

# County Council of Cuyahoga County, Ohio

## Resolution No. R2021-0288

Sponsored by: <b>County Executive Budish/Department of Law and Court of Common Pleas</b>	<b>A Resolution</b> approving an Amendment to a Collective Bargaining Agreement between Cuyahoga County Court of Common Pleas, General Division (“County”), and the Fraternal Order of Police, Ohio Labor Council, representing approximately 163 employees working in the Probation Department for the period 1/1/2020 - 12/31/2022 to modify the 2022 COLA set forth in Article 10 Wages; directing that funds necessary to implement the amendment be budgeted and appropriated; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Cuyahoga County Court of Common Pleas, General Division (“County”) and the Fraternal Order of Police, Ohio Labor Council (“the Union”) have agreed to amend the Collective Bargaining Agreement (CBA) representing approximately 163 employees working in the Cuyahoga County Court of Common Pleas Probation Department to modify the cost of living adjustment (COLA) for 2022 in accordance with the document titled “Side Letter of Agreement Regarding 2022 Cuyahoga County COLA”; and

WHEREAS, the parties desire to amend the CBA under the terms of the attached Agreement to Amend Article 10, Section 2 to reflect a two percent (2%) COLA for 2022 which has been ratified and approved by the Union members; 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 (14) days of the date on which the parties finalize the agreement, unless otherwise specified, but if the appropriate legislative body is not in session at the time, then within fourteen (14) 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 (30) days after the public employer submits the agreement; and

WHEREAS, it is necessary that this Resolution become effective immediately to ensure the efficient operation of the Court of Common Pleas.

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

**SECTION 1.** The Cuyahoga County Council hereby approves an amendment to the Collective Bargaining Agreement between Cuyahoga County and the Fraternal Order of Police, Ohio Labor Council (“the Union”) representing approximately 167 employees in the Cuyahoga County Court of Common Pleas Probation Department to modify the 2022 COLA in Article 10, Section 2 to reflect a two percent (2%) COLA pursuant to the “Side Letter of Agreement Regarding Cuyahoga County 2022 COLA” attached to the 2020-2022 CBA.

**SECTION 2.** Funds necessary to implement the amendment of the CBA shall be budgeted and approved.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health or safety in the County, and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight (8) members of the 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 (8) 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 Mr. Miller, the foregoing Resolution was duly adopted.

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

Nays: None

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County Council President

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Date

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County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

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Date

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