

County Council of Cuyahoga County, Ohio

Resolution No. R2021-0107

<p>Sponsored by: County Executive Budish/Department of Law on behalf of Office of the Public Defender</p>	<p>A Resolution approving an amendment to a Collective Bargaining Agreement between Cuyahoga County and American Federation of State, County and Municipal Employees, Ohio Council 8, AFL-CIO, Local 3631, representing approximately 92 employees in the classification of Assistant Public Defender for the period 1/1/2019 - 12/31/2021; to establish the terms of the wage re-opener and to modify Article 45 and include Appendix D; and declaring the necessity that this Resolution become immediately effective.</p>
--	---

WHEREAS, the Cuyahoga County Public Defender’s Office and the American Federation of State, County and Municipal Employees, Ohio Council 8, Local 3631, AFL-CIO (hereinafter referred to as “AFSCME, Local 3631”), have agreed to amend the collective bargaining agreement (“CBA”) for the period 01/01/19 – 12/31/21 covering approximately 92 employees in the classifications of Assistant Public Defender to establish the terms of the wage re-opener for 2021 pursuant to a previously negotiated re-opener, to modify Article 45, and include Appendix D to the CBA; and

WHEREAS, the parties desire to amend the CBA under the terms of the attached tentative agreement; and

WHEREAS, the members of the bargaining unit met and voted to ratify the terms of the attached tentative agreement; 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 fourteen 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 Cuyahoga County Public Defender's Office is recommending that Council approve the amendment to the CBA, establishing the terms of the wage re-opener and modifying Article 45 and including Appendix D for the period 01/01/19 - 12/31/21;
and; and

WHEREAS, it is necessary that this Resolution become immediately effective to ensure the efficient operation of the Cuyahoga County Public Defender's Office.

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 Public Defender's Office and American Federation of State, County and Municipal Employees, Ohio Council 8, Local 3631 representing approximately 92 employees in the classification of Assistant Public Defender for the period 01/01/2019 – 12/31/21, to establish terms of the wage re-opener for year 2021 pursuant to a previously negotiated re-opener, to modify Article 45, and include Appendix D to the CBA and authorizes the execution by the Cuyahoga County Public Defender of all the documents necessary to execute this transaction.

SECTION 2. The Cuyahoga County Council hereby determines that the Cuyahoga County Public Defender's Office has the necessary funds to compensate the bargaining unit employees and to make any and all expenditures as required by the provisions of this CBA.

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. Jones, seconded by Mr. Miller, the foregoing Resolution was duly adopted.

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

Nays: None

County Council President Date

County Executive Date

Clerk of Council Date

Journal CC042
April 27, 2021

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