

County Council of Cuyahoga County, Ohio

Resolution No. R2021-0289

<p>Sponsored by: County Executive Budish/Department of Law and Department of Public Works</p>	<p>A Resolution approving an Amendment to a Collective Bargaining Agreement between Cuyahoga County and Excavating, Building Material, Construction Drivers, Race Track Employees, Public Employees, Manufacturing, Processing, Assembling and Installer Employees, affiliated with International Brotherhood of Teamsters, Local Union No. 436, representing approximately 10 employees in the classification of Deputy Dog Warden at the Department of Public Works Animal Shelter for the period 1/1/2021 - 12/31/2023 to amend Articles 37 and 38 to establish Health Insurance and Wages for 2022 and 2023 re-openers; directing that funds necessary to implement the amendment be budgeted and appropriated; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Cuyahoga County and the Excavating, Building Material, Construction Drivers, Race Track Employees, Public Employees, Manufacturing, Processing, Assembling and Installer Employees, Local Union No. 436, affiliated with International Brotherhood of Teamsters (“the Union) have agreed to amend the Collective Bargaining Agreement (CBA) to modify the cost of living adjustment (COLA) for 2022 in accordance with the “Side Letter of Agreement Regarding 2022 COLA” (Side Letter) to reflect a two percent (2%) COLA. The parties further agreed to amend Articles 37 and 38 to establish the 2023 Health Insurance contribution rates and the 2023 COLA pursuant to re-openers; and

WHEREAS, the parties desire to amend the CBA under the terms of the attached Agreement to Amend the Collective Bargaining Agreement 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 Department of Public Works.

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 Excavating, Building Material, Construction Drivers, Race Track Employees, Public Employees, Manufacturing, Processing, Assembling and Installer Employees, affiliated with International Brotherhood of Teamsters, Local Union No. 436, (“the Union”) representing approximately 10 employees working in the Cuyahoga County Department of Public Works Animal Shelter to modify the COLA for 2022 in accordance with the “Side Letter of Agreement” reflecting an increase to two percent (2%), and to amend to Article 37 to establish the 2023 Health Insurance contribution rates and Article 38 Wages to establish the 2023 COLA.

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 Ms. Turner, the foregoing Resolution was duly adopted.

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

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

Journal CC044
December 7, 2021