

# County Council of Cuyahoga County, Ohio

## Resolution No. R2021-0205

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| <p>Sponsored by: <b>County Executive Budish/County Sheriff and Department of Human Resources</b></p> <p>Co-sponsored by: <b>Councilmember Simon</b></p> | <p><b>A Resolution</b> approving an amendment to a Collective Bargaining Agreement between Cuyahoga County and The Ohio Patrolmen’s Benevolent Association representing employees in the classification of Correction Officer at the Sheriff’s Department for the period 1/1/2020 - 12/31/2022, to modify Article 14 (Wages), Article 24 (Overtime), Article 32 (Health and Safety), Article 47 (Sick Leave), Article 52 (Injury/Illness Leave), and Article 54 (Bereavement Leave); directing that funds necessary to implement the amended Agreement be budgeted and appropriated; authorizing the County Executive to execute the amended Agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p> |
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WHEREAS, the County has been engaged in negotiations with the Ohio Patrolmen’s Benevolent Association (hereinafter referred to as the “OPBA”) to amend Article 14 (Wages), Article 24 (Overtime), Article 32 (Health and Safety), Article 47 (Sick Leave), Article 52 (Injury/ Illness Leave), and Article 54 (Bereavement Leave) of the Collective Bargaining Agreement (“CBA”) between the parties; and,

WHEREAS, the parties have met in a concerted effort to negotiate terms and have reached a tentative agreement on an amended CBA; and,

WHEREAS, the Cuyahoga County Sheriff’s Department (“Sheriff’s Department”) has experienced difficulty hiring and retaining Correction Officers, and the proposed amendment to Article 14 (Wages) is intended to support the recruitment and retention of Correction Officers; and,

WHEREAS, the proposed amendments to Article 14 (Wages), Article 47 (Sick Leave), Article 52 (Injury/Illness Leave), and Article 54 (Bereavement Leave) are intended to provide additional support to the Sheriff’s Department in its management of operational needs related to attendance; and,

WHEREAS, the proposed amendment to Article 32 (Health and Safety) is for the purpose of promoting safety and security in the Cuyahoga County Corrections Center by expanding the circumstances under which the Sheriff's Department may order a Correction Officer to undergo drug/ alcohol testing to allow for such testing following a post-critical incident; 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 thirty 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 County Executive, the Sheriff's Department, and the Department of Human Resources are recommending that Council approve the proposed CBA amendment; and,

WHEREAS, it is necessary that this Resolution become immediately effective to ensure the efficient operation of the Sheriff's Department.

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

**SECTION 1.** The Cuyahoga County Council hereby approves the proposed amendments to Article 14 (Wages), Article 24 (Overtime), Article 32 (Health and Safety), Article 47 (Sick Leave), Article 52 (Injury/Illness Leave), and Article 54 (Bereavement Leave) of the CBA between the County and the OPBA (Correction Officers' Bargaining Unit) and authorizes the County Executive to execute all documents consistent with this Resolution.

**SECTION 2.** Funds necessary to implement the amendment to the CBA between the County and the OPBA shall be budgeted and appropriated.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section

3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 4.** 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 Ms. Brown, the foregoing Resolution was duly adopted.

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

Nays: None

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| <br>_____<br>County Council President | 9/15/21<br>_____<br>Date   |
| <br>_____<br>County Executive        | 9-15-21<br>_____<br>Date   |
| <br>_____<br>Clerk of Council       | 9/14/2021<br>_____<br>Date |

Additional Sponsorship Requested on the Floor: September 14, 2021

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