

County Council of Cuyahoga County, Ohio

Resolution No. R2021-0108

<p>Sponsored by: County Executive Budish/Department of Law and Department of Health and Human Services/Cuyahoga Job and Family Services, Division of Children and Family Services, and Division of Senior and Adult Services</p>	<p>A Resolution accepting the report containing findings and recommendations of Fact-Finder Jenifer K. Flesher regarding negotiations between Cuyahoga County and the American Federation of State, County, and Municipal Employees, Ohio Council 8, AFL-CIO, Local 1746 for a collective bargaining agreement covering approximately 1,218 employees in 15 classifications at the Cuyahoga Job and Family Services, Division of Children and Family Services, and Division of Senior and Adult Services; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Cuyahoga County (“County”) has been engaged in negotiations with the American Federation of State, County, and Municipal Employees, Ohio Council 8, AFL-CIO, Local 1746 for a collective bargaining agreement that covers approximately 1,218 employees in 15 classifications at the Cuyahoga Job and Family Services, Division of Children and Family Services, and Division of Senior and Adult Services; and

WHEREAS, O.R.C. 4117.14(C)(3) of the Public Employees Collective Bargaining Act (“CBA”) expressly authorizes parties who are engaged in collective bargaining negotiations to request fact-finding, an impasse resolution procedure, and the appointment of a fact-finding panel to assist the parties to resolve an impasse in contract negotiations; and

WHEREAS, the parties reached impasse in contract negotiations and submitted their unresolved issues to fact-finding pursuant to the CBA, O.R.C. 4117.14 (C), and a mutually agreed to dispute resolution procedure agreement, and a fact-finding hearing was conducted before Jenifer K. Flesher; and

WHEREAS, O.R.C. 4117.14(C)(6)(a) and the mutually agreed to dispute resolution procedure agreement require that not later than fourteen calendar days after the findings and recommendations are sent, the legislative body, by a three-fifths vote of its membership, may reject the recommendations, and if the recommendations are not rejected, the recommendations shall be deemed agreed upon as the final resolution of the issues submitted and a collective bargaining agreement shall be executed between the parties, including the fact-finding panel’s recommendations, except as otherwise modified by the parties by mutual agreement; and

WHEREAS, Fact Finder Jenifer K. Flesher sent her findings and recommendations on April 16th, 2021, and the County Executive, Department of Law,

Health and Human Services/Cuyahoga Job and Family Services, Division of Children and Family Services, and Division of Senior and Adult Services are recommending that the Fact-Finding report be accepted; and

WHEREAS, 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.

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

SECTION 1. The findings and recommendations of Fact Finder Jenifer K. Flesher regarding open issues in the collective bargaining negotiations between the County and American Federation of State, County, and Municipal Employees, Ohio Council 8, AFL-CIO, Local 1746 for a collective bargaining agreement covering approximately 1,218 employees in 15 classifications at the Cuyahoga Job and Family Services, Division of Children and Family Services, and Division of Senior and Adult Services are hereby accepted.

SECTION 2. 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.

SECTION 3. 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 seven members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

On a motion by Mr. Sweeney, seconded by Ms. Brown, the foregoing Resolution was duly adopted.

Yeas: Stephens, Simon, Miller, Sweeney, Tuma, Conwell, Brown and Jones

Nays: Baker

County Council President

Date

County Executive

Date

Clerk of Council

Date

Journal CC042
April 29, 2021

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