

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0125

Sponsored by: County Executive Budish/Department of Law 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.
---	---

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, Department of Law and County Sheriff have reached agreements with the following bargaining units regarding the payment of Hazard Pay; and

WHEREAS, the County Executive, Department of Law and County Sheriff have submitted written Hazard Pay Agreements memorializing the understanding of the parties for approval; and,

WHEREAS, the County Executive, Department of Law 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. Ohio Patrolmen's Benevolent Association (Protective Services, Security Officers), covering approximately 123 employees in 1 classification in the Sheriff's Department; and
- b. Ohio Patrolmen's Benevolent Association (Deputy Sheriffs), covering approximately 177 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. Miller, seconded by Mr. Brady, the foregoing Resolution was duly adopted.

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

Nays: Conwell

County Council President

Date

County Executive

Date

Clerk of Council

Date

Journal CC038
June 23, 2020

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