

# County Council of Cuyahoga County, Ohio

## Resolution No. R2021-0155

Sponsored by: <b>County Executive Budish/Department of Law and County Sheriff</b>	<b>A Resolution</b> accepting the report containing findings and recommendations of Fact-Finder Margaret Nancy Johnson regarding negotiations between Cuyahoga County and the Ohio Patrolmen’s Benevolent Association for a collective bargaining agreement covering approximately 112 employees in the classification of Protective Services Officer at the Cuyahoga County Sheriff’s Department; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Cuyahoga County (“County”) has been engaged in negotiations with the Ohio Patrolmen’s Benevolent Association (“OPBA”) for a collective bargaining agreement that covers approximately 112 employees in the classification of Protective Services Officer at the Cuyahoga County Sheriff’s Department; 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 and O.R.C. 4117.14 (C), and a fact-finding hearing was conducted before Margaret Nancy Johnson; and

WHEREAS, pursuant to O.R.C. 4117.14(C)(6)(a) and mutual agreement of the County and the OPBA, the legislative body, by a three-fifths vote of its membership, may reject the recommendations not later than fourteen (14) calendar days after the findings and recommendations were sent, 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 Margaret Nancy Johnson sent her findings and recommendations to the OPBA and the County on June 11, 2021, and the County Executive, Department of Law, and County Sheriff 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 Margaret Nancy Johnson regarding open issues in the collective bargaining negotiations between the County and the OPBA for a collective bargaining agreement covering approximately 112 employees in the classification of Protective Services Officer at the Cuyahoga County Sheriff's Department 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. Miller, seconded by Ms. Brown, the foregoing Resolution was duly adopted.

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

Nays: None

	6/22/2021
_____ County Council President	_____ Date
	6/22/2021
_____ County Executive	_____ Date
	6/22/2021
_____ Clerk of Council	_____ Date

Journal CC042  
June 22, 2021

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