

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0257

Sponsored by: County Executive Budish/Department of Law, Department of Health and Human Services, Department Public Works, and Department Human Resources	A Resolution to amend Resolution No. 2020-0138, dated 7/7/2020, which approved the Hazard Pay Agreement with the American Federation of State, County and Municipal Employees (AFSCME), Ohio Council 8, Local 1746 to include classified employees that were omitted from the Hazard Pay distribution, 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, Health and Human Services and Human Resources previously reached agreement with the various bargaining units, including the American Federation of State, County and Municipal Employees (AFSCME), Ohio Council 8, Local 1746 regarding the payment of Hazard Pay and previously submitted those for approval; and

WHEREAS, several employees within the American Federation of State, County and Municipal Employees (AFSCME), Ohio Council 8, Local 1746 bargaining unit should have been eligible to receive Hazard Pay, but were not originally included; and

WHEREAS, the County Executive and Departments of Law, Public Works, Health and Human Services and Human Resources are recommending that County Council approve the proposed amendment to the original Hazard Pay Agreement with the American Federation of State, County and Municipal Employees (AFSCME), Ohio Council 8, Local 1746 to include the omitted employees; 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 Resolution 2020-0138 approving the Hazard Pay Agreement with the American Federation of State, County and Municipal Employees (AFSCME), Ohio Council 8, Local 1746, covering approximately 616 employees in various classifications in the Cuyahoga Job and Family Services, Division of Senior and Adult Services, Division of Children and Family Services and Department of Public Works be amended to include the additional 17 employees.

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

Nays: None

 _____	11/24/2020 _____
County Council President	Date
 _____	11/24/2020 _____
County Executive	Date
 _____	11/24/2020 _____
Clerk of Council	Date

Journal CC040
November 24, 2020

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