

County Council of Cuyahoga County, Ohio

Ordinance No. O2023-0017

<p>Sponsored by: County Executive Ronayne/Department of Human Resources</p> <p>Co-sponsored by: Councilmembers Miller, Sweeney, Conwell, Turner and Simon</p>	<p>An Ordinance providing for the adoption of a modified Section 11.09 of the Cuyahoga County Employee Handbook; and declaring the necessity that this Ordinance become immediately effective.</p>
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WHEREAS, the Cuyahoga County Executive is committed to improving the health and wellness of County employees and their families and to fostering a diverse, equitable, and inclusive workplace;

WHEREAS, the County Executive is equally committed to reducing the County’s infant mortality rate, which is high and disproportionately affects babies of color;

WHEREAS, Cuyahoga County established the Advisory Council on Women’s Health to shape a healthier, more equitable future for women in our County by supporting programming and policies that improve access and health outcomes for women and families;

WHEREAS, the 2023 March of Dimes report card on preterm birth rates graded 100 cities with the greatest number of live births, and the City of Cleveland received an F and Ohio received a D for preterm births;

WHEREAS, the March of Dimes supports policies to improve the health of mothers and babies, and access to Paid Parental Leave supports parent-infant attachment and establishes a foundation for a safe, stable, and nurturing relationship, as well as parenting practices that promote optimal infant health and development;

WHEREAS, parent-child bonding in the first months of life is critical for babies to develop healthy cognitive, behavioral, and socioemotional skills, and Paid Parental Leave allows parents time to bond with their newborn or newly adopted child;

WHEREAS, Paid Parental Leave improves the health outcomes of both mothers and their children by reducing infant mortality rates and increasing rates of vaccination in children and improving post-partum maternal mental health;

WHEREAS, the County desires to attract and retain employees, and Paid Parental Leave reduces the likelihood that a first-time mother will quit her job following the birth or adoption of her child and will increase the County's overall compensation package for employees;

WHEREAS, the County currently offers two continuous weeks of Paid Parental Leave to full-time and part-time benefits eligible employees who are eligible for leave under the Family and Medical Leave Act pursuant to Section 11.09 of the current Employee Handbook;

WHEREAS, the County Executive has reviewed the current Section 11.09 of the Employee Handbook and determined that an amendment is necessary to expand the eligibility criteria and duration of Paid Parental Leave;

WHEREAS, pursuant to Section 9.01 of the County Charter it is County Council's authority to establish personnel policies by ordinance, and Council has previously approved prior versions of the County's Employee Handbook which is amended herein and may be amended in the future by Council; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

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

SECTION 1. Adoption of Revised Employee Handbook: Council hereby adopts a modified section 11.09 (Paid Parental Leave) of the County's Employee Handbook as set forth in Exhibit A attached hereto, to remain in full force and effect, to be applicable to all non-bargaining County employees under the authority of the County Council and the County Executive. The Department of Human Resources shall disseminate the amended Handbook to all employees subject to the Handbook, in accordance with the Department's usual method of dissemination.

SECTION 2. The eligibility of bargaining unit employees is subject to the terms of their respective collective bargaining agreement and Chapter 4117 of the Ohio Revised Code. The County Executive and his designee are authorized to negotiate with the various bargaining units and execute side letters to modify their respective collective bargaining agreements to authorize the receipt of the Paid Parental Leave benefits in accordance with the Employee Handbook and as further set forth in Exhibit A of this Ordinance, and to replace any differing

provisions addressing parental leave, maternity leave, or paternity leave. Modifications to respective collective bargaining agreements shall reflect the following: “The parental leave provision of the Employee Handbook shall be applicable to employees in the bargaining unit. Any future change to the Employee Handbook on parental leave shall also be applicable to the bargaining unit.”

SECTION 3. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight (8) 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 (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 Ordinance 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 Ms. Conwell, seconded by Ms. Turner, the foregoing Ordinance was duly enacted.

Yeas: Gallagher, Schron, Conwell, Turner, Simon, Kelly, Miller, Sweeney and Jones

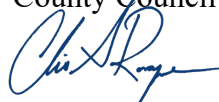
Nays: None



County Council President

02/20/2024

Date



County Executive

02/20/2024

Date



Clerk of Council

02/14/2024

Date

First Reading/Referred to Committee: December 5, 2023
Committee(s) Assigned: Human Resources, Appointments & Equity

Additional Sponsorship Requested on the Floor: February 13, 2024

Journal CC053
February 13, 2024

EXHIBIT A

11.09 Paid Parental Leave

The County offers Paid Parental Leave to eligible employees to care for an employee's newborn child or newly adopted child following the placement of the adopted child who is under the age of 18 within the employee's home. Paid Parental Leave gives parents additional flexibility and time to bond with their new child, adjust to their new family situation, and balance their work obligations.

Paid Parental Leave is available to all full-time and part-time benefits-eligible who have at least three (3) months/ 90 days of continuous employment with a Cuyahoga County agency that is subject to the Employee Handbook.

For each eligible employee, Paid Parental Leave is thirty (30) hours of paid leave at the employee's base rate of pay for up to twelve (12) continuous weeks following the birth or adoption of the employee's child.

Paid Parental Leave will run concurrently with FML and will be counted against any FML available to employees using the Paid Parental Leave benefit. Full-time employees who are eligible for FML and have paid time off allowances (i.e., accrued exchange or compensatory time, sick leave, or vacation leave) will be required to supplement the remaining ten (10) hours during each week of Paid Parental Leave/ FML with any accrued paid time off.

Full-time employees who are not eligible for FML may supplement the remaining ten (10) hours during each week of Paid Parental Leave at their base rate of pay with accumulated exchange or compensatory time, sick leave, or vacation leave. If employees do not have accumulated paid time off, the remaining ten (10) hours will be unpaid. As an exception to the Leave Donation policy in Section 11.07 of this Handbook, full-time employees who are not eligible for FML may receive leave donations from other County employees in accordance with the process set forth in Section 11.07 to supplement the remaining ten (10) hours during each week of Paid Parental Leave, provided they exhaust all sick leave, vacation leave, and exchange or compensatory time.

Vacation and sick leave continue to accrue during Paid Parental Leave. The County will also continue to pay its share of the cost of an employee's group health insurance during Paid Parental Leave. The employee's share of the premium will be deducted from the employee's pay in accordance with normal practices during Paid Parental Leave.

Paid Parental Leave must be utilized within the twelve (12) weeks following the birth or adoption of a child. Employees are not eligible to receive holiday pay during Paid Parental Leave. A holiday occurring during the leave period shall be counted as one day of Paid Parental Leave and shall be paid as such.

An employee is eligible for Paid Parental Leave for only one (1) birth or adoption within a rolling twelve (12) month period. The fact that a multiple birth or adoption occurs (for example, the birth or adoption of twins) does not increase the length of Paid Parental Leave granted for that event.

If two married eligible employees both work for a County agency that is subject to this Handbook, and each wants to take Paid Parental Leave for the birth or adoption of a child, the employees may take only a combined total of twelve (12) weeks of leave. Bargaining-unit employees should review their respective CBA and contact Human Resources to determine if they are eligible for Paid Parental Leave.

Documentation Required for Paid Parental Leave:

Eligible employees must submit a completed leave request form to Human Resources at least thirty (30) days prior to the anticipated date of Paid Parental Leave. In situations where it is not possible to submit the form thirty (30) days prior to the anticipated date of Paid Parental Leave, employees should submit a leave request form to Human Resources as soon as it is practicable to do so.

Eligible employees will be required to furnish appropriate medical documentation to use Paid Parental Leave to care for a newborn child. If applicable, the medical certification requirements for FML will govern (see section 11.07). The employee's health care provider must complete and sign the medical documentation.

Eligible employees will be required to furnish appropriate adoption documentation, such as a letter from an adoption agency or from the attorney in cases of private adoptions, to care for a newly adopted child.