on Cuyahoga County residents and businesses is potentially catastrophic; and,

WHEREAS, on March 9, 2020, Ohio Governor Mike DeWine signed Executive Order 2020-01D, declaring a State of Emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19 (“State of Emergency”). The Ohio State of Emergency allows state departments and agencies to better coordinate in their response, and Cuyahoga County must also engage in that effort; and,

WHEREAS, on March 22, 2020, the Director of the Ohio Department of Health (“Director”) issued a Stay at Home Order pursuant to Ohio Revised Code Section 3701.13 (“Order”); and,

WHEREAS, on April 2, 2020, the Director extended the Order through May 1, 2020; and,

WHEREAS, on or about April 24, 2020, the County received federal funds through the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”); and,

WHEREAS, the CARES Act permits reimbursement of expenditures for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, so long as it is not a cost accounted for in the most recently approved budget; and,

WHEREAS, the County recognizes that certain employees should be eligible for hazard pay based on the frequency of interaction with the general public, both inside and outside of County buildings, as well as, other County employees who have increased exposure to COVID-19 in the performance of the employee’s job duties; and,

WHEREAS, various employees under the jurisdiction of the County Executive are represented by labor organizations for the purpose of collective bargaining and hazard

pay is a mandatory subject of bargaining pursuant to the Public Employees' Collective Bargaining Act; and,

WHEREAS, the County Executive and Departments of Law, Public Works and Human Resources and County Sheriff have reached agreements with the following bargaining units regarding the payment of Hazard Pay; and

WHEREAS, the County Executive and Departments of Law, Public Works Human Resources and County Sheriff have submitted written Hazard Pay Agreements memorializing the understanding of the parties for approval; and,

WHEREAS, the County Executive and the Departments of Law, Public Works and Human Resources and County Sheriff are recommending that Council approve the proposed Hazard Pay Agreements; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of County departments.

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

SECTION 1. That the Hazard Pay Agreements that were negotiated with the following bargaining units through their designated representatives are hereby approved:

- a. Cleveland Building and Construction Trades Council, covering approximately 142 employees in 22 classifications in the Department of Public Works;
- b. Local 18, International Union of Operating Engineers, covering approximately seven (7) employees in 2 classifications in the Department of Public Works;
- c. Teamsters Local 436, affiliated with the International Brotherhood of Teamsters, covering approximately thirty-two (32) employees in 11 classifications in the Department of Public Works, Road and Bridge Maintenance Division;
- d. Local 18-S, International Union of Operating Engineers (Sanitary), covering approximately eighteen (18) employees in 7 classifications in the Department of Public Works;
- e. Public Works Employees Association, covering approximately sixty-eight (68) employees in 3 classifications in the Department of Public Works, Sewer Section (following status quo of collective bargaining agreement with Teamsters Local 436, affiliated with the International Brotherhood of Teamsters);

- f. Local 860, Laborers' International Union of North America, covering approximately 106 employees in 4 classifications in the Department of Public Works, Maintenance Division;
- g. Ohio Patrolmen's Benevolent Association (Corrections Officers), covering approximately 683 employees in 1 classification in the Sheriff's Department;
- h. Ohio Patrolmen's Benevolent Association (Protective Services, Security Sergeants), covering approximately thirteen (13) employees in 1 classification in the Sheriff's Department;
- i. Fraternal Order of Police (Corrections Officer Sergeants), covering approximately twenty (20) employees in 1 classification in the Sheriff's Department;
- j. Ohio Patrolmen's Benevolent Association (Deputy Sergeants), covering approximately twenty-two (22) employees in 1 classification in the Sheriff's Department;
- k. UAW, Region 2B (Corrections Officer Corporals), covering approximately forty-one (41) employees in 1 classification in the Sheriff's Department;
- l. UAW, Region 2B (Cooks, Laundry, and Custodial Workers), covering approximately thirteen (13) employees in 3 classifications in the Sheriff's Department; and
- m. UAW, Region 2B (Court Security Officers), covering approximately eight (8) employees in 1 classification in the Sheriff's Department.

SECTION 2. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. Provided that this Resolution receives the affirmative vote of eight members elected to Council, this Resolution shall become immediately effective upon the signature of the County Executive.

SECTION 3. 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. Miller, the foregoing Resolution was duly adopted.

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

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

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[Clerk's Note: Electronic signatures affixed in accordance with Cuyahoga County Code
Chapter 110]