

MINUTES
Cuyahoga County Human Resources Commission
Wednesday, April 20, 2011
Cuyahoga County Administration Bldg.
Multi-purpose Room, 4th Floor
5:00 p.m.

1. CALL TO ORDER

Robert Wolff, Chairman of the Commission began the meeting at 5:08 p.m. and made a motion to approve the minutes from the April 13, 2011 meeting. This was seconded by Kat Palmer, no objections.

2. ATTENDANCE

Carolyn Pfiffner, Lisa Durkin, Kat Palmer, Robert Wolff, Matthew Hawes, Elise Hara, Majeed Makhoulf, Angela Simmons and Barbara Marburger (w/o signature).

3. BUDGETING AND STAFFING ISSUES

- a) Review of proposed budget for HRC
- b) Ordinance for Council

A motion to adopt proposed budget and submit to Council for approval made by Robert Wolff and seconded by Angela Simmons, no objections.

- c) H/R Dept. will coordinate interviews and schedule for HRC members
 - a. 20 minutes for initial interviews of each candidate
 - b. Chairman will sign personnel hiring form
 - c. Hearing Officer
 - a. 6-8 week process for RFQ

4. PENDING ISSUES/INFORMATION REQUIRED

A motion was made by Robert Wolff to forward those individuals who appeal to the HRC a letter (attached) acknowledging their appeal was seconded by Kat Palmer, no objections.

- a. Draft of letter revised
- b. Letters prepared and signed by Chairman and Commissioners during meeting
- c. Carolyn Pfiffner to mail

5. RULEMAKING/PROCEDURAL

- a) HRC Rules – discussion (changes ?)
- b) Summit County
 - a. Chairman Wolff reviewed rules
 - b. Commissioner's Palmer and Simmons to review
 - c. Page 3 appointment needs to be defined

5. RULEMAKING/PROCEDURAL (cont.)

- d. Definition of layoff
 - a. Debate over abolishment vs. layoffs
 - b. "Position" change wording
 - c. Define "suspension" (see 3.02 in draft for # of days)
 - d. Include definition for "suspension" as stated in SPBR
 - e. "Appointing authority" – defined by Charter
 - f. Use language in 1.3 under Summit rules regarding union appeals
- c) Jurisdiction
 - a. What happens to County Agencies that don't report to Executive?
 - a. Does HRC hear appeals for those employees or do they remain with SPBR?
 - a. Call SPBR (process)
 - b. Willing to ask for AG's opinion to determine jurisdiction over appeals
 - a. Charter is unclear
 - b. Reject appeal for lack of jurisdiction (spu sponte)
 - c. Transfer venue and toll time
- d) Procedure for rule making
 - a. Do we need to follow ORC 119 when adopting rules (comply ?)
 - b. Public meeting requirements following adoption of rules
 - c. Redact Section 5 in Summit County Rules
 - d. Discussion regarding Commissions/Boards (merit and fitness)
 - e. Ethics and Training
- e) Powers of appointing authorities
 - a. Ethics Rule (discussion)
 - a. Kat Palmer to address Ethics Ordinance with Councilman Greenspan prior to 4/26/11
- f) Appeals
 - b. Process for appeals (MPH)
 - a. Auditing process (HRC Administrator)
 - b. Recommendations/reporting issues
 - c. Training programs (quarterly)
 - d. Guidelines
 - e. 10 days to file
 - f. HRC Administrator to receive (form ltr.- not filed timely)
 - g. Classified/Unclassified
 - a. 7.04 Simplify policy ("user friendly")
 - b. 7.09 Paper size
- g) Content
 - a. Officers to set date and time of hearings
 - b. Time of hearings (in contract)
 - c. HRC has authority
 - d. Objections (template)
 - e. Discussion
 - a. Closing argument/brief
 - f. Timeline of (30 days)

5. RULEMAKING/PROCEDURAL (cont.)

- g) Content (cont.)
 - g. ALJ extension
- h) Common Pleas Court (transmittal of record)
 - Section 8.02
 - a. Process
 - b. 2506.03 Appeal (mirror language)
 - c. Findings of fact
 - d. Hearing Officers to work with HRC and Law Dept.
 - e. Discussion with Law Director
 - a) Common Pleas 45 days
 - b) Appeal filed with HRC

6. PUBLIC COMMENT

(Nothing submitted)

7. OTHER BUSINESS

- a) Archer Contract
 - a. Elise Hara updated HRC
 - b. License issue
 - c. Negotiations completed by 5/1/11

Robert Wolff made a motion to adjourn meeting at 7:15 p.m. Kat Palmer seconded motion, no objections.

DRAFT

Dear _____:

On behalf of the newly formed Cuyahoga County Human Resources Commission, we wanted to acknowledge receipt of your appeal regarding your employment termination and further advise you of the status of that appeal. As you may know, we were recently appointed and confirmed as members of the Human Resources Commission. ~~We have met three times and are in the process of adopting rules, hiring staff and retaining hearing officers. We are moving forward on all three initiatives as quickly as possible.~~ As soon as we have retained qualified hearing officers, you will be contacted regarding a time and date for a hearing on your appeal. This hearing officer will make a report and recommendation to us as a Commission. We will, in turn, accept or reject that recommendation. ~~If you are dissatisfied with our decision, you will have the right to appeal to the Common Pleas Court.~~

Again, we thank you for your patience and want you to know we are moving forward as quickly as possible in order to hear all of the appeals that are currently pending. In the meantime, you can check our status through our minutes at the Human Resources Commission page on the County website: cuyahogacounty.us.

Again, thank you for your patience.

Very truly yours,

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DRAFT