



**AGENDA**  
**CUYAHOGA COUNTY COUNCIL REGULAR MEETING**  
**TUESDAY, JANUARY 24, 2012**  
**CUYAHOGA COUNTY JUSTICE CENTER**  
**COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR**  
**5:00 PM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. SILENT MEDITATION**
- 5. PUBLIC COMMENT RELATED TO AGENDA**
- 6. APPROVAL OF MINUTES**
  - a) January 10, 2012 Meeting
- 7. MESSAGES FROM THE COUNTY EXECUTIVE**
- 8. COMMITTEE REPORTS AND CONSIDERATION OF MOTIONS OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES**
  - a) M2012-0002: A Motion confirming the County Executive's appointment of Edna Fuentes-Casiano to serve on the Cuyahoga County Public Library Board of Trustees, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

Committee Assignment and Chair: Human Resources, Appointments & Equity – Conwell

- b) M2012-0003: A Motion confirming the County Executive's appointment of Barbara J. Thomas to serve on the Office of Homeless Services Advisory Board, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

Committee Assignment and Chair: Human Resources, Appointments & Equity – Conwell

## **9. CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE**

- a) R2012-0011: A Resolution proclaiming the month of May of each year as Multiple Chemical Sensitivity Awareness Month in Cuyahoga County, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Miller, Simon and Conwell

## **10. CONSIDERATION OF RESOLUTIONS FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES**

- a) R2012-0012: A Resolution amending the 2012/2013 Biennial Operating Budget for 2012 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management

- b) R2012-0013: A Resolution amending BOCC Resolution No. 103040 dated 7/22/2010, which authorized employment of the law firm of Weston Hurd, LLP, for legal services in connection with United States District Court Case No. 1:08-CV-01339-DCN, Angela Lowe, et al. vs. Cuyahoga County, et al., by changing the amount not-to-exceed from \$330,000.00 to \$363,100.00; authorizing the County Executive to execute all documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Law on behalf of the Prosecutor's Office

- c) R2012-0017: A Resolution authorizing a Water Pollution Control Loan Fund Agreement with Ohio Environmental Protection Agency and Ohio Water Development Authority in the amount of \$378,483.00 for the Jefferson Drive Lateral Rehabilitation/Reconstruction Project; 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.

Sponsor: County Executive FitzGerald/Department of Public Works

## **11. CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO COMMITTEE**

- a) R2012-0014: A Resolution amending the 2011 Annual Appropriation Measure by providing for additional fiscal appropriations from the General Fund and other funding sources and for appropriation transfers between budget accounts, in order to meet the budgetary needs of various County departments, offices and agencies related to year-end close-out activities, in accordance with Resolution No. R2011-0320, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management

- b) R2012-0015: A Resolution approving the appropriation of funds for Year 2012 based on the Statement of Appropriation Status dated 12/31/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management

## **12. CONSIDERATION OF A RESOLUTION FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES AND EXECUTIVE SESSION**

- a) R2012-0016: A Resolution approving an amendment to a Collective Bargaining Agreement with Teamsters Local 436, affiliated with the International Brotherhood of Teamsters, covering approximately 7 employees at the County Airport for the period 12/1/2010 - 11/30/2013; directing that funds necessary to implement the amended Collective Bargaining Agreement be budgeted and appropriated; authorizing the County Executive to execute all documents consistent with this Resolution, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Departments of Development and Law

- b) Purchase/Sale of Real Estate - Discussion

**13. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES**

- a) R2012-0004: A Resolution declaring that public convenience and welfare requires deck sealing of various bridges in connection with the Bridge Deck Sealing Program; total estimated construction costs \$150,000.00; and finding that special assessments are not to be levied and collected to pay any part of the County's costs of said improvements:

- 1) Bassett Road Bridge No. 03.57 over Porter Creek in the City of Bay Village.
- 2) Bennett Road Bridge No. 01.82 over the East Branch of Rocky River in the City of North Royalton.
- 3) Harvard Avenue Bridge No. 00.16 over the Cuyahoga River in the City of Cleveland and Village of Cuyahoga Heights.
- 4) Lewis Road Bridge No. 02.91 over the West Branch of Rocky River in Olmsted Township and City of North Olmsted.
- 5) Rockside Road Bridge No. 03.41 over the Ohio Canal in the Village of Valley View.
- 6) Triskett Road Bridge No. 01.34 over the Norfolk Southern Railroad and Greater Cleveland Regional Transit Authority in the City of Cleveland.
- 7) Whiskey Island Drive Bridge No. 00.93 over the Norfolk Southern Railroad in the City of Cleveland.

Sponsor: County Executive FitzGerald/Department of Public Works/  
County Engineer

Committee Assignment and Chair: Public Works, Procurement &  
Contracting – Jones

- b) R2012-0005: A Resolution declaring that public convenience and welfare requires replacement of sidewalks on various bridges in connection with the Bridge Sidewalk Replacement Program; total estimated construction costs \$1,250,000.00; and finding that special assessments are not to be levied and collected to pay any part of the County's costs of said improvements:

1) East Project:

- i) Chagrin River Road Bridge No. 02.40 over Sulphur Springs Creek in the Village of Bentleyville.
- ii) Pleasant Valley Road Bridge No. 09.68 over Cuyahoga River, Canal Road and Ohio Canal in the City of Independence and Village of Valley View.
- iii) Rockside Road Bridge No. 03.23 over CSXT Railroad and Access Road in the City of Independence.
- iv) Rockside Road Bridge No. 03.32 over Cuyahoga River in the City of Independence and Village of Valley View.
- v) Rockside Road Bridge No. 04.80 over former P&LE Railroad Right-of-Way in the Village of Valley View.

2) West Project:

- i) Bagley Road Bridge No. 05.63 over East Branch of Rocky River in the City of Berea.
- ii) Hilliard Road Bridge No. 03.21 over Cahoon Creek in the City of Westlake.
- iii) Hilliard Road Bridge No. 08.57 over Rocky River, Cleveland MetroParks and Valley Parkway in the Cities of Rocky River and Lakewood.

Sponsor: County Executive FitzGerald/Department of Public Works/  
County Engineer

Committee Assignment and Chair: Public Works, Procurement &  
Contracting – Jones

- c) R2012-0006: A Resolution declaring that public convenience and welfare requires various replacements on various bridges; total estimated construction cost \$150,000.00 each; and finding that special assessments are not to be levied and collected to pay any part of the County's costs of said improvements:

- 1) deck replacement on Lee Road Bridge No. 00.77 over Mill Creek in the City of Maple Heights.
- 2) railing replacement on Memphis Road Bridge No. 00.95 over Countryman's Creek in the City of Brooklyn.

Sponsor: County Executive FitzGerald/Department of Public Works/  
County Engineer

Committee Assignment and Chair: Public Works, Procurement &  
Contracting – Jones

- d) R2012-0007: A Resolution approving a Participation and Redevelopment Agreement with Cleveland Housing Network, Inc. for the Emerald Alliance VII Redevelopment Project, located at 9431 Lorain Avenue and 3147 West 95th Street, Cleveland, for the period 10/10/2011 - 10/9/2015 in connection with a Clean Ohio Assistance Fund grant agreement with State of Ohio, Department of Development in the amount of \$656,272.00; 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.

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development & Planning –  
Schron

- e) R2012-0009: A Resolution approving an amendment to Contract No. CE1100151-02 with Berea Children's Home for Community-based Treatment Center management services for the period 1/1/2011 - 6/30/2011 to extend the time period to 6/30/2012 and for additional funds in the amount of \$1,153,828.80; 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.

Sponsors: County Executive FitzGerald on behalf of Juvenile Court

Committee Assignment and Chair: Justice Affairs – Simon

**14. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES**

- a) O2012-0001: An Ordinance amending Ordinance No. O2011-0016, as amended, which established the organizational structure of the Department of Law.

Sponsor: County Executive FitzGerald/Departments of Law and Public Works

Committee Assignments and Chairs: Human Resources, Appointments & Equity – Conwell and Justice Affairs – Simon

**15. CONSIDERATION OF AN ORDINANCE FOR THIRD READING ADOPTION**

- a) O2011-0061: An Ordinance providing for modifications and adoption of the County's Human Resources Personnel Policies and Procedures Manual to be applicable to all County employees, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/Department of Human Resources on behalf of Human Resource Commission

**16. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR THIRD READING ADOPTION**

- a) O2011-0049: An Ordinance authorizing the County Executive to establish an Economic Development Fund for the purpose of investing in job growth and economic development in Cuyahoga County, and declaring the necessity that this Ordinance become immediately effective. (Pending Committee recommendation.)

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development and Planning – Schron

**17. MISCELLANEOUS COMMITTEE REPORTS**

**18. MISCELLANEOUS BUSINESS**

- a) Top Dog Essay Contest Winner Troy Shick

**19. PUBLIC COMMENT UNRELATED TO AGENDA**

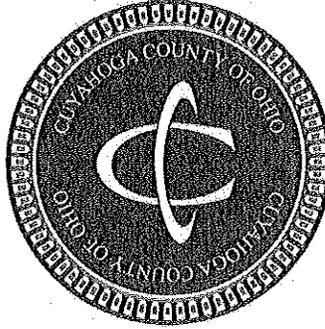
**20. ADJOURNMENT**

NEXT MEETING

REGULAR MEETING:

TUESDAY, FEBRUARY 14, 2012  
5:00 PM / COUNCIL CHAMBERS

\*In accordance with Ordinance No. O2011-0020, complimentary parking for the public will be available **beginning at 4:00 p.m.** on any day when the Council or any of its committees holds evening meetings. Please see the Clerk to obtain a parking pass.



**MINUTES**  
**CUYAHOGA COUNTY COUNCIL REGULAR MEETING**  
**TUESDAY, JANUARY 10, 2012**  
**CUYAHOGA COUNTY JUSTICE CENTER**  
**COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR**  
**5:00 PM**

**1. CALL TO ORDER**

**The meeting was called to order by Council President Connally at 5:05 p.m.**

**2. ROLL CALL**

**Council President Connally asked the Clerk to call the roll. Councilmembers Miller, Brady, Germana, Gallagher, Conwell, Jones, Rogers, Simon, Greenspan and Connally were in attendance and a quorum was determined. Councilmember Schron entered the meeting shortly after the roll call was taken.**

**3. PLEDGE OF ALLEGIANCE**

**The Pledge of Allegiance was recited.**

**4. SILENT MEDITATION**

**Council President Connally requested that a moment of silent meditation be dedicated in honor of the Rev. Dr. Martin Luther King, Jr. and his legacy.**

**5. PUBLIC COMMENT RELATED TO AGENDA**

**No public comments were given.**

6. APPROVAL OF MINUTES

- a) December 13, 2011 Meeting

**A motion was made by Mr. Greenspan, seconded by Ms. Simon and approved by unanimous vote to approve the minutes of the December 13, 2011 meeting.**

7. MESSAGES FROM THE COUNTY EXECUTIVE

**County Executive FitzGerald reported the following:**

- 1) Discussed the presentation to be made regarding the property study performed by Allegro Realty Advisors. Will keep Council informed of further developments and is looking forward to their input;**
- 2) Discussed the 9-1-1 Study that will come to either the Public Safety Committee or to Council;**
- 3) A Town Hall meeting will be held on Wednesday, January 25, 2012 at 7:00 p.m. at the North Olmsted Library; and**
- 4) Introduced Melvin Davis as the new Special Assistant to the County Executive and Liaison to Council.**

**Council President Connally congratulated County Executive FitzGerald on being ranked #1 in the Power 100 by Inside Business Magazine.**

8. CONSIDERATION OF MOTIONS OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) M2012-0001: A Motion confirming the County Executive's appointment of Alfonso P. Sanchez to serve on the Cuyahoga County Community-Based Correctional Facility Governing Board, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

**Council President Connally referred Motion No. M2012-0001 to the Human Resources, Appointments & Equity Committee.**

- b) M2012-0002: A Motion confirming the County Executive's appointment of Edna Fuentes-Casiano to serve on the Cuyahoga County Public Library Board of Trustees, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

**Council President Connally referred Motion No. M2012-0002 to the Human Resources, Appointments & Equity Committee.**

- c) M2012-0003: A Motion confirming the County Executive's appointment of Barbara J. Thomas to serve on the Office of Homeless Services Advisory Board, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

**Council President Connally referred Motion No. M2012-0003 to the Human Resources, Appointments & Equity Committee.**

9. CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

**A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2012-0001.**

- a) R2012-0001: A Resolution clarifying job titles and adjusting compensation of some Cuyahoga County Council staff, and declaring the necessity that this Resolution become immediately effective.

Sponsor: Council President Connally

**On a motion by Mr. Schron with a second by Mr. Rogers, Resolution No. R2012-0001 was considered and adopted by unanimous vote.**

10. CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

**A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Ordinance No. O2012-0002.**

- a) O2012-0002: An Ordinance amending Ordinance No. O2011-0008, as amended, which enacted the Cuyahoga County Code of Ethics, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: Councilmember Greenspan

**On a motion by Mr. Schron with a second by Ms. Conwell, Ordinance No. O2012-0002 was considered and adopted by unanimous vote.**

11. CONSIDERATION OF RESOLUTIONS FOR FIRST READING ADOPTION UNDER  
SUSPENSION OF RULES

**A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2012-0002 and R2012-0003.**

- a) R2012-0002: A Resolution amending the 2012/2013 Biennial Operating Budget by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management

**On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2012-0002 was considered and adopted by unanimous vote.**

- b) R2012-0003: A Resolution approving a revenue generating agreement with City of Cleveland/Cleveland Municipal Court in the amount not-to-exceed \$1,804,656.00 for legal services for indigent persons for the period 1/1/2011 - 12/31/2011; 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.

Sponsors: County Executive FitzGerald on behalf of Public Defender

**On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2012-0003 was considered and adopted by unanimous vote.**

12. CONSIDERATION OF A RESOLUTION FOR FIRST READING ADOPTION UNDER  
SUSPENSION OF RULES AND EXECUTIVE SESSION

**[Note: Item No. 12 was taken out of order after Item No. 16 on the agenda.]**

- a) R2012-0010: A Resolution **accepting** the report containing findings and recommendations of Fact-finder Nels E. Nelson regarding negotiations between the County and the Ohio Patrolmen's Benevolent Association for a collective bargaining agreement covering approximately 11 employees in the classification of Protective Services Sergeant at the Sheriff's Department; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/County Sheriff

b) Imminent/Pending Litigation - Discussion

~~e) Purchase/Sale of Real Estate - Discussion~~

**Council President Connally asked the Clerk to read Resolution No. R2012-0010 into the record. After doing so, a motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to amend the agenda to delete item (c) and to change the order of items (a) and (b).**

**A motion was then made by Mr. Miller, seconded by Mr. Brady and approved by unanimous vote to move to Executive Session for the purpose of discussing matters concerning findings and recommendations of a Fact-finder and imminent/pending litigation, and for no other purpose whatsoever. Executive Session was then called to order by Council President Connally at 5:43 p.m. The following members were present: Councilmembers Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers, Simon, Greenspan and Connally. The following additional attendees were present: County Executive Ed FitzGerald, Clerk of Council Jeanne Schmotzer, Law Director Majeed Makhlof, Chief of the County Civil Division David Lambert, Assistant Law Director Christopher Russ, Assistant Law Director Ed Morales, Deputy Chief Director of Law Nora Hurley, Director of Human Resources Elise Hara, Senior Policy Advisor Joanne Gross, Council Chief of Staff Joe Nanni, Legislative Budget Advisor Trevor McAleer, Attorneys at Law with Weston Hurd, LLP, Hilary Taylor and Timothy Obringer and Deputy Clerk of Council Nikima Barnhill. At 7:06 p.m., Executive Session was adjourned, without objection and Council President Connally then reconvened the regular meeting.**

**A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2012-0010.**

**A motion was then made by Mr. Miller, seconded by Ms. Simon and approved by unanimous vote to amend Resolution No. R2012-0010 to state "accepting" the Fact-finder report.**

**On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2012-0010 was considered and adopted by unanimous vote, as amended on the floor.**

13. CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) R2012-0004: A Resolution declaring that public convenience and welfare requires deck sealing of various bridges in connection with the Bridge Deck Sealing Program; total estimated construction costs \$150,000.00; and finding that special assessments are not to be levied and collected to pay any part of the County's costs of said improvements:
- 1) Bassett Road Bridge No. 03.57 over Porter Creek in the City of Bay Village.
  - 2) Bennett Road Bridge No. 01.82 over the East Branch of Rocky River in the City of North Royalton.
  - 3) Harvard Avenue Bridge No. 00.16 over the Cuyahoga River in the City of Cleveland and Village of Cuyahoga Heights.
  - 4) Lewis Road Bridge No. 02.91 over the West Branch of Rocky River in Olmsted Township and City of North Olmsted.
  - 5) Rockside Road Bridge No. 03.41 over the Ohio Canal in the Village of Valley View.
  - 6) Triskett Road Bridge No. 01.34 over the Norfolk Southern Railroad and Greater Cleveland Regional Transit Authority in the City of Cleveland.
  - 7) Whiskey Island Drive Bridge No. 00.93 over the Norfolk Southern Railroad in the City of Cleveland.

Sponsor: County Executive FitzGerald/Department of Public Works/  
County Engineer

**Council President Connally referred Resolution No. R2012-0004 to the Public Works, Procurement & Contracting Committee.**

- b) R2012-0005: A Resolution declaring that public convenience and welfare requires replacement of sidewalks on various bridges in connection with the Bridge Sidewalk Replacement Program; total estimated construction costs \$1,250,000.00; and finding that special assessments are not to be levied and collected to pay any part of the County's costs of said improvements:

- 1) East Project:

- i) Chagrin River Road Bridge No. 02.40 over Sulphur Springs Creek in the Village of Bentleyville.
- ii) Pleasant Valley Road Bridge No. 09.68 over Cuyahoga River, Canal Road and Ohio Canal in the City of Independence and Village of Valley View.
- iii) Rockside Road Bridge No. 03.23 over CSXT Railroad and Access Road in the City of Independence.
- iv) Rockside Road Bridge No. 03.32 over Cuyahoga River in the City of Independence and Village of Valley View.
- v) Rockside Road Bridge No. 04.80 over former P&LE Railroad Right-of-Way in the Village of Valley View.

2) West Project:

- i) Bagley Road Bridge No. 05.63 over East Branch of Rocky River in the City of Berea.
- ii) Hilliard Road Bridge No. 03.21 over Cahoon Creek in the City of Westlake.
- iii) Hilliard Road Bridge No. 08.57 over Rocky River, Cleveland MetroParks and Valley Parkway in the Cities of Rocky River and Lakewood.

Sponsor: County Executive FitzGerald/Department of Public Works/  
County Engineer

**Council President Connally referred Resolution No. R2012-0005 to the Public Works, Procurement & Contracting Committee.**

- c) R2012-0006: A Resolution declaring that public convenience and welfare requires various replacements on various bridges; total estimated construction cost \$150,000.00 each; and finding that special assessments are not to be levied and collected to pay any part of the County's costs of said improvements:

- 1) deck replacement on Lee Road Bridge No. 00.77 over Mill Creek in the City of Maple Heights.
- 2) railing replacement on Memphis Road Bridge No. 00.95 over Countryman's Creek in the City of Brooklyn.

Sponsor: County Executive FitzGerald/Department of Public Works/  
County Engineer

**Council President Connally referred Resolution No. R2012-0006 to the Public Works, Procurement & Contracting Committee.**

- d) R2012-0007: A Resolution approving a Participation and Redevelopment Agreement with Cleveland Housing Network, Inc. for the Emerald Alliance VII Redevelopment Project, located at 9431 Lorain Avenue and 3147 West 95th Street, Cleveland, for the period 10/10/2011 - 10/9/2015 in connection with a Clean Ohio Assistance Fund grant agreement with State of Ohio, Department of Development in the amount of \$656,272.00; 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.

Sponsor: County Executive FitzGerald/Department of Development

**Council President Connally referred Resolution No. R2012-0007 to the Economic Development & Planning Committee.**

- e) R2012-0008: A Resolution proclaiming the month of March 2012 as Save Our Homes Month in Cuyahoga County, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald on behalf of Common Pleas Court

**Council President Connally referred Resolution No. R2012-0008 to the Health, Human Services & Aging Committee.**

- f) R2012-0009: A Resolution approving an amendment to Contract No. CE1100151-02 with Berea Children's Home for Community-based Treatment Center management services for the period 1/1/2011 - 6/30/2011 to extend the time period to 6/30/2012 and for additional funds in the amount of \$1,153,828.80; 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.

Sponsors: County Executive FitzGerald on behalf of Juvenile Court

**Council President Connally referred Resolution No. R2012-0009 to the Justice Affairs Committee.**

14. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND  
READING ADOPTION UNDER SUSPENSION OF RULES

**A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2011-0341, R2011-0342, R2011-0343 and R2011-0345.**

- a) R2011-0341: A Resolution authorizing a contract with Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$605,412.00 for the Shelter Plus Care Sponsor-based Rental Assistance Program in connection with the FY2010 Continuum of Care Homeless Assistance Grant Programs and the McKinney-Vento Homeless Assistance Act for the period 8/1/2011 - 7/31/2012; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services

Committee Assignment and Chair: Health, Human Services & Aging – Brady

**On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2011-0341 was considered and adopted by unanimous vote.**

- b) R2011-0342: A Resolution authorizing a contract with MHS, Inc. in the amount not-to-exceed \$600,000.00 for the North Point Transitional Housing for Men Program for the period 10/1/2011 - 3/31/2012; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services

Committee Assignment and Chair: Health, Human Services & Aging – Brady

**On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2011-0342 was considered and adopted by unanimous vote.**

- c) R2011-0343: A Resolution authorizing a contract with The Salvation Army in the amount not-to-exceed \$527,499.00 for the PASS Transitional Housing Project for the Supportive Housing Program in connection with the FY2010 Continuum of Care for Homeless Assistance Grant Programs

and the McKinney-Vento Homeless Assistance Act for the period 11/1/2011 - 10/31/2012; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services and Councilmember Jones

Committee Assignment and Chair: Health, Human Services & Aging – Brady

**On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2011-0343 was considered and adopted by unanimous vote.**

- d) R2011-0345: A Resolution making an award on RQ21089 to Wellness IQ, Inc. in the amount not-to-exceed \$1,231,000.00 for Vitality Wellness Services for tracking County employees participating in the County's health benefit plans for the period 1/1/2012 - 12/31/2014; authorizing the County Executive to execute a contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Human Resources

Committee Assignment and Chair: Human Resources, Appointments & Equity – Conwell

**On a motion by Mr. Rogers with a second by Ms. Simon, Resolution No. R2011-0345 was considered and adopted by unanimous vote.**

15. CONSIDERATION OF AN ORDINANCE FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) O2012-0001: An Ordinance amending Ordinance No. O2011-0016, as amended, which established the organizational structure of the Department of Law.

Sponsor: County Executive FitzGerald/Departments of Law and Public Works

**Council President Connally referred Ordinance No. O2012-0001 to the Human Resources, Appointments & Equity Committee and to the Justice Affairs Committee.**

16. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING

- a) O2011-0061: An Ordinance providing for modifications and adoption of the County's Human Resources Personnel Policies and Procedures Manual to be applicable to all County employees, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/Department of Human Resources on behalf of Human Resource Commission

Committee Assignment and Chair: Human Resources, Appointments & Equity – Conwell

**The Clerk read Ordinance No. O2011-0061 into the record. This item will move to the January 24, 2012 Council meeting agenda for third reading.**

17. MISCELLANEOUS COMMITTEE REPORTS

**Mr. Miller reported that the Finance & Budgeting Committee will meet on Tuesday, January 17, 2012 at 1:00 p.m.**

**Mr. Greenspan reported that the Rules, Ethics, Charter Review & Council Operations Committee met on Tuesday, January 10, 2012 at 1:00 p.m. The Charter Review Commission Rules were passed out by Mr. Miller for comment. Mr. Miller recommends considering urgent amendments for the 2012 ballot as this will save the County money since 2013 is a non-election year.**

**Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Thursday, January 19, 2012 at 11:00 a.m.**

**Council President Connally reported that the Clerk of Courts report regarding the collection of court costs will be submitted to Council by Tuesday, January 17, 2012.**

18. MISCELLANEOUS BUSINESS

**There was no miscellaneous business.**

19. PUBLIC COMMENT UNRELATED TO AGENDA

**Mr. Matt Howard addressed Council regarding issues of concern to him relating to the Department of Children & Family Services.**

20. ADJOURNMENT

**With no further business to discuss and on a motion by Mr. Miller with a second by Mr. Greenspan, the meeting was adjourned at 7:13 p.m., without objection.**

# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2012-0002

Sponsored by: Council President Connally

**A Motion confirming the County Executive's appointment of Edna Fuentes-Casiano to serve on the Cuyahoga County Public Library Board of Trustees, and declaring the necessity that this Motion become immediately effective.**

WHEREAS, the Cuyahoga County Public Library Board of Trustees was created pursuant to the provisions of ORC Section 3375.22; and,

WHEREAS, the Cuyahoga County Public Library Board of Trustees is a separate political subdivision authorized by the State of Ohio to establish policies and develop an annual budget while Board members represent the citizen's interest, promoting the highest level of library service appropriate to the community, in accordance with state law.

WHEREAS, the Cuyahoga County Public Library Board of Trustees has seven members and the members are appointed by Cuyahoga County; and,

WHEREAS, members of the Cuyahoga County Public Library Board of Trustees shall be appointed to serve a seven (7) year term; and,

WHEREAS, the individual appointed will be appointed to fill a vacancy and shall have a term commencing immediately upon signature of this Motion, and the expiration of said term shall be March 31, 2015; and,

WHEREAS, the Cuyahoga County Charter Section 6.04, entitled Special Boards and Commissions, states that "[w]hen general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners, such appointment shall be made by the County Executive, subject to confirmation by the Council;" and,

WHEREAS, the County Executive has nominated Edna Fuentes-Casiano, Research Assistant II & III and a Chief Editorial Assistant employed at Case Western Reserve University/University Hospitals Case Medical Center, to serve on the Cuyahoga County Public Library Board of Trustees; and,

WHEREAS, Edna Fuentes-Casiano, has excellent educational credentials as well as extensive civic and community involvement. Ms. Fuentes-Casiano is also bilingual and is well aware of the need for greater connectivity to Cuyahoga County's Hispanic communities; and,

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Motion become immediately effective in order that Charter requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of a County Board.

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

**SECTION 1.** The Council of Cuyahoga County hereby confirms the appointment of Edna Fuentes-Casiano, to serve on the Cuyahoga County Public Library Board of Trustees to fill a vacancy, commencing immediately and with a term expiring March 31, 2015.

**SECTION 2.** It is necessary that this Motion become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. Provided that this Motion receives the affirmative vote of eight members of Council, this Motion shall become immediately effective.

**SECTION 3.** It is found and determined that all formal actions of this Council concerning and relating to the passage of this Motion were passed in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Motion was duly approved.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: January 10, 2012  
Committee(s) Assigned: Human Resources, Appointments & Equity

Journal CC005  
January 24, 2012

# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2012-0003

Sponsored by: Council President Connally

**A Motion confirming the County Executive's appointment of Barbara J. Thomas to serve on the Office of Homeless Services Advisory Board, and declaring the necessity that this Motion become immediately effective.**

WHEREAS, the Office of Homeless Services Advisory Board was formed pursuant to the provisions of ORC Section 307.15 which allows the County to enter into an Agreement with the City of Cleveland; and,

WHEREAS, the Office of Homeless Services Advisory Board was formed in 1993 pursuant to the Agreement between City of Cleveland and Cuyahoga County to address problems associated with homelessness; and,

WHEREAS, the Office of Homeless Services Advisory Board provides awareness and community feedback in an effort to find long and short-term solutions to the various problems associated with homelessness; and,

WHEREAS, the Office of Homeless Services Advisory Board must have at least thirteen members; and,

WHEREAS, members of the Office of Homeless Services Advisory Board shall be appointed to serve a three (3) year term; and,

WHEREAS, the individual appointed shall have a term commencing immediately upon signature of this Motion, and the expiration of said term shall be December 31, 2014; and,

WHEREAS, the Cuyahoga County Charter Section 6.04, entitled Special Boards and Commissions, states that "[w]hen general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners, such appointment shall be made by the County Executive, subject to confirmation by the Council;" and,

WHEREAS, the County Executive has nominated Barbara J. Thomas, to serve on the Office of Homeless Services Advisory Board; and,

WHEREAS, Barbara J. Thomas, currently serves as the Councilwoman of the City of East Cleveland, has actively worked with neighborhood groups and faith-based organizations to address homelessness in East Cleveland; and,

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Motion become immediately effective in order that Charter requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of a County Board.

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

**SECTION 1.** The Council of Cuyahoga County hereby confirms the appointment of Barbara J. Thomas, to serve on the Office of Homeless Services Advisory Board for a term of three years, commencing immediately and with a term expiring December 31, 2014.

**SECTION 2.** It is necessary that this Motion become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of the County. Provided that this Motion receives the affirmative vote of eight members of Council, this Motion shall become immediately effective.

**SECTION 3.** It is found and determined that all formal actions of this Council concerning and relating to the passage of this Motion were passed in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Motion was duly approved.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: January 10, 2012  
Committee(s) Assigned: Human Resources, Appointments & Equity

Journal CC005  
January 24, 2012

# County Council of Cuyahoga County, Ohio

## Resolution No. R2012-0011

Sponsored by: <b>Councilmembers Miller, Simon and Conwell</b>	<b>A Resolution</b> proclaiming the month of May of each year as Multiple Chemical Sensitivity Awareness Month in Cuyahoga County, and declaring the necessity that this Resolution become immediately effective.
---	---

WHEREAS, Multiple Chemical Sensitivity Disorder (MCS) is a chronic condition induced by exposure to toxic environmental chemicals, causing symptoms such as burning or stinging eyes, wheezing or shortness of breath, nausea, extreme fatigue, headache, poor memory or concentration, runny nose, skin rashes, sensitivity to light and noise, digestive upset, muscle and joint pain, rapid heartbeat, anxiety, and sleeping problems, and

WHEREAS, people with MCS typically have strong reactions to chemicals commonly found in the environment, such as perfumes, deodorants, paints, coatings on outdoor fences and furniture, chemicals applied to rugs and carpets, vehicle exhausts, and chemicals used in office equipment, and

WHEREAS, even though MCS is recognized by the Americans with Disabilities Act, the US EPA, HUD, and the World Health Organization, MCS is still not well known or understood, and

WHEREAS, despite MCS not being well known or understood, it is quite common, with epidemiological studies showing incidence rates of 10-15% hypersensitivity to chemicals and 2-5% for diagnosable MCS, and

WHEREAS, we cannot in the modern world eliminate all potential chemical irritants but through greater awareness in the workplace, schools, medical community and other public settings, we can reduce the number of environmental triggers and afford MCS sufferers more understanding and respect, and

WHEREAS, several states and local communities have created MCS awareness observances centered on the month of May, which is appropriate since May marks the time when weather gets better, people start to spend more time outdoors and have a wider potential exposure to chemical triggers, and

WHEREAS, it is necessary that this Resolution become immediately effective in order to ensure that Cuyahoga County's first MCS Awareness Month observance can take place in May, 2012.

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

**SECTION 1.** The Cuyahoga County Council and Cuyahoga County Executive hereby proclaim the month of May of each year to be Multiple Chemical Sensitivity Awareness Month in Cuyahoga County to promote awareness in Cuyahoga County about Multiple Chemical Sensitivity and about actions that can be taken to reduce chemical triggers and improve our environment for persons with MCS and others who could develop MCS through exposure to chemical triggers.

**SECTION 2.** It is necessary that this Resolution become immediately effective in order to ensure that the first Multiple Chemical Sensitivity Awareness Month observance can take place in May, 2012, and to protect and improve the health of Cuyahoga County residents. Provided that this Resolution receives the affirmative vote of at least eight members of the County Council, this Resolution shall become effective immediately upon the signature of the County Executive; otherwise it shall be in full force and effect after the earliest time permitted by law.

**SECTION 3.** 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 \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:  
Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 2012

# County Council of Cuyahoga County, Ohio

## Resolution No. R2012-0012

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/Office of Budget &amp; Management</b>	<b>A Resolution</b> amending the 2012/2013 Biennial Operating Budget for 2012 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.
---	---

WHEREAS, on December 13, 2011, the Cuyahoga County Council adopted the 2012/2013 Biennial Operating Budget and Capital Improvements Program (Resolution No. R2011-0291) establishing the 2012/2013 biennial budgets for all County departments, offices and agencies; and

WHEREAS, it is necessary to adjust the 2012/2013 Biennial Operating Budget for 2012 to reflect budgetary funding increases, funding reductions, to transfer budget appropriations, and to transfer cash between budgetary funds, in order to accommodate the operational needs of certain County departments, offices, and agencies; and

WHEREAS, it is further necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of County departments, offices, and agencies;

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

**SECTION 1.** That the 2012/2013 Biennial Operating Budget for 2012 be amended to provide for the following additional appropriation increases and decreases:

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
A. 20A322- Delinq. Real Estate Tax Assess. – Treasurer FS109710 – Treasury Delinq. Real Estate Tax Assess. Collection Other Expenses	<b>BA1200163</b> \$ 100,000.00

Funding Source: The source of funding is fees on delinquent taxes.

B.	21A846 - Foreclosure Prevention TR762997 – Treasurer Foreclosure Prevention	<b>BA1200164</b>
	Personal Services	\$ 123,843.00
	Other Expenses	\$ 2,000.00

Funding Source: Funds are derived from the Treasurer’s Delinquent Real Estate Tax.

C.	21A131 – Child Exposed to Violence Demo JA741349 – Child Exposed to Violence Demo Phase 2	<b>BA1200156</b>
	Other Expenses	\$ 2,000,000.00

Funding Source: United States Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency.

D.	21A264 – Deputy Rehire Project-FY10 JAG SH350751 – Deputy Rehire Project-FY10 JAG	<b>BA1200157</b>
	Personal Services	\$ 250,000.00

Funding Source: Edward Byrne Memorial Justice Assistance Grant Program.

E.	21A261 – Prisoner Transport Program JAG SH350744 – Prisoner Transport Program FY09 JAG	<b>BA1200158</b>
	Personal Services	\$ 43,700.00

Funding Source: Edward Byrne Memorial Justice Assistance Grant.

F.	21A182 TASC Drug Court CO752840 – FY 2011 TASC Drug Court	<b>BA1200152</b>
	Personal Services	\$ (8,949.94)

Funding Source: Ohio Department of Alcohol and Drug Addiction Services out of the State General Revenue Fund.

G.	21A303 CCA FY12 Prob Improve/Incentive CO756015 – CCA FY12-13 Prob Improve/Incentive	<b>BA1200153</b>
	Personal Services	\$ 561,677.00
	Other Expenses	\$ 174,870.00

Funding Source: Ohio Department of Rehabilitation and Correction.

H.	21A303 CCA FY12 Prob Improve/Incentive CO756023 – CCA FY12 Prob Improve/Incentive Tech	<b>BA1200154</b>
	Other Expenses	\$ 149,469.00

Funding Source: Ohio Department of Rehabilitation and Correction.

I.	20A812 –Common Pleas Special Projects I CO456475 – Common Pleas Special Projects I	<b>BA1200162</b>
	Other Expenses	\$ 275,000.00

Funding Source: The funding source for this special revenue fund is a \$200.00 fee assessed on every foreclosure action filed.

J.	30A905 - Gateway Arena - Debt Service DS100370 – Gateway Arena Project Other Expenses	<b>BA1200205</b>  \$ 1,591,850.00
----	---	---

Funding Source: The debt payment is made from the Gateway debt service fund and reimbursed with General Fund dollars. (See related additional appropriation, item K, below.)

K.	01A001 - General Fund SU514711-Gateway Arena Debt Service Subsidy Other Expenses	<b>BA1200205</b>  \$ 1,591,850.00
----	--	---

Funding Source: General Fund.

L.	30A910 - Brownfield Debt Service Fund DS039966 – Brownfield Redevelopment Pledge Other Expenses	<b>BA12000278</b>  \$ (1,364,000.00)
----	---	--

Funding Source: General Fund Subsidy.

M.	01A001 - General Fund SU513762 – Brownfield Redevelopment Pledge Other Expenses	<b>BA12000278</b>  \$ (1,364,000.00)
----	---	--

Funding Source: General Fund.

**SECTION 2.** That the 2012/2013 Biennial Operating Budget for 2012 be amended to provide for the following appropriation transfers:

<u>Fund Nos. /Budget Accounts</u>	<u>Journal Nos.</u>
A. FROM: 61A608 – Central Security Serv-Sheriff SH352005– Building Security Serv-OPBA-Officers Personal Services           \$       1,479,895.00	<b>BA1200155</b>
TO: 61A608 – Central Security Serv-Sheriff SH352013 – Building Security Serv-OPBA-Sergeants Personal Services           \$        761,150.00	
TO: 61A608 – Central Security Serv-Sheriff SH352021 – Building Security Serv-Non-Bargaining Personnel Personal Services           \$       219,425.00	
TO: 61A608 – Central Security Serv-Sheriff SH352013 – Building Security Serv-OPBA-CRT Security Monitors Personal Services           \$       499,320.00	

Funding Source: Funding is from the internal service fund which derives revenues from charges to county departments which utilize the services of security for the buildings.

**SECTION 3.** That the 2012/2013 Biennial Operating Budget for 2012 be amended to provide for the following cash transfers between County funds.

<u>Fund Nos. /Budget Accounts</u>		<u>Journal Nos.</u>
A. FROM:	20A322 – Delinq. Real Estate Tax Assess. – Treasurer	<b>JT1200000</b>
	FS109710 – Treasury Delinq. Real Estate Tax Assess. Collection	
	Transfer Out	\$ 100,000.00
TO:	21A846 – Foreclosure Prevention	
	TR762997 – Treasurer Foreclosure Prevention	
	Revenue Transfer	\$ 100,000.00

Funding Source: Funds are derived from collection of delinquent real estate taxes pursuant to ORC Section 321.261 (see related additional appropriation items).

**SECTION 4.** This Resolution is hereby determined to be an emergency measure and that it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of County departments, offices and agencies. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

**SECTION 5.** 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 \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

Journal CC005  
January 24, 2012

January 10, 2012

Revised: January 13, 2012

Clerk of County Council

Dear Ms. Schmotzer:

What follows is a brief summary of the fiscal items, which will be presented for your consideration for adoption on first reading at the regular County Council meeting scheduled for January 24, 2012.

**Additional Appropriation Summary** – Additional appropriations are needed when there is a new or increased revenue source, or a revision to the original budget appropriation that is required to cover expenses that exceed the original estimate.

A reduction in appropriation is requested in conjunction with the close out of a program, grant, project or decertification of an encumbrance.

<b>General Fund/Health &amp; Human Services</b>	<b>Amount</b>
General Fund – Additional appropriation to cover the County's General Fund portion of the annual debt service for the Gateway Arena Bonds.	\$1,591,850.00
Brownfield Debt Service – Reducing appropriation due to lower than anticipated annual contribution to debt service for 2012. Funding is from the General Fund.	-\$1,364,000.00
<b>TOTAL</b>	<b>\$227,850.00</b>

<b>Other Operating Funds</b>	<b>Amount</b>
Fiscal Office – Additional appropriation to cover a cash transfer from the Delinquent Tax Fund to the Foreclosure Prevention account. Funding is from fees assessed on delinquent taxes.	\$100,000.00
Common Pleas – Additional appropriation to cover the purchase of Proware module to be used by the Sheriff's Department for foreclosure cases. Funding is from fees assessed on every foreclosure action.	\$275,000.00
Debt Service – To appropriation the County's portion of the annual debt service for the Gateway Arena Bonds. The actual Debt Payment is made from this fund.	\$1,591,850.00
Brownfield Debt Service – Reducing appropriation due to lower than anticipated annual contribution to debt service for 2012. Funding is from the General Fund.	-\$1,364,000.00
<b>TOTAL</b>	<b>\$602,850.00</b>

<b>Grants/Projects</b>	<b>Amount</b>
Treasury – To appropriate funding for the Foreclosure Prevention account. Funding is from the Delinquent Real Estate Tax Fund.	\$125,843.00
Justice Services – To establish appropriations for the Child Exposed to Violence grant from the U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.	\$2,000,000.00
Sheriff – To establish appropriations for the Deputy Rehire Project FY10 JAG grant from the Edward Byrne Memorial Justice Assistance Grant Program.	\$250,000.00
Sheriff – To establish appropriations for the Prisoner Transport Program FY09 JAG grant from the Edward Byrne Memorial Justice Assistance Grant Program.	\$43,700.00
Common Pleas – Reducing appropriation to close-out the FY2011 Treatment Alternative to Street Crimes Drug Court grant.	-\$8,949.94
Common Pleas – To establish appropriation for the Community Corrections Act FY12 Probation Improvement Incentive Funding grant from the Ohio Department of Rehabilitation and Correction.	\$736,547.00
Common Pleas – To establish appropriations for Community Corrections Act FY12 Probation Improvement Incentive Technology grant from the Ohio Department of Rehabilitation and Corrections.	\$149,469.00
<b>TOTAL</b>	<b>\$3,296,609.06</b>

<b>Total Additional Appropriations - All Funds</b>	<b>\$4,127,309.06</b>
--	-----------------------

The following represents the overall changes made to the 2012-2013 Biennial Appropriation Measure for 2012 since its adoption on December 13, 2011 Resolution # R2011-0291. The changes reflect the Additional Appropriations, Appropriation Transfers and Cash Transfers to the original adopted appropriation measure.

APPROPRIATION STATUS SUMMARY:

	<u>01/10 Agenda</u>	<u>Year to Date</u>	<u>Adjusted Annual Appropriation</u>
General Fund	\$ 227,850.00	\$ 227,850.00	\$ 579,334,633.00
Other Fund	\$ <u>3,899,459.06</u>	\$ <u>5,946,203.17</u>	\$ <u>904,879,040.17</u>
Total	\$ 4,127,309.06	\$ 6,174,053.17	\$ 1,484,213,673.17

**Appropriation Transfer Summary** – Is a transfer of appropriation between two or more budget accounts or between different expenditure categories within the same budget account.

<u>Other Operating Funds</u>	<u>Amount</u>
Sheriff – An appropriation transfer to align the budget by bargaining and non-bargaining units for enhanced accountability. Funding is from charges to user agencies.	\$1,479,895.00
<b>TOTAL</b>	<b>\$1,479,895.00</b>

<b>Total Appropriation Transfers - All Funds</b>	<b>\$1,479,895.00</b>
--	-----------------------

**Cash Transfer Summary** – Operating transfers support operating expenditures, related to a cash matches for a grants, transfer of taxes or fees to a debt service fund, transfers from the General Fund to a capital project fund or operating subsidies to special revenue funds, enterprise funds, or internal service funds. This type of transaction posts as an expenditure and sufficient appropriation must be available to process the transaction.

<u>Other Operating Funds</u>	<u>Amount</u>
Fiscal Office – A cash transfer from the Delinquent Real Estate Tax Assessment Fund to the Foreclosure Prevention account. Funding is from fees assessed on delinquent real estate taxes.	\$100,000.00
<b>TOTAL</b>	<b>\$100,000.00</b>

<b>Total Cash Transfers - All Funds</b>	<b>\$100,000.00</b>
---	---------------------

Thank you for your consideration regarding this matter.

Sincerely,



Matthew Rubino  
 Director, Office of Budget & Management  
[mrubino@cuyahogacounty.us](mailto:mrubino@cuyahogacounty.us)  
 (216) 443-7448  
 Fax: (216) 443-7256

## MEMORANDUM

TO: Jeanne Schmotzer, Clerk of Council **REVISED: January 13, 2012**

FROM: Matthew Rubino, Director, Office of Budget & Management

DATE: January 10, 2012

RE: Agenda Items

The Office of Budget & Management requests that the following fiscal items be presented to the members of County Council for their consideration for approval on first reading at the meeting of January 24, 2012. The requested fiscal items including additional appropriations, appropriation transfers, and cash transfers meet agency budgetary needs.

### **Resolution: Additional Appropriations**

A. 20A322- Delinq. Real Estate Tax Assess. – Treasurer **BA1200163**  
FS109710 – Treasury Delinq. Real Estate Tax Assess. Collection  
Other Expenses \$ 100,000.00

Appropriation is requested to provide for a transfer of cash from the Delinquent Tax fund to the Foreclosure Prevention account. The dollars will be used for mortgage foreclosure prevention assistance to homeowners. The source of funding is fees on delinquent taxes. Sufficient cash exists in the fund for this request (see related additional appropriation and cash transfer items).

B. 21A846 - Foreclosure Prevention **BA1200164**  
TR762997 -- Treasurer Foreclosure Prevention  
Personal Services \$ 123,843.00  
Other Expenses \$ 2,000.00

Appropriation is requested for the Cuyahoga County Foreclosure Prevention program. Funds are derived from the Treasurer's Delinquent Real Estate Tax fund (see related additional appropriation and cash transfer items).

C. 21A131 – Child Exposed to Violence Demo **BA1200156**  
JA741349 – Child Exposed to Violence Demo Phase 2  
Other Expenses \$ 2,000,000.00

Establish appropriations for the grant awarded to Cuyahoga County administered by the Department of Public Safety and Justice Services, Division of Witness Victim for the second phase of the Children Exposed to Violence Program. This project was awarded by the United States Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention covering the period October 1, 2011 through September 30, 2013. No cash match is required. The grant was accepted on November 14, 2011 through the Contracts and Purchasing Board, approval number CPB2011-255.

D.	21A264 -- Deputy Rehire Project-FY10 JAG SH350751 -- Deputy Rehire Project-FY10 JAG	<b>BA1200157</b>
	Personal Services	\$ 250,000.00

Establish appropriations for the Sheriff's recent contract and agreement for the FY2010 Greater Cleveland Area Justice Assistance Program titled Deputy Rehire in connection with the FY2010 Edward Byrne Memorial Justice Assistance Grant Program with the City of Cleveland covering the period October 1, 2009 through December 31, 2012. The contract and agreement were approved by the Board of Control on April 4, 2011, EA2011-0414. No cash match is required.

E.	21A261 -- Prisoner Transport Program JAG SH350744 -- Prisoner Transport Program FY09 JAG	<b>BA1200158</b>
	Personal Services	\$ 43,700.00

Establish appropriations for the Sheriff's recent agreement for the FY2009 Greater Cleveland Area Justice Assistance Program titled Prisoner Transportation Program in connection with the FY2009 Edward Byrne Memorial Justice Assistance Grant Program with the City of Cleveland covering the period October 1, 2008 through September 30, 2012. The agreement was approved by the Board of County Commissioners on August 5, 2010, Resolution 103231. No cash match is required.

F.	21A182 TASC Drug Court CO752840 -- FY 2011 TASC Drug Court	<b>BA1200152</b>
	Personal Services	\$ (8,949.94)

This appropriation reduction is necessary to correctly align funds to prepare this grant index code for closure. The grant period was 07/01/10 through 06/30/11 and the funding source was the Ohio Department of Alcohol and Drug Addiction Services out of the State General Revenue Fund.

G.	21A303 CCA FY12 Prob Improve/Incentive CO756015 -- CCA FY12-13 Prob Improve/Incentive	<b>BA1200153</b>
	Personal Services	\$ 561,677.00
	Other Expenses	\$ 174,870.00

To establish appropriations for the above grant. The purpose of this grant is to (1) reduce the County's prison commitments for technical probation violations by 3%, (2) increase successful terminations from probation, and (3) decrease the number of arrest for new crimes while under probation supervision. The grant will allow the Court of Common Pleas to hire four additional investigation officers to conduct ORAS risk assessments for moderate as well as high risk/special needs offenders. Counseling and incentives for probationers are included per grant specifications. The funding source for this grant is the Ohio Department of Rehabilitation and Correction, the grant period is 01/01/12 through 06/30/13 and no cash match is required.

H.	21A303 CCA FY12 Prob Improve/Incentive CO756023 -- CCA FY12 Prob Improve/Incentive Tech	<b>BA1200154</b>
	Other Expenses	\$ 149,469.00

To establish appropriations for the above grant. The purpose of this grant is to provide automation of several components of supervision by (1) inline with evidence-based practices,

the Court of Common Pleas purposes to utilize automated telephone notifications of upcoming report and Court dates for low and moderate risk offenders thereby allowing more resources to be directed to higher risk/need offenders, and (2) Cleveland Municipal Court proposes to implement an automated telephone system for offenders assessed as low risk (score of 4 or less) on the 13 point interim risk instrument. The funding source for this grant is the Ohio Department of Rehabilitation and Correction, the grant period is 01/01/12 through 12/31/12 and no cash match is required.

I.	20A812 –Common Pleas Special Projects I	<b>BA1200162</b>
	CO456475 – Common Pleas Special Projects I	
	Other Expenses	\$ 275,000.00

This increase is to cover the purchase of a Proware module to be used by the Sheriff's Department for foreclosure cases. Sufficient funds exist to cover this increase. The funding source for this special revenue fund is a \$200.00 fee assessed on every foreclosure action filed.

J.	30A905 - Gateway Arena - Debt Service	<b>BA1200205</b>
	DS100370 – Gateway Arena Project	
	Other Expenses	\$ 1,591,850.00

Increase in appropriation requested for payment of County's portion of the annual debt service for the Gateway Arena Bonds. 2012 Debt service for the County's outstanding arena bonds is \$8.9 million of which \$5.1 million is to be subsidized from General Fund dollars. The County contribution is determined by the annual debt service payment less any revenues received from admission taxes and other sources. The original budget of \$3.5 million payment does not include the loss of revenue in 2011 associated with the NBA lockout (\$894,000) and the lower beginning balance (\$700,000) in the debt service pledge fund. The debt payment is made from the Gateway debt service fund and reimbursed with General Fund dollars. (See related additional appropriation, item K, below.)

K.	01A001 - General Fund	<b>BA1200205</b>
	SU514711-Gateway Arena Debt Service Subsidy	
	Other Expenses	\$ 1,591,850.00

Increase in appropriation requested for payment of County's portion of the annual debt service for the Gateway Arena Bonds. 2012 Debt service for the County's outstanding arena bonds is \$8.9 million of which \$5.1 million is to be subsidized from General Fund dollars. The County contribution is determined by the annual debt service payment less any revenues received from admission taxes and other sources. The original budget of \$3.5 million payment does not include the loss of revenue in 2011 associated with the NBA lockout (\$894,000) and the lower beginning balance (\$700,000) in the debt service pledge fund. General Fund dollars are used to fund the debt service payment and will be transferred to the debt service fund in 2012. (See related additional appropriation, item J, above.)

L.	30A910 - Brownfield Debt Service Fund	<b>BA12000278</b>
	DS039966 – Brownfield Redevelopment Pledge	
	Other Expenses	\$ (1,364,000.00)

A request to decrease appropriation in Brownfield debt service account. The County is required to remit funding to the Brownfield debt service pledge fund to cover the County's portion of annual debt service net of project revenue. The pledge payment is made from this account totaled \$508,379 for the 2012 contribution. The 2012 original budget anticipated a higher level of contribution to the pledge fund than was actually needed due to higher than

expected loan repayments. The annual contribution to debt service is funded with non tax revenue sources from the General Fund.

M.	01A001 - General Fund	<b>BA12000278</b>
	SU513762 – Brownfield Redevelopment Pledge	
	Other Expenses	\$ (1,364,000.00)

A request to decrease appropriation in the General Fund subsidy account for 2012 Brownfield debt service. The County is required to remit funding to the Brownfield debt service pledge fund to cover the County's portion of annual debt service net of project revenue. The pledge payment is made from this account totaled \$508,379 for the 2012 contribution. The 2012 original budget anticipated a higher level of contribution to the pledge fund than was actually needed due to higher than expected loan repayments.. The annual contribution to debt service is funded with non tax revenue sources from the General Fund.

**Resolution: Additional Appropriations**

A.	FROM:	61A608 – Central Security Serv-Sheriff SH352005– Building Security Serv-OPBA-Officers Personal Services	\$	1,479,895.00	<b>BA1200155</b>
	TO:	61A608 – Central Security Serv-Sheriff SH352013 – Building Security Serv-OPBA-Sergeants Personal Services	\$	761,150.00	
	TO:	61A608 – Central Security Serv-Sheriff SH352021 – Building Security Serv-Non-Bargaining Personnel Personal Services	\$	219,425.00	
	TO:	61A608 – Central Security Serv-Sheriff SH352013 – Building Security Serv-OPBA-CRT Security Monitors Personal Services	\$	499,320.00	

To transfer appropriations within the Sheriff's Protective Services account to align budget by bargaining and non-bargaining units for enhanced accountability. Funding is from the internal service fund which derives revenues from charges to county departments which utilize the services of security for the buildings. The internal service fund covers the period January 1, 2012 through December 31, 2012.

**Resolutions: Cash Transfers**

A. FROM: 20A322 – Delinq. Real Estate Tax Assess. – Treasurer **JT1200000**  
FS109710 – Treasury Delinq. Real Estate Tax Assess. Collection  
Transfer Out \$ 100,000.00

TO: 21A846 – Foreclosure Prevention  
TR762997 – Treasurer Foreclosure Prevention  
Revenue Transfer \$ 100,000.00

A transfer is requested to pay for Foreclosure Prevention activities. Funds are derived from collection of delinquent real estate taxes pursuant to ORC Section 321.261 (see related additional appropriation items).

S:\\_NewServer\Resos\Fiscal Agendas\2012\AD\JAN24.doc

# County Council of Cuyahoga County, Ohio

## Resolution No. R2012-0013

<p>Sponsored by: <b>County Executive FitzGerald/Department of Law on behalf of the Prosecutor's Office</b></p>	<p><b>A Resolution</b> amending BOCC Resolution No. 103040 dated 7/22/2010, which authorized employment of the law firm of Weston Hurd, LLP, for legal services in connection with United States District Court Case No. 1:08-CV-01339-DCN, <u>Angela Lowe, et al. vs. Cuyahoga County, et al.</u>, by changing the amount not-to-exceed from \$330,000.00 to \$363,100.00; authorizing the County Executive to execute all documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
--	---

WHEREAS, the Board of County Commissioners of Cuyahoga County had retained the law firm of Weston Hurd, LLP, in the amount not-to-exceed \$330,000.00 for legal services in connection with United States District Court Case No. 1:08-CV-01339-DCN, Angela Lowe, et al. vs. Cuyahoga County, et al.; and,

WHEREAS, the Prosecutor's Office has requested the County Executive and County Council to amend Resolution No. 103040, to increase the amount not-to-exceed from \$330,000.00 to \$363,100.00; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue without interruption, and to provide for the usual, daily operation of a county department.

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

**SECTION 1.** That the County Council hereby approves the amendment of BOCC Resolution No. 103040 dated 7/22/2010, which authorized employment of the law firm of Weston Hurd, LLP, for legal services in connection with United States District Court Case No. 1:08-CV-01339-DCN, Angela Lowe, et al. vs. Cuyahoga County, et al., by changing the amount not-to-exceed from \$330,000.00 to \$363,100.00; and authorizes the County Executive to execute all documents consistent with this Resolution.

**SECTION 2.** It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue without interruption, and to provide for the usual, daily operation of a county department; therefore, this Resolution, provided it receives the affirmative vote of at least eight



# County Council of Cuyahoga County, Ohio

## Resolution No. R2012-0017

<b>Sponsored by: County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> authorizing a Water Pollution Control Loan Fund Agreement with Ohio Environmental Protection Agency and Ohio Water Development Authority in the amount of \$378,483.00 for the Jefferson Drive Lateral Rehabilitation/Reconstruction Project; 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.
---	---

WHEREAS, the County Executive FitzGerald/Department of Public Works has submitted a request to enter into a Water Pollution Control Loan Fund Agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority in the amount of \$378,483.00 for the Jefferson Drive Lateral Rehabilitation/Reconstruction Project; and

WHEREAS, the total amount of the loan (number CS390018-0030) is \$378,483.00 with a 2.79% interest rate which will be paid over a period of twenty (20) years with the initial payment becoming due and payable January 01, 2013; and

WHEREAS, the Highland Heights residents along Highland Road, between Pinehurst and Bishop Roads, have suffered sanitary sewer back-ups into their basements during heavy rain events; and

WHEREAS, the Cuyahoga County Sanitary Engineers conducted field testing within the sanitary service area and found that the stormwater inflow and infiltration ("I/I") is occurring primarily in the older residential area known as Williamsburg Estates, and one of the most concentrated areas of I/I is Jefferson Drive; and

WHEREAS, to solve the problem of the flooding basements, the County will line the sanitary laterals and storm laterals on Jefferson Drive, along with lining the storm main; and

WHEREAS, the loan will be paid with the Sewer District cash balances found within Sewer District 3 and specifically Highland Heights. The 20 year debt service will be paid out of the Highland Heights sewer account.

WHEREAS, it is necessary that this Resolution become immediately effective because loan approval is scheduled in Columbus, Ohio on January 26, 2012 and all documents related to such loan approval must be presented at that meeting or loan approval will be delayed.

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

**SECTION 1.** That the County Council hereby approves the Water Pollution Control Loan Fund Agreement with the Ohio Environmental Protection Agency and the Ohio Water Development Authority in the amount of \$378,483.00 for the Jefferson Drive Lateral Rehabilitation/Reconstruction Project.

**SECTION 2.** That the County Executive is authorized to execute all documents required in connection with said loan agreement.

**SECTION 3.** It is necessary that this Resolution become immediately effective because loan approval is scheduled in Columbus, Ohio January 26, 2012 and all documents related to such loan approval must be presented at that meeting or loan approval will be delayed; therefore, this Resolution, provided it receives the affirmative vote of at least eight members of County Council, shall become immediately effective upon the signature of the County Executive; otherwise it shall be in full force and effect from and immediately after the earliest time permitted 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 \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

# County Council of Cuyahoga County, Ohio

## Resolution No. R2012-0014

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/Office of Budget &amp; Management</b>	<b>A Resolution</b> amending the 2011 Annual Appropriation Measure by providing for additional fiscal appropriations from the General Fund and other funding sources and for appropriation transfers between budget accounts, in order to meet the budgetary needs of various County departments, offices and agencies related to year-end close-out activities, in accordance with Resolution No. R2011-0320, and declaring the necessity that this Resolution become immediately effective.
---	---

WHEREAS, on October 28, 2010, the former governing body of Cuyahoga County adopted the 2011 Annual Appropriation Measure establishing the 2011 annual budgets for all County departments, offices and agencies;

WHEREAS, it is necessary to adjust the 2011 Annual Appropriation Measure to reflect budgetary funding increases, funding reductions, and to transfer budget appropriations in order to accommodate the operational needs of certain County departments, offices, and agencies; and

WHEREAS, it is further necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of County departments, offices, and agencies;

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

**SECTION 1.** That the 2011 Annual Appropriation Measure be amended to provide for the following additional appropriation increases and decreases, to be determined by the Office of Budget & Management (OBM), for the purpose of year-end reconciliation of accounts, provided that the maximum amount of any one item shall not exceed \$100,000.00, unless the additional appropriation increase is offset by a corresponding decrease of the same amount, except that any one item identified to fund pending service charge(s) shall not exceed \$500,000.00.

**Fund Nos./Budget Accounts**

**Journal Nos.**

A1.	24A510 – Public Assistance Funds-Work and Training WT137109 – Administrative Services Other Expenses	\$ (1,500,000.00)	<b>BA1101144</b>
A2.	24A301 – Public Assistance Funds Children and Family Services CF135467 – Administrative Services - CFS Other Expenses	\$ (787,000.00)	
A3.	24A301 – Public Assistance Funds Children and Family Services CF135491 – Information Services Other Expenses	\$ (500,000.00)	

Funding Source: Federal and State revenues as well as the Health and Human Services Levy Fund.

B1.	20A302 – Dog and Kennel CT050047 – Dog Warden Other Expenses	\$ 40,000.00	<b>BA1101097</b>
B2.	51A404 – County Parking Garage CT571125 – Huntington Park Garage Other Expenses	\$ 5,000.00	
B3.	64A606 – Fast Copier CT577551 – Fast Copy Other Expenses	\$ 27,000.00	

Funding Source: Funding for the parking garage comes from parking fees assessed on patrons. Funding for the print shop comes from charges to user agencies.

C1.	68A100 – Hospitalization – Self Insurance Fund CC499202 – Human Resources Benefits Office Other Expenses	\$ 175,000.00	
C2.	68A100 – Hospitalization – Self Insurance Fund CC499202 – Human Resources – Benefits Office Other Expenses	\$ 6,233.00	<b>BA1101102</b>

Funding Source: Employer and employee contributions.

D.	54A100 – Sanitary Engineer ST540252 – Sanitary Engineer Administration Other Expenses	\$ 5,000.00	<b>BA1101097</b>
----	---	-------------	------------------

Funding Source: Sanitary sewer district fees.

E.	62A603 – County Garage		<b>BA1101101</b>
	CT575001 – Buildings and Grounds – Maintenance Garage		
	Other Expenses	\$ 5,000.00	

Funding Source: Funding for the County Garage comes from charges to user agencies.

F.	01A001 – General Fund		<b>BA1101103</b>
	DV014100 – Economic Development		
	Personal Services	\$ 24,100.00	

Funding Source: General Fund.

G.	24A641 - PA Homeless Services		<b>BA1101064</b>
	HS158097 – PA Homeless Services		
	Other Expenses	\$ 15,000.00	

Funding Source: Health and Human Services Levy Fund.

H.	24A635 - EC-Invest In Children-PA		<b>BA1101065</b>
	EC451484 – Early Childhood Admin Serv		
	Other Expenses	\$ 57,500.00	

Funding Source: Health and Human Services Levy Fund.

I1.	22A678 – Shelter + Care Renewal -SRA		<b>BA1101060</b>
	HS753095 – Shelter + Care '10 Renewal -SRA		
	Other Expenses	\$ (432,600.00)	

I2.	22A682 – Shelter + Care Renewal –SRA Renewal		<b>BA1101061</b>
	HS753202 – Shelter + Care -2010 Renewal SRA 70 UNIT		
	Other Expenses	\$ 432,600.00	

Funding Source: United States Department of Housing & Urban.

ITEMS SUBMITTED THROUGH DECEMBER 20, 2011
---

J.	21A018 - St. Luke's Foundation/Med Home Program		<b>BA1101210</b>
	EC720730 – St. Luke's Foundation/Med Home Program		
	Other Expenses	\$ 1,321.28	

Funding Source: Health and Human Services Levy Fund.

K.	40A526 – Ohio Department of Transportation (ODOT) -		<b>BA1101196</b>
	Local Projects Administration (LPA)		
	CE785006 – ODOT - LPA		
	Personal Services	\$ 14,966.50	

Funding Source: Funding for the Fitch Road Project is 80% Federal Highway Administration dollars passed through ODOT, 20% County Funding (\$7.50 Fund).

L1. 29A391 – Health & Human Services Levy 4.8 **BA1101185**  
 SU514497 – H&HS Subsidy Treatment Services  
 Other Expenses \$ 4,000.00

L2. 29A391 – Health & Human Services Levy 4.8  
 SU514216 – Criminal Justice Intervention  
 Other Expenses \$ 4,000.00

Funding Source: Health & Human Services Levy Fund.

M. 29A391 – Health & Human Services Levy 4.8 **BA1101186**  
 SU514216 – Criminal Justice Intervention  
 Other Expenses \$ 1,000.00

Funding Source: Health & Human Services Levy Fund.

N. 22S274 – Home Weatherization Assistance Program **BA1101198**  
 (HWAP) American Recovery and Reinvestment Act (ARRA) 2009-2010  
 DV725218 – HWAP ARRA Department of Energy (DOE) Support 2009-2010  
 Other Expenses \$ 93.75

Funding Source: Department of Energy.

O1. 24A510 – Public Assistance Funds-Work and Training **BA1101148**  
 WT137315 – Work First Services  
 Other Expenses \$ (2,000,000.00)

O2. 24A510 – Public Assistance Funds-Work and Training  
 WT137109 – Administrative Services - EFS  
 Other Expenses \$ (300,000.00)

Funding Source: Federal and State revenues as well as the Health and Human Services Levy Fund.

P1. 67A005 – Workers’ Comp Retrospective 2005 **BA1101244**  
 CC498824 – Workers’ Comp Retrospective 2005  
 Other Expenses \$ 30,000.00

P2. 67A010 – Workers’ Comp Retrospective 2010 **BA1101243**  
 CC498873 – Workers’ Comp Retrospective 2010  
 Other Expenses \$ (30,000.00)

Funding Source: Charges to County agencies for workers’ compensation insurance based on injury risk levels.

ITEMS SUBMITTED THROUGH DECEMBER 27, 2011
---

Q1.	24A601 – Senior and Adult Services SA138701 – OPTIONS		<b>BA1101239</b>
	Personal Services	\$	(96,000.00)
Q2.	24A601 – Senior and Adult Services SA138602 – Home-Based Services		
	Personal Services	\$	(278,000.00)
Q3.	24A601 – Senior and Adult Services SA138479 – Adult Protective Services		
	Personal Services	\$	(6,000.00)
Q4.	24A601 – Senior and Adult Services SA138420 – Home Support		
	Personal Services	\$	(178,000.00)
Q5.	24A601 – Senior and Adult Services SA138354 – Management Services		
	Personal Services	\$	(52,000.00)
Q6.	24A601 – Senior and Adult Services SA138321 – Administrative Services		
	Personal Services	\$	(38,000.00)

Funding Source: Health and Human Services Levy Fund, the Public Assistance allocations, and fees for services.

R.	20A600 – Cuyahoga Support Enforcement Agency SE496000 – Cuyahoga Support Enforcement Agency		<b>BA1101240</b>
	Personal Services	\$	(1,113,000.00)

Funding Source: Title IV-D federal reimbursement at the rate of 66%, the State Child Support Allocation, fees for services, and the County's two Health and Human Services Levy Fund.

S.	01A001 – General Fund DV014100 – Economic Development		<b>BA1101202</b>
	Personal Services	\$	38,956.79

Funding Source: General Fund.

T.	54A100 – Sanitary Engineer ST540252 – Sanitary Engineer Administration		<b>BA1101258</b>
	Other Expenses	\$	30,000.00

Funding Source: Sanitary sewer district charges.

U1.	01A001 – General Fund		<b>BA1101249</b>
	SH350470 – Jail Operations-Sheriff		
	Other Expenses	\$ (215,500.00)	

U2.	61A608 – Central Security Service-Sheriff		<b>BA1101250</b>
	SH352005 – Building Security Services		
	Personal Services	\$ 215,500.00	

Funding Source: Funding for the Jail Operations account is from the General Fund and the funding for Building Security (Protective Services) is from the internal service fund which derives revenues from charges to user agencies.

V.	01A001 - General Fund		<b>BA1101276</b>
	PD140053 – Public Defender		
	Other Expenses	\$ 59,000.00	

Funding Source: General Fund.

W.	20A602 - Probate Crt (Clrk) Comput. Fund		<b>BA1101320</b>
	PC404632 – Probate Computerization \$10 Fee FD		
	Other Expenses	\$ 42,000.00	

Funding Source: \$3 filing fee for the operation of the Court, as set forth in O.R.C. 2101.162(A)(1); there is also a \$10 filing fee for the operation of our Clerk of Court, as set forth in O.R.C. 2101.162(B)(1). This may be assessed on estates, guardianships, trusts, adoptions, minor settlements, change of names and civil actions.

ITEMS SUBMITTED THROUGH January 3, 2012
---

X.	24A635 - EC-Invest In Children-PA		<b>BA1101219</b>
	EC451484 – Early Childhood Admin Service		
	Other Expenses	\$ 3,800.00	
	Personal Services	\$ 2,100.00	

Funding Source: Health and Human Services Levy Fund.

Y.	24A635 - EC-Invest In Children-PA		<b>BA1101227</b>
	EC451484 – Early Childhood Admin Service		
	Other Expenses	\$ 8,000.00	
	Personal Services	\$ 300.00	

Funding Source: Health & Human Services Levy Fund.

Z.	20A821 – State Criminal Alien Asst Program (SCAAP)		<b>BA1101374</b>
	SH456608 – State Criminal Alien Asst Program (SCAAP)		
	Personal Services	\$ 47,047.67	

Funding Source: United States Department of Justice for inmates in the county jail that are illegal aliens.

AA.	40A069 – Capital Projects Fund		<b>BA1100848</b>
	CC767970 – Prosecutor’s 9 <sup>th</sup> Floor ADA Restroom		
	Personal Services	\$	76,964.00
	Capital Outlay	\$	13,986.06

Funding Source: Funding for this project is from a General Fund subsidy.

ITEMS SUBMITTED THROUGH January 10, 2012
--

BB1.	20A302 – Dog and Kennel		<b>BA1101280</b>
	CT050047 – Dog Warden		
	Other Expenses	\$	5,200.00
BB2.	64A606 – Fast Copier		
	CT577551 – Fast Copy		
	Other Expenses	\$	2,700.00

Funding Source: Funding for the Dog Warden comes from license and adoption fees. Funding for the Print Shop comes from charge backs to user agencies.

CC1.	24A640 - FCFC Public Assistance		<b>BA1101388</b>
	FC451492 – Family and Children First Council PA		
	Personal Services	\$	(44,859.00)
CC2.	24A640 - FCFC Public Assistance		<b>BA1100872</b>
	FC451492 – Family and Children First Council PA		
	Other Expenses	\$	(469,000.00)
	Capital Outlay	\$	(1,000.00)

Funding Source: Health & Human Services Levy Fund.

DD1.	24A435 - Cuyahoga Tapestry System of Care (CTSOC)		<b>BA1101389</b>
	HS158089 – Cuyahoga Tapestry System of Care (CTSOC)		
	Personal Services	\$	(222,252.00)
DD2.	24A435 - Cuyahoga Tapestry System of Care (CTSOC)		<b>BA1100874</b>
	HS158089 – Cuyahoga Tapestry System of Care (CTSOC)		
	Other Expenses	\$	(357,500.00)
	Capital Outlay	\$	(6,500.00)

Funding Source: Health & Human Services Levy Fund.

EE1.	24A301 - Children & Family Services		<b>BA1101403</b>
	CF135442-Caregiver Parent Recruitment		
	Personal Services	\$	(31,900.00)
	Other Expenses	\$	(130,000.00)

EE2.	24A301 - Children & Family Services CF135467-CFS Administration Personal Services	\$	(196,924.00)	<b>BA1101390</b>
EE3.	24A301 - Children & Family Services CF135467-CFS Administration Other Expenses Capital Outlay	\$ \$	(1,000,000.00) (60,000.00)	<b>BA1101403</b>
EE4.	24A301 - Children & Family Services CF135483-Training Personal Services	\$	(1,474.00)	<b>BA1101390</b>
EE5.	24A301 - Children & Family Services CF135491-Information Services Personal Services	\$	(161,602.00)	<b>BA1101390</b>
EE6.	24A301 Children & Family Services CF135491-Information Services Other Expenses Capital Outlay	\$ \$	(161,000.00) (4,000.00)	<b>BA1101404</b>
EE7.	24A301 - Children & Family Services CF135509-Direct Services Personal Services	\$	(591,696.00)	<b>BA1101391</b>
EE8.	24A301 - Children & Family Services CF135509-Direct Services Other Expenses	\$	(607,000.00)	<b>BA1101405</b>
EE9.	24A301 - Children & Family Services CF135525-Supportive Services Personal Services	\$	(5,241.00)	<b>BA1101391</b>
EE10.	24A301 - Children & Family Services CF135525-Supportive Services Other Expenses	\$	(350,000.00)	<b>BA1101405</b>
EE11.	24A301 - Children & Family Services CF135582-Permanent Custody Adoption Personal Services	\$	(300,196.00)	<b>BA1101391</b>
EE12.	24A301 - Children & Family Services CF135541-Visitation Center Personal Services	\$	(11,473.00)	<b>BA1101392</b>
EE13.	24A301 - Children & Family Services CF135541-Visitation Center Other Expenses	\$	(180,000.00)	<b>BA1101404</b>

EE14.	20A303 - Children Services Fund CF134015-Client Supportive Services Other Expenses	\$ (425,000.00)	<b>BA1101406</b>
EE15.	20A303 - Children Services Fund CF134023-Adoption Services Other Expenses	\$ (1,800,000.00)	<b>BA1101406</b>
EE16.	20A303 - Children Services Fund CF134031-CFS Foster Care Other Expenses	\$ (690,000.00)	<b>BA1101406</b>
EE17.	20A303 - Children Services Fund CF134049-Purchased Congregate & Foster Other Expenses	\$ (2,000,000.00)	<b>BA1101406</b>

Funding Source: Federal and State revenues, as well as the Health and Human Services Levy Fund.

FF1.	24A641 - PA-Office of Homeless Services HS158097 – Homeless Services Personal Services	\$ (2,040.00)	<b>BA1101393</b>
FF2.	24A641 - PA-Office of Homeless Services HS158097 – Homeless Services Other Expenses Capital Outlay	\$ (12,000.00) \$ (500.00)	<b>BA1100873</b>
FF3.	20A615 - Office of Homeless Services HS507301 – Office of Homeless Services-Admin. Other Expenses	\$ (570.00)	<b>BA1100873</b>

Funding Source: Health & Human Services Levy Fund.

GG1.	24A510 - Work & Training Admin WT137109 – Admin Services-General Manager Personal Services	\$ (486.00)	<b>BA1100866</b>
GG2.	24A510 - Work & Training Admin WT137109 – Admin Services-General Manager Other Expenses Capital Outlay	\$ (290,000.00) \$ (3,800.00)	<b>BA1100875</b>
GG3.	24A510 - Work & Training Admin WT137943 – Information Services Personal Services	\$ (54,653.00)	<b>BA1100866</b>
GG4.	24A510 - Work & Training Admin WT137943 – Information Services Other Expenses	\$ (315,000.00)	<b>BA1100876</b>

GG5.	24A510 - Work & Training Admin WT137315 –Work First Services Personal Services	\$	(19,327.00)	<b>BA1100866</b>
GG6.	24A510 - Work & Training Admin WT137315 –Work First Services Other Expenses Capital Outlay	\$ \$	(511,000.00) (2,000.00)	<b>BA1100876</b>
GG7.	24A510 - Work & Training Admin WT137414 – Southgate NFSC Personal Services	\$	(45,340.00)	<b>BA1100867</b>
GG8.	24A510 - Work & Training Admin WT137414 – Southgate NFSC Other Expenses Capital Outlay	\$ \$	(97,000.00) (5,800.00)	<b>BA1100877</b>
GG9.	24A510 - Work & Training Admin WT137430 – Ohio City NFSC Personal Services	\$	(690.00)	<b>BA1100867</b>
GG10.	24A510 - Work & Training Admin WT137455 – Quincy Place NFSC Personal Services	\$	(16,495.00)	<b>BA1100867</b>
GG11.	24A510 - Work & Training Admin WT137463 – VEB Building NFSC Personal Services	\$	(23,950.00)	<b>BA1100868</b>
GG12.	24A510 - Work & Training Admin WT137463 – VEB Building NFSC Other Expenses Capital Outlay	\$ \$	(185,000.00) (25,000.00)	<b>BA1100877</b>
GG13.	24A510 - Work & Training Admin WT137471 – Mount Pleasant NFSC Personal Services	\$	(9,201.00)	<b>BA1100868</b>
GG14.	24A510 - Work & Training Admin WT137471 – Mount Pleasant NFSC Other Expenses	\$	(368,000.00)	<b>BA1101399</b>
GG15.	24A510 - Work & Training Admin WT137471 – Mount Pleasant NFSC Other Expenses Capital Outlay	\$ \$	(40,000.00) (4,000.00)	<b>BA1101400</b>
GG16.	24A510 - Work & Training Admin WT137539 – West Shore NFSC Personal Services	\$	(1,755.00)	<b>BA1100868</b>

GG17.	24A510 - Work & Training Admin WT137539 – West Shore NFSC		<b>BA1101400</b>
	Other Expenses	\$	(58,000.00)
	Capital Outlay	\$	(7,000.00)
GG18.	24A510 - Work & Training Admin WT137141 – Client Support Services		<b>BA1100869</b>
	Personal Services	\$	(2,774.00)
GG19.	24A510 - Work & Training Admin WT137141 – Client Support Services		<b>BA1101401</b>
	Other Expenses	\$	(185,000.00)
	Capital Outlay	\$	(50,000.00)
GG20.	24A510 Work & Training Admin WT137430 – Ohio City NFSC		<b>BA1101399</b>
	Other Expenses	\$	(710,000.00)
	Capital Outlay	\$	(5,600.00)

Funding Source: Federal and State revenues, as well as the Health and Human Services levies.

HH.	24A635 - EC-Invest In Children-PA EC451484 – Early Childhood Admin Services		<b>BA1100870</b>
	Personal Services	\$	(89.00)

Funding Source: Health & Human Services Levy Fund.

II.	28W036 - Workforce Development WII40905 WIA Executive and Financial Operations		<b>BA1100834</b>
	Personal Services	\$	(18,160.00)
	Other Expenses	\$	(3,814,042.00)

Funding Source: Dept of Labor.

JJ1.	63A100 – Information Services Center IS821009 – Information Services Center		<b>BA1101369</b>
	Personal Services	\$	(191,297.87)
	Other Expenses	\$	(35,515.04)
JJ2.	63A200 – Communications/Telecommunications Mgt. Services IS694166 – Telecommunications Management Services		
	Personal Services	\$	(17,185.00)
JJ3.	63A300 – Geographic Information System IS694588 – Geographic Information System		
	Personal Services	\$	(39,504.65)
JJ4.	63A100 – Information Services Center IS692467 – User Supply		
	Other Expenses	\$	(346,157.32)

JJ5.	62A603 – County Garage CT575001 – Buildings and Grounds – Maintenance Garage		
	Personal Services	\$	(3,584.31)
	Other Expenses	\$	(97,739.19)
	Capital Outlays	\$	(575.00)
JJ6.	64A606 – Fast Copier CT577551 – Fast Copy		
	Other Expenses	\$	(744,341.66)
	Capital Outlays	\$	(2,746.00)
JJ7.	51A404 – County Parking Garage CT571125 – Huntington Park Garage		
	Personal Services	\$	(54,117.48)
	Other Expenses	\$	(82,625.19)
JJ8.	51A404 – County Parking Garage CT571117 – County Administration Parking Garage		
	Other Expenses	\$	(246,548.01)
JJ9.	51A404 – County Parking Garage CT571133 – Courthouse Square Parking Lot		
	Other Expenses	\$	(388,793.00)
JJ10.	20A302 – Dog and Kennel CT050047 – Dog Warden		
	Other Expenses	\$	(29,587.42)
JJ11.	52A100 – County Airport DV520031 – County Airport		<b>BA1101370</b>
	Other Expenses	\$	(56,313.31)
JJ12.	64A601 – Supplies CC577700 – County Supplies		
	Other Expenses	\$	(2,090.00)
JJ13.	20A301 – Real Estate Assessment AU800029 – Auditor Assessment		
	Other Expenses	\$	(960,000.00)
JJ14.	20A322 – Delinquent Real Estate Tax Assessment - Treasurer TR163063 – Delinquent Real Estate Tax Assessment		
	Other Expenses	\$	(144,000.00)
JJ15.	20A325 – Tax Prepayment Special Interest TR163212 – Tax Prepayment Special Interest		
	Personal Services	\$	(23,500.00)
	Other Expenses	\$	(329,500.00)

JJ16.	20A340 – Tax Certificate Administration TR163196 – Tax Certificate Administration Other Expenses	\$ (230,000.00)	
JJ17.	67A001 – Workers’ Compensation Retrospective 2001 CC498774 – Workers’ Compensation Retrospective 2001 Other Expenses	\$ (5,714,000.00)	<b>BA1101372</b>
JJ18.	65A604 – Postage CT577353 – County Mailroom Personal Services Other Expenses	\$ (45,613.20) \$ (475,112.89)	<b>BA1101373</b>
JJ19.	64A601 – Supplies CT577205 – County Storeroom Other Expenses	\$ (184,542.60)	<b>BA1100136</b>

Funding Source: Charges to user agencies, parking fees, employer & employee contributions, assessments on delinquent taxes.

KK.	24A510 - Work & Training Admin WT137141 –Client Support Services Other Expenses	\$ (512,402.19)	<b>BA1101387</b>
-----	---	-----------------	------------------

Funding Source: Health & Human Services Levy Fund.

LL1.	29A390 - Health & Human Services Levy 2.9 SU513937 – Metro Health Subsidy 2.9 Other Expenses	\$ .13	<b>BA1100871</b>
LL2.	29A391 - Health & Human Services Levy 4.8 SU514463 – Hosp Operations Subsidy Other Expenses	\$ .13	<b>BA1100871</b>

Funding Source: Health & Human Services Levy Fund.

MM1.	67A005 – Workers’ Comp Retrospective 2005 CC498824 – Workers’ Comp Retrospective 2005 Other Expenses	\$ 77,000.00	<b>BA1101858</b>
MM2.	67A004 – Workers’ Comp Retrospective 2004 CC498816 – Workers’ Comp Retrospective 2004 Other Expenses	\$ (77,000.00)	<b>BA1101859</b>

Funding Source: Charges to County agencies for workers’ compensation insurance based on injury risk levels.

**SECTION 2.** That the 2011 Annual Appropriation Measure be amended to provide for the following appropriation transfers, to be determined by OBM, for the purpose of year-end reconciliation of budget accounts and line items, provided that transfer items adhere to the currently established financial policies for processing transfers:

**Fund Nos. /Budget Accounts** **Journal Nos.**

A. FROM:	01A001 – General Fund	<b>BA1101142</b>
	CC012831 – Transition Advisory Group	
	Other Expenses	\$ 24,329.00
TO:	01A001 – General Fund	
	CM011064 – Board of County Commissioners	
	Personal Services	\$ 24,329.00

Funding Source: General Fund.

B. FROM:	29A391 – 4.8 Mill Health and Human Services Levy	<b>BA1101143</b>
	SU514372 – Tapestry System of Care Subsidy	
	Other Expenses	\$ 650,000.00
TO:	29A391 – 4.8 Mill Health and Human Services Levy	
	SU514281 – Office of Homeless Services Subsidy	
	Other Expenses	\$ 650,000.00

Funding Source: Health & Human Services Levy Fund.

C. FROM:	29A391 – 4.8 Mill Health and Human Services Levy	<b>BA1101145</b>
	SU514521 – HHS Subsidy Youth/Family Partnership	
	Other Expenses	\$ 800,000.00
TO:	29A391 – 4.8 Mill Health and Human Services Levy	
	SU514547 – Office of Re-Entry Subsidy	
	Other Expenses	\$ 800,000.00

Funding Source: Health & Human Services Levy Fund.

D. FROM:	29A391 – 4.8 Mill Health and Human Services Levy	<b>BA1101146</b>
	SU514315 – Children Services Fund Subsidy	
	Other Expenses	\$ 992,000.00
TO:	29A391 – 4.8 Mill Health and Human Services Levy	
	SU514430 – Employment and Family Services Subsidy	
	Other Expenses	\$ 992,000.00

Funding Source: Health & Human Services Levy Fund.

E. FROM:	54A100 – Sanitary Engineer	<b>BA1101099</b>
	ST540252 – Sanitary Engineer Administration	
	Other Expenses	\$ 60,000.00

TO: 54A100 – Sanitary Engineer  
ST540252 – Sanitary Engineer Administration  
Capital Outlay \$ 60,000.00

Funding Source: Sanitary sewer district fees.

F. FROM: 62A603 – County Garage **BA1101100**  
CT575001 – Buildings and Grounds – Maintenance Garage  
Personal Services \$ 3,000.00

TO: 62A603 – County Garage  
CT575001 – Buildings and Grounds – Maintenance Garage  
Other Expenses \$ 3,000.00

Funding Source: Funding for the County Garage comes from charges to user agencies.

G. FROM: 01A001 – General Fund **BA1101169**  
PC400051 – Probate Court  
Personal Services \$ 27,000.00

TO: 01A001 – General Fund  
CA360057 – Court of Appeals  
Personal Services \$ 27,000.00

Funding Source: General Fund.

H. FROM: 24A301 – Children & Family Services **BA1101058**  
CF135509 – Direct Services  
Personal Services \$ 24,000.00

TO: 24A301 – Children & Family Services  
CF135541 – Multi-Systemic Therapy (MST) Unit  
Personal Services \$ 24,000.00

Funding Source: Health & Human Services Levy Fund.

I. FROM: 20A303 – Children Services Fund **BA1101062**  
CF134049 – Purchased Congregate & Foster Care  
Other Expenses \$ 1,125,000.00

TO: 20A303 – Children Services Fund  
CF134015 – Client Supportive Services  
Other Expenses \$ 1,125,000.00

Funding Source: Health & Human Services Levy Fund.

ITEMS SUBMITTED THROUGH DECEMBER 20, 2011
---

J. FROM: 20R320 – Board of Developmental Disabilities **BA1101149**  
MR845024 – Cuyahoga County Board of Mental Ret  
Capital Outlay \$ 700,000.00

TO: 20R320 – Board of Developmental Disabilities  
MR845024 – Cuyahoga County Board of Mental Ret  
Other Expenses \$ 700,000.00

Funding Source: Board of Developmental Disabilities Levy Fund.

K. FROM: 20A264 – County Law Library Resource Bd (CLLRB) **BA1101189**  
LL440008 – County Law Library Resource Board (CLLRB)  
Other Expenses \$ 775.00

TO: 20A264 – County Law Library Resource Bd (CLLRB)  
LL440008 – County Law Library Resource Board (CLLRB)  
Personal Services \$ 775.00

Funding Source: Fines and fees collected.

L. FROM: 24A601 – Senior & Adult Services **BA1101184**  
SA138420 – Home Support  
Other Expenses \$ 5,500.00

TO: 24A601 – Senior and Adult Services  
SA138602 – Home-Based Services  
Other Expenses \$ 5,500.00

Funding Source: Health & Human Services Levy Fund and the Public Assistance allocations.

M. FROM: 21S679 – ARRA JAG Grant **BA1101233**  
SH719294 – ARRA JAG Grant  
Other Expenses \$ 212,500.00

TO: 21S679 – ARRA JAG Grant  
SH719294 – ARRA JAG Grant  
Personal Services \$ 212,500.00

Funding Source: Department of Justice.

N. FROM: 01A001 – General Fund **BA1101235**  
CR180026 – Coroner Operations  
Other Expenses \$ 5,000.00

TO: 01A001 – General Fund  
CR180026 – Coroner Operations  
Capital Outlay \$ 5,000.00

Funding Source: General Fund.

O. FROM:	51A404 – County Parking Garage	<b>BA1101195</b>
	CT571133 – Courthouse Square Parking Lot	
	Other Expenses	\$ 100,000.00
TO:	51A404 – County Parking Garage	
	CT571125 – Huntington Park Garage	
	Other Expenses	\$ 100,000.00

Funding Source: County Parking Garage comes from parking fees on patrons.

P. FROM:	20A258 – Human Resources Info. System	<b>BA1101207</b>
	CC522011 – Human Resources Info. System	
	Other Expenses	\$ 12,500.00
TO:	20A258 – Human Resources Info. System	
	CC522011 – Human Resources Info. System	
	Capital Outlay	\$ 12,500.00

Funding Source: Funding comes from leftover dollars received for technology-related support.

Q. FROM:	01A001 – General Fund	<b>BA1101209</b>
	JC372052 – Juvenile Court - Judges	
	Other Expenses	\$ 300,000.00
TO:	01A001 – General Fund	
	JC372060 – Juvenile Court - Legal	
	Other Expenses	\$ 300,000.00

Funding Source: General Fund.

R. FROM:	01A001 – General Fund	<b>BA1101232</b>
	JC372060 – Juvenile Court - Legal	
	Personnel	\$ 310,000.00
TO:	01A001 – General Fund	
	JC370056 – Juvenile Court – Detention Home	
	Personnel	\$ 310,000.00

Funding Source: General Fund.

S. FROM:	01A100 – General Fund	<b>BA1100847</b>
	RC172288 – Recorder Automation	
	Other Expenses	\$ 4,500.00
TO:	01A100 – General Fund	
	RC172288 – Recorder Automation	
	Personal Services	\$ 4,500.00

Funding Source: General Fund.

T. FROM:	01A100 – General Fund		<b>BA1101160</b>
	RC172056 – Recorder General Office		
	Personal Services	\$ 40,000.00	
TO:	01A100 – General Fund		
	TR161059 – Treasurer Administration		
	Personal Services	\$ 40,000.00	

Funding Source: General Fund.

U. FROM:	63A100 – Information Services Center		<b>BA1101162</b>
	IS821009 – Information Services Center		
	Personal Services	\$ 150,000.00	
TO:	63A100 – Information Services Center		
	IS821009 – Information Services Center		
	Other Expenses	\$ 150,000.00	

Funding Source: The funding is generated from charges to user agencies.

ITEMS SUBMITTED THROUGH DECEMBER 27, 2011
---

V. FROM:	24A510 - Work & Training Admin		<b>BA1101216</b>
	WT137463 – VEB Building NFSC		
	Personal Services	\$ 59,000.00	
TO:	24A510 - Work & Training Admin		
	WT137430– Ohio City NFSC		
	Personal Services	\$ 59,000.00	

Funding Source: Health & Human Services Levy Fund.

W. FROM:	24A641 - PA - Homeless Services		<b>BA1101217</b>
	HS158097 – PA - Homeless Services		
	Other Expenses	\$ 5,000.00	
TO:	24A641 - PA - Homeless Services		
	HS158097 – PA - Homeless Services		
	Personal Services	\$ 5,000.00	

Funding Source: Health & Human Services Levy Fund.

X. FROM:	24A601 – Senior & Adult Services		<b>BA1101271</b>
	SA138388 – Home Care Skilled Services		
	Other Expenses	\$ 550.00	

TO: 24A601 – Senior and Adult Services  
 SA138388 – Home Care Skilled Services  
 Personal Services \$ 550.00

Funding Source: Health & Human Services Levy Fund, the Public Assistance allocations, and fees for services.

Y. FROM: 01A001 – General Fund **BA1101254**  
 CC012831 – Transition Advisory Group  
 Other Expenses \$ 50,000.00

TO: 01A001 – General Fund  
 CC012831 – Transition Advisory Group  
 Personal Services \$ 50,000.00

Funding Source: General Fund.

Z. FROM: 20A301 – Real Estate Assessment **BA1101260**  
 BR420067 – Board of Revision – Assessment Fund  
 Personal Services \$ 30,000.00

TO: 20A301 – Real Estate Assessment  
 AU800029 – Auditor Assessment Fund  
 Other Expenses \$ 30,000.00

Funding Source: Funding is derived from fees on real property tax collections.

AA. FROM: 20A301 – Real Estate Assessment **BA1101208**  
 AU800029 – Auditor Assessment  
 Other Expenses \$ 10,000.00

TO: 20A301 – Real Estate Assessment  
 AU800029 – Auditor Assessment  
 Capital Outlay \$ 10,000.00

Funding Source: The funds are generated from fees on real property taxes.

BB. FROM: 68A100 – Hospitalization – Self Insurance Fund **BA1101204**  
 CC499004 – Hospitalization – Self Insurance Fund  
 Other Expenses \$ 6,250.00

TO: 68A100 – Hospitalization – Self Insurance Fund  
 CC499202 – Human Resources – Benefits Office  
 Personal Services \$ 6,250.00

Funding Source: Funding for the Hospitalization- Self Insurance Fund comes from employee and employer contributions.

CC. FROM: 52A100 – County Airport **BA1101257**  
 DV520031 – County Airport District  
 Other Expenses \$ 5,500.00

TO: 52A100 – County Airport  
 DV520031 – County Airport District  
 Personal Services \$ 5,500.00

Funding Source: General Fund subsidy and from airport usage fees assessed on customers.

DD.FROM: 61A607 – Centralized Custodial Services **BA1101278**  
 CT571042 – Building Management  
 Other Expenses \$ 55,000.00

TO: 61A607 – Centralized Custodial Services  
 CT571042 – Building Management  
 Personal Services \$ 55,000.00

Funding Source: Funding for the Centralized Custodial Fund comes from space maintenance charges to user agencies.

EE.FROM: 50A410 – Cuyahoga County Information System **BA1101173**  
 JA090068 – J. A. Cuyahoga Regional Information System  
 Other Expenses \$ 12,000.00

TO: 50A410 – Cuyahoga County Information System  
 JA090068 – J. A. Cuyahoga Regional Information System  
 Capital Outlays \$ 12,000.00

Funding Source: Funding is derived from user fees and a general fund.

FF.FROM: 01A001 – General Fund **BA1101181**  
 SH350579 – Sheriff Operations  
 Personal Services \$ 140,000.00

TO: 01A001 – General Fund  
 SH350272 – Law Enforcement-Sheriff  
 Personal Services \$ 140,000.00

Funding Source: General.

GG.FROM: 01A001 – General Fund **BA1101246**  
 DR391052 – Domestic Relations  
 Personal Services \$ 57,000.00

TO: 01A001 – General Fund  
 DR495515 – Domestic Relations Child Support  
 Personal Services \$ 57,000.00

Funding Source: General Fund.

HH.FROM: 01A001 – General Fund **BA1101247**  
 DR495515 – Domestic Relations Child Support  
 Other Expenses \$ 7,000.00

TO: 01A001 – General Fund  
 DR495515 – Domestic Relations Child Support  
 Personal Services \$ 7,000.00

Funding Source: General Fund.

II. FROM: 61A608 – Central Security Service-Sheriff **BA1101248**  
 SH352005 – Building Security Services  
 Other Expenses \$ 14,395.00

TO: 61A608 – Central Security Service-Sheriff  
 SH352005 – Building Security Services  
 Capital Outlays \$ 14,395.00

Funding Source: Charges to county departments which utilize the security services.

JJ. FROM: 01A001 – General Fund **BA1101245**  
 MT805432 – Municipal Judicial Cost  
 Other Expenses \$ 15,000.00

TO: 01A001 – General Fund  
 MT805432 – Municipal Judicial Cost  
 Personal Services \$ 15,000.00

Funding Source: General Fund.

KK. FROM: 20A804 – Public Defender - Cleve Municipal Div **BA1101252**  
 PD141028 – Public Defender - Cleve Municipal Div  
 Other Expenses \$ 12,000.00

TO: 20A804 – Public Defender - Cleve Municipal Div  
 PD141028 – Public Defender - Cleve Municipal Div  
 Personal Services \$ 12,000.00

Funding Source: These services are provided at the full expense of the City and reimbursed by the State of Ohio's Public Defender Commission at the rate of 25%, less a 3% administrative fee assessed by the County to cover the costs associated with processing the reimbursements.

LL. FROM: 20A812 – Common Pleas Special Project I **BA1101273**  
 CO456475 – Common Pleas Special Project I  
 Other Expenses \$ 12,000.00

TO: 20A812 – Common Pleas Special Project I  
 CO456475 – Common Pleas Special Project I  
 Personal Services \$ 12,000.00

Funding Source: This fund is supported by a \$200 fee assessed on every foreclosure action filed.

MM.FROM:	01A001 – General Fund		<b>BA1101275</b>
	MT805432 – Municipal Judicial Cost		
	Other Expenses	\$ 15,000.00	
TO:	01A001 – General Fund		
	MT805432 – Municipal Judicial Cost		
	Personal Services	\$ 15,000.00	

Funding Source: General Fund.

NN.	FROM:	01A001 – General Fund	<b>BA1101158</b>
		CC012054 – Human Resources	
		Personal Services	\$ 4,000.00
	FROM:	01A001 – General Fund	
		CC011213 – Clerk of the Board	
		Other Expenses	\$ 37,000.00
	TO:	01A001 – General Fund	
		CC012112 - Employment	
		Personal Services	\$ 41,000.00

Funding Source: General Fund.

ITEMS SUBMITTED THROUGH January 3, 2012
---

OO.	FROM:	01A001 – General Fund	<b>BA1101316</b>
		AU800011 – Auditor General Fund	
		Other Expenses	\$ 49,000.00
	TO:	01A001 – General Fund	
		AU800011 – Auditor General Fund	
		Personal Services	\$ 49,000.00

Funding Source: General Fund.

PP. FROM:	20A322 – Delinquent Real Estate Tax Assessment	<b>BA1101318</b>
	TR163063 - Delinquent Real Estate Tax Assessment	
	Other Expenses	\$ 40,700.00
TO:	20A322 – Delinquent Real Estate Tax Assessment	
	TR163063 - Delinquent Real Estate Tax Assessment	
	Personal Services	\$ 40,700.00

Funding Source: Funds are generated from delinquent real estate tax assessment fees.

QQ.FROM: 20A811 – Juvenile Court Detention and Probation **BA1101322**  
JC107524 – Juvenile Court Detention Services  
Personal Services \$ 50,000.00

TO: 20A811 – Juvenile Court Detention and Probation  
JC107524 – Juvenile Court Detention Services  
Other Expenses \$ 50,000.00

Funding Source: Health & Human Services Levy Fund.

RR.FROM: 20A635 – Title IV-E - Juvenile Court **BA1101344**  
JC517326 – Title IV-E Administration – Juvenile Court  
Other Expenses \$ 2,250.00

TO: 20A635 – Title IV-E - Juvenile Court  
JC517326 – Title IV-E Administration – Juvenile Court  
Personal Services \$ 2,250.00

Funding Source: U.S. Department of Health and Human Services passed through the Ohio Department of Jobs and Family Services

SS. FROM: 01A001 – General Fund **BA1101349**  
JC372060 – Juvenile Court - Legal  
Other Expenses \$ 31,410.00

TO: 01A001 – General Fund  
JC372060 – Juvenile Court - Legal  
Personal Services \$ 31,410.00

Funding Source: General Fund.

TT.FROM: 01A001 – General Fund **BA1101261**  
IA018002 – Internal Audit Department  
Personal Services \$ 52,000.00

TO: 01A001 – General Fund  
AU800011 – Auditor General Fund  
Personal Services \$ 52,000.00

Funding Source: General Fund.

UU.FROM: 01A001 – General Fund **BA1101329**  
CC012088 – Office of Procurement and Diversity  
Personal Services \$ 17,973.00  
Capital Outlays \$ 882.00

TO: 01A001 – General Fund  
CC012088 – Office of Procurement and Diversity  
Other Expenses \$ 18,855.00

Funding Source: General Fund.

VV.FROM: 01A001 – General Fund **BA1101381**  
 CC012054 – Human Resources  
 Other Expenses \$ 3,000.00

TO: 01A001 – General Fund  
 CC012054 – Human Resources  
 Personal Services \$ 3,000.00

Funding Source: General Fund.

WW.FROM: 24A510 - Work & Training Admin **BA1101222**  
 WT137463 – VEB Building NFSC  
 Personal Services \$ 20,000.00

TO: 24A510 - Work & Training Admin  
 WT137109– Administrative Operations  
 Personal Services \$ 20,000.00

Funding Source: Health & Human Services Levy Fund.

XX. FROM: 24A301 - Children & Family Services **BA1101223**  
 CF135616 – CFS Foster Homes/Resource Mgmt  
 Personal Services \$ 2,000.00

TO: 24A301 - Children & Family Services  
 CF135483 – Training  
 Personal Services \$ 2,000.00

Funding Source: Health & Human Services Levy Fund.

YY. FROM: 24A510 - Work & Training Admin **BA1101383**  
 WT137463 – VEB Building NFSC  
 Personal Services \$ 25,900.00

TO: 24A510 - Work & Training Admin  
 WT137109– Administrative Operations  
 Personal Services \$ 10,850.00

TO: 24A510 - Work & Training Admin  
 WT137430– Ohio City NFSC  
 Personal Services \$ 15,050.00

Funding Source: Health & Human Services Levy Fund.

ZZ.FROM: 24A301 - Children & Family Services **BA1101384**  
 CF135509 – Direct Services  
 Personal Services \$ 15,000.00

TO: 24A301 - Children & Family Services  
CF135525 – Supportive Services  
Personal Services \$ 15,000.00

Funding Source: Health & Human Services Levy Fund.

AAA. FROM: 61A608 – Central Security Service-Sheriff BA1101334  
SH352039 – Bldg Security Service-CRT Security Monitors  
Personal Services \$ 171,063.00

TO: 61A608 – Central Security Service-Sheriff  
SH352005 – Bldg Security Service-OPBA-Officers  
Personal Services \$ 169,790.00

TO: 61A608 – Central Security Service-Sheriff  
SH352021 – Bldg Security Service-Non-Bargaining Personnel  
Personal Services \$ 1,273.00

Funding Source: Funding is from the internal service fund which derives revenues from charges to county departments which utilize the security services.

BBB. FROM: 61A608 – Central Security Service-Sheriff BA1101339  
SH352039 – Bldg Security Service-CRT Security Monitors  
Personal Services \$ 43,492.00

TO: 61A608 – Central Security Service-Sheriff  
SH352005 – Bldg Security Service-OPBA-Officers  
Personal Services \$ 43,492.00

Funding Source: Funding is from the internal service fund which derives revenues from charges to county departments which utilize the security services.

CCC. FROM: 01A001 – General Fund BA1101340  
DR391052 – Domestic Relations Court  
Personal Services \$ 8,042.00

TO: 01A001 – General Fund  
DR495515 – Domestic Relations Court Child Support  
Personal Services \$ 8,042.00

Funding Source: General Fund.

DDD. FROM: 20A806 – Carrying Concealed Weapons Appl. Fees BA1101342  
SH350108 – Carrying Concealed Weapons Application Fees  
Other Expenses \$ 15,901.00

TO: 20A806 – Carrying Concealed Weapons Application Fees  
SH350108 – Carrying Concealed Weapons Application Fees  
Personal Services \$ 15,901.00

Funding Source: Funding is derived from application fees to obtain a permit to carry a concealed weapon.

EEE.	FROM:	01A001 – General Fund		<b>BA1101375</b>
		SH350272 – Law Enforcement-Sheriff		
		Personal Services	\$	25,620.00
	FROM:	01A001 – General Fund		
		SH350470 – Jail Operations		
		Other Expenses	\$	43,000.00
	TO:	01A001 – General Fund		
		SH350579 – Sheriff Operations		
		Personal Services	\$	65,720.00
		Other Expenses	\$	2,900.00

Funding Source: General Fund.

FFF.	FROM:	01A001 – General Fund		<b>BA1101380</b>
		PR191056 – General Office-Prosecutors		
		Personal Services	\$	25,000.00
	FROM:	01A001 – General Fund		
		PR200071 – Prosecutors Child Support		
		Other Expenses	\$	19,297.41
	FROM:	01A001 – General Fund		
		PR194720 – Prosecutors Children & Family Service		
		Other Expenses	\$	6,823.75
	TO:	01A001 – General Fund		
		PR191056 – General Office-Prosecutors		
		Other Expenses	\$	51,121.16

Funding Source: General Fund.

GGG.	FROM:	01A001 – General Fund		<b>BA1101325</b>
		SH350272 – Law Enforcement		
		Personal Services	\$	107,630.00
		01A001 – General Fund		
		SH350942 – Correction Officers		
		Capital Outlays	\$	60,100.00
	TO:	01A001 – General Fund		
		SH350942 – Correction Officers		
		Personal Services	\$	167,730.00

Funding Source: General Fund.

HHH.	FROM:	01A001 – General Fund	<b>BA1101327</b>
		SH350579 – Sheriff Operations	
		Personal Services	\$ 137,700.00
		Other Expenses	\$ 176,000.00
		Capital Outlays	\$ 3,600.00
		01A001 – General Fund	
		SH350272 – Law Enforcement	
		Personal Services	\$ 96,000.00
		Other Expenses	\$ 240,000.00
		01A001 – General Fund	
		SH350058 – Sheriff	
		Other Expenses	\$ 156,083.00
		Capital Outlays	\$ 18,400.00
TO:	01A001 – General Fund		
	SH350942 – Correction Officers		
	Personal Services	\$	827,783.00

Funding Source: General Fund.

III.	FROM:	20A600 – Cuyahoga Support Enforcement Agency	<b>BA1101328</b>
		SE496000 – Cuyahoga Support Enforcement Agency	
		Other Expenses	\$ 37,000.00
TO:	20A600 – Cuyahoga Support Enforcement Agency		
	SE496000 – Cuyahoga Support Enforcement Agency		
	Personal Services	\$	37,000.00

Funding Source: Federal IV-D reimbursement at the rate of 66%, the State Child Support allocation, fees for services, and the County's two health and human services levies.

JJJ.	FROM:	24A601 – Senior and Adult Services	<b>BA1101330</b>
		SA138503 – Information and Outreach	
		Personal Services	\$ 43,986.00
TO:	24A601 – Senior and Adult Services		
	SA138602 – Home-Based Services		
	Personal Services	\$	11,303.00
	24A601 – Senior and Adult Services		
	SA138479 – Adult Protective Services		
	Personal Services	\$	8,745.00
	24A601 – Senior and Adult Services		
	SA138388 – Skilled Services		
	Personal Services	\$	6,100.00

24A601 – Senior and Adult Services  
 SA138420 – Home Support  
 Personal Services \$ 1,978.00

24A601 – Senior and Adult Services  
 SA138610 – Community Resources  
 Personal Services \$ 6,205.00

24A601 – Senior and Adult Services  
 SA138321 – Administrative Services  
 Personal Services \$ 3,397.00

24A601 – Senior and Adult Services  
 SA138354 – Management Services  
 Personal Services \$ 6,258.00

Funding Source: County's Public Assistance allocations, fees for services, and the County's two health and human services levies.

KKK. FROM: 61A607 – Centralized Custodial Services **BA1101167**  
 CT571042 – Building Management  
 Other Expenses \$ 17,000.00

TO: 61A607 – Centralized Custodial Services  
 CT571042 – Building Management  
 Personal Services \$ 17,000.00

Funding Source: Revenues come from charges to user agencies for space maintenance.

LLL. FROM: 68A100 – Hospitalization – Self Insurance **BA1101168**  
 CC499202 – Human Resources Benefits Office  
 Other Expenses \$ 1,610.00

TO: 68A100 – Hospitalization – Self Insurance  
 CC499202 – Human Resources Benefits Office  
 Personal Services \$ 1,610.00

Funding Source: Employer and employee contributions for health insurance premiums.

MMM. FROM: 51A404 – County Parking Garage **BA1101355**  
 CT571117 – County Administration Parking Garage  
 Other Expenses \$ 25,000.00

TO: 51A404 – Hospitalization – Self Insurance  
 CT571125 – Huntington Park Garage  
 Other Expenses \$ 25,000.00

Funding Source: Revenues are generated from parking fees.

NNN. FROM: 01A100 – General Fund **BA1101356**  
 RC172288 – Recorder Automation  
 Other Expenses \$ 1,000.00

TO: 01A100 – General Fund  
 RC172288 – Recorder Automation  
 Personal Services \$ 1,000.00

Funding Source: General Fund.

OOO. FROM: 20A322 – Delinquent Real Estate Tax Assess. Treas. **BA1101357**  
 TR163063 – Delinquent Real Estate Tax Assessment - Treasurer  
 Other Expenses \$ 24,300.00

TO: 20A322 – Delinquent Real Estate Tax Assessment - Treasurer  
 TR163063 – Delinquent Real Estate Tax Assessment - Treasurer  
 Personal Services \$ 24,300.00

Funding Source: Revenues come from fees on delinquent taxes.

PPP. FROM: 01A001 – General Fund **BA1101358**  
 CT577106 – Risk and Property Management  
 Personal Services \$ 3,000.00

TO: 01A001 – General Fund  
 CT577601 – County Archives  
 Personal Services \$ 3,000.00

Funding Source: General Fund..

QQQ. FROM: 64A606 – Fast Copier **BA1101359**  
 CT577551 – Fast Copy  
 Other Services \$ 10,000.00

TO: 64A606 – Fast Copier  
 CT577551 – Fast Copy  
 Personal Services \$ 10,000.00

Funding Source: Revenues are generated from charges to user agencies for cost-per-copy and print shop services.

RRR. FROM: 68A100 – Hospitalization – Self Insurance **BA1101361**  
 CC499004 – Hospitalization – Self Insurance Fund  
 Other Expenses \$ 1,500.00

TO: 68A100 – Hospitalization – Self Insurance  
 CC499202 – Human Resources Benefits Office  
 Other Expenses \$ 1,500.00

Funding Source: The Self-Insurance fund receives funding from employer and employee contributions for health insurance premiums.

SSS.	FROM:	01A100 – General Fund		<b>BA1101364</b>
		EX016006 – County Executive		
		Other Expenses	\$	75,402.39
		Capital Outlays	\$	11,224.23
	FROM:	01A100 – General Fund		
		CC013052 – Office of Budget and Management		
		Personal Services	\$	17,000.00
	TO:	01A100 – General Fund		
		EX016006 – County Executive		
		Personal Services	\$	103,626.62

Funding Source: General Fund.

TTT.	FROM:	61A607 – Centralized Custodial Services		<b>BA1101365</b>
		CT577379 – Buildings and Grounds – Custodial Services		
		Personal Services	\$	100,000.00
	TO:	61A607 – Centralized Custodial Services		
		CT803049 – Justice Center Maintenance		
		Other Expenses	\$	100,000.00

Funding Source: Revenues come from charges to user agencies for space maintenance.

UUU.	FROM:	01A001 – General Fund		<b>BA1101242</b>
		CC012831 – Transition Advisory Group		
		Other Expenses	\$	10,000.00
	TO:	01A001 – General Fund		
		CC012831 – Transition Advisory Group		
		Personal Services	\$	10,000.00

Funding Source: General Fund.

VVV.	FROM:	01A001 – General Fund		<b>BA1101368</b>
		CC013052 – Office of Budget and Management		
		Other Expenses	\$	7,000.00
	TO:	01A001 – General Fund		
		CC012088 – Office of Procurement and Diversity		
		Other Expenses	\$	7,000.00

Funding Source: General Fund.

ITEMS SUBMITTED THROUGH January 10, 2012
--

WWW.	FROM:	01A001 – General Fund		<b>BA1100852</b>
		SH350058 – Sheriff		
		Other Expenses	\$	9,498.00
	FROM:	01A001 – General Fund		
		SH350272 – Law Enforcement		
		Other Expenses	\$	11,933.00
	FROM:	01A001 – General Fund		
		SH350470 – Jail Operations-Sheriff		
		Personal Services	\$	3,995.00
	FROM:	01A001 – General Fund		
		SH350579 – Sheriff Operations		
		Personal Services	\$	23,859.00
	TO:	01A001 – General Fund		
		SH350579 – Sheriff Operations		
		Other Expenses	\$	32,687.00
	TO:	01A001 – General Fund		
		SH350470 – Jail Operations		
		Other Expenses	\$	16,598.00

Funding Source: General Fund.

XXX.	FROM:	01A001 – General Fund		<b>BA1100865</b>
		SH350470 – Jail Operations-Sheriff		
		Other Expenses	\$	23,851.00
	TO:	01A001 – General Fund		
		SH350579 – Sheriff Operations		
		Personal Services	\$	23,851.00

Funding Source: General Fund.

YYY.	FROM:	01A001 – General Fund		<b>BA1101454</b>
		DR495515 – Domestic Relation Child Support		
		Other Expenses	\$	7,310.00
	TO:	01A001 – General Fund		
		DR391052 – Domestic Relations		
		Other Expenses	\$	7,310.00

Funding Source: General Fund.

ZZZ.	FROM:	01A001 – General Fund	BA1100863
		CC012054 – Human Resources	
		Personal Services	\$ 1,024.00
		Capital Outlay	\$ 12,679.00
		01A001 – General Fund	
		CC012112 – Employment Relations	
		Personal Services	\$ 3,424.00
		Capital Outlay	\$ 368.00
		01A001 – General Fund	
		HC019018 – Human Resource Commission	
		Personal Services	\$ 151,036.00
		Other Expenses	\$ 120,750.00
		Capital Outlay	\$ 400.00
		01A001 – General Fund	
		IA018002 – Internal Audit	
		Other Expenses	\$ 185,519.00
TO:		01A001 – General Fund	
		CC012054 – Human Resources	
		Other Expenses	\$ 381,200.00
		01A001 – General Fund	
		CC012112 – Employment Relations	
		Other Expenses	\$ 94,000.00

Funding Source: General Fund.

Funding Source: Funding for the County Engineer comes from a gas tax and motor vehicle license fees.

**SECTION 3.** This Resolution is hereby determined to be an emergency measure and that it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of County departments, offices and agencies. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

**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 \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:  
Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 2012

REFERENCED LEGISLATION

**County Council of Cuyahoga County, Ohio**

FOR  
R2012-0014

**Resolution No. R2011-0320**

<p>Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/Office of Budget &amp; Management and Councilmember Miller</b></p>	<p><b>A Resolution</b> amending the 2011 Annual Appropriation Measure by providing for additional fiscal appropriations from the General Fund and other funding sources and for appropriation transfers between budget accounts, in order to meet the budgetary needs of various County departments, offices, and agencies related to year-end close-out activities; and declaring the necessity that this Resolution become immediately effective.</p>
---	---

WHEREAS, on October 28, 2010, the former governing body of Cuyahoga County adopted the 2011 Annual Appropriation Measure establishing the 2011 annual budgets for all County departments, offices and agencies;

WHEREAS, it is necessary to adjust the 2011 Annual Appropriation Measure to reflect budgetary funding increases, funding reductions, and to transfer budget appropriations in order to accommodate the year-end operational needs of certain County departments, offices, and agencies; and

WHEREAS, it is necessary for reconciliation of the 2011 appropriations in the County's financial system for the fiscal period 2011; and,

WHEREAS, it is further necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of County departments, offices, and agencies;

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

**SECTION 1.** That the 2011 Annual Appropriation Measure be amended to provide for additional appropriation increases and decreases, to be determined by the Office of Budget & Management (OBM), for the purpose of year-end reconciliation of accounts, provided that the maximum amount of any one item shall not exceed \$100,000.00, unless the additional appropriation increase is offset by a corresponding decrease of the same amount, except that any one item identified to fund pending internal service charge(s) shall not exceed \$500,000.00.

**SECTION 2.** That the 2011 Annual Appropriation Measure be amended to provide for appropriation transfers, to be determined by OBM, for the purpose of year-end reconciliation of budget accounts and line items, provided that transfer items adhere to the currently established financial policies for processing appropriation transfers.

**SECTION 3.** All additional appropriation increases or decreases, or appropriation transfers made under this resolution shall be done between December 5, 2011 and January 6, 2012, inclusive.

**SECTION 4.** On or before December 13, 2011; December 20, 2011; December 27, 2011; January 3, 2012 and January 10, 2012, OBM shall provide Council a description of all appropriation increases and decreases, and appropriation transfers journaled in the financial accounting system under this resolution during the preceding week.

**SECTION 5.** Not later than January 24, 2012, the County Executive shall submit to Council for approval the final budget appropriation and transfer resolution covering all of the changes made under this resolution.

**SECTION 6.** This Resolution is hereby determined to be an emergency measure and that it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of County departments, offices and agencies. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

**SECTION 7.** 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. Miller, seconded by Mr. Germana, the foregoing Resolution was duly adopted.

Yeas: Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers and Connally

Nays: None

\_\_\_\_\_  
County Council President      Date

\_\_\_\_\_  
County Executive      Date

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

First Reading/Referred to Committee: November 9, 2011  
Committee(s) Assigned: Finance & Budgeting

Additional Sponsorship Requested on the Floor: December 6, 2011

Journal CC004  
December 6, 2011

January 10, 2012

Clerk of County Council

Dear Ms. Schmotzer:

The Office of Budget & Management is submitting the following 2011 fiscal items processed under Resolution R2011-0320.

**Additional Appropriation Summary** – Additional appropriations are needed when there is a new or increased revenue source, or a revision to the original budget appropriation that is required to cover expenses that exceed the original estimate.

A reduction in appropriation is requested in conjunction with the close out of a program, grant, project or decertification of an encumbrance.

General Fund/Health & Human Services	Amount
Employment & Family Services/Children & Family Services – Reducing appropriation due to excess funds for data processing, space maintenance, and indirect costs. Funding is Federal and State revenues as well as the Health & Human Services Levy Fund.	-\$2,787,000.00
Development – Additional appropriation to cover salary and fringes through year-end. Funding is from the General Fund.	\$24,100.00
Homeless Services – Additional appropriation to cover indirect cost charges. Funding is from the Health & Human Services Levy Fund.	\$15,000.00
Early Childhood Invest in Children – Additional appropriation to cover indirect cost charges. Funding is from the Health & Human Services Levy Fund.	\$57,500.00
Human Services/Shelter + Care – A decrease and increase in the Shelter + Care 2010 Renewal grant to properly align grant from the U.S. Department of Housing and Urban Development. (\$432,600)	\$0.00
Early Childhood/Invest in Children – Additional appropriation to cover expenses through year-end. Funding is from the Health & Human Services Levy Fund.	\$1,321.28
Health & Human Services Subsidy – Additional appropriation to process year-end subsidies transfers to Treatment Services and Criminal Justice Intervention. Funding is from the Health & Human Services Levy Fund.	\$8,000.00
Health & Human Services Subsidy – Additional appropriation to process year-end subsidy transfer to Criminal Justice Intervention. Funding is from the Health & Human Services Levy Fund.	\$1000.00
Employment & Family Services – Reducing excess appropriation in controlled and contract lines. Funding is from the Health & Human Services Levy Fund.	-\$2,300,000.00
Senior & Adult Services – Reducing surplus appropriation in various divisions. Funding is from Public Assistance allocations, fees for services and the Health & Human Services Levy Fund.	-\$648,000.00
Child Support Enforcement Agency – Reducing surplus appropriation. Funding is from Title IV-D Federal reimbursements, State Child Support Allocation, fees for services and the Health & Human Services Levy Fund.	-\$1,113,000.00
Development – Additional appropriation to cover personal services through year-end. Funding is from the General Fund.	\$38,956.79
Sheriff – Reducing appropriation to the Jail Operations division with a corresponding increase in the Building Security Services to cover personal services through year-end. Funding for the Jail Operations if from the General Fund.	-\$215,500.00
Public Defender – Additional appropriation to cover data processing and telecommunication charges through year-end. Funding is from the General Fund.	\$59,000.00
Early Childhood/Invest in Children – Additional appropriation to cover personal services and data processing charges through year-end. Funding is from the Health & Human Services Levy Fund.	\$14,200.00
Family & Children First Council – Reducing excess appropriation in various accounts. Funding is from the Health & Human Services Levy Fund.	-\$514,859.00
Cuyahoga Tapestry System of Care – Reducing excess appropriation in various accounts. Funding is from the Health & Human Services Levy Fund.	-\$586,252.00
Children & Family Services - Reducing excess appropriation in various accounts. Funding is from Federal & State revenue as well as the Health & Human Services Levy Fund.	-\$8,707,506.00
Homeless Services - Reducing excess appropriation in various accounts. Funding is from the Health & Human Services Levy Fund.	-\$15,110.00
Employment & Family Services - Reducing excess appropriation in various accounts. Funding is from Federal & State	-\$3,036,871.00

revenue as well as the Health & Human Services Levy Fund.	
Early Childhood/Invest in Children – Reducing excess appropriation to the Administrative Services division. Funding is from the Health & Human Services Levy Fund.	-\$89.00
Employment & Family Services – Reducing appropriation as a result of various encumbrance decertifications. Funding is from the Health & Human Services Levy Fund.	-\$512,402.19
Health & Human Services Subsidy – Increase in appropriation to fully appropriate revenue received.	\$ 26
<b>TOTAL</b>	<b>(\$20,217,510.86)</b>

Other Operating Funds	Amount
Public Works/Centralized Services – Additional appropriation to cover indirect costs for the Dog Warden, Huntington Park Garage, and Fast Copy. Funding is from license and parking fees, and charges to user agencies.	\$72,000.00
Hospitalization Self-Insurance – Additional appropriation to cover indirect costs. Funding is from employer and employee contributions.	\$181,233.00
Public Works/Sanitary Engineer – Additional appropriation to cover indirect costs. Funding is from sanitary sewer district fees.	\$5,000.00
Public Works/Centralized Services – Additional appropriation to cover charges for auto parts and supplies through year-end. Funding is from charges to user agencies.	\$5,000.00
Development – To establish appropriation for the receipt of funds from the County Investment Account #5 of Housewarming funds. Funding is from the Department of Energy.	\$93.75
Workers' Comp Retrospective – A decrease from the Workers' Comp Retro 2010 and an increase to Workers' Comp Retro 2005 to allow the payment of claims for that year. Funding is from charges to user agencies. (\$30,000)	\$0.00
Public Works/Sanitary Engineer – Additional appropriation to cover data processing and telecommunication costs through year-end. Funding is from sanitary sewer district fees.	\$30,000.00
Sheriff – Additional appropriation to the Building Security Services division with a corresponding decrease in the Jail Operation Division (General Fund) to cover personal services through year-end.	\$215,500.00
Probate Court – Additional appropriation to cover data processing charges through year-end. Funding is from filing fees.	\$42,000.00
Sheriff – Additional appropriation to cover pending expense adjustments from the General Fund. Funding is from revenues received from the U.S. Department of Justice for illegal aliens housed in the County Jail.	\$47,047.67
Public Work/Centralized Services – Additional appropriation to cover year-end expenses for the Dog Warden and Fast Copy. Funding is from license and adoption fees and charges to user agencies.	\$7,900.00
Information Services – Reducing excess appropriation in various divisions. Funding is from ....	-\$629,659.88
Public Works/Centralized Services - Reducing excess appropriation in various divisions. Funding is from charges to user agencies, parking fees, and license and adoption fees.	-\$2,358,015.95
Development – Reducing appropriation in the County Airport division. Funding is from ....	-\$56,313.31
Fiscal Office – Reducing excess appropriation in the Auditor Assessment, Delinquent Real Estate Tax Assessment, Tax Prepayment Special Interest and Tax Certificate Administration divisions.	-\$1,687,000.00
Workers; Compensation Retrospective '01 – Reducing excess appropriation. Funding is from charges to user agencies.	-\$5,714,000.00
Workers' Compensation Retrospective – A decrease to the 2004 account and an increase to the 2005 account to allow the payment of 2005 claims. Funding is from charges to user agencies.	\$0.00
<b>TOTAL</b>	<b>(\$9,839,214.72)</b>

Grants/Projects	Amount
Public Works/Engineer – Additional appropriation to cover an expense adjustment from the Road & Bridge fund to the Fitch Road Project. Funding is 80% Federal Highway Administration, and 20% \$7.50 County fund.	\$14,966.50
Capital Projects Fund – Additional appropriation to cover costs associated with the Prosecutor's 9 <sup>th</sup> Floor Restroom renovations to comply with the Americans with Disabilities Act. Funding is from a General Fund Subsidy.	\$90,950.06
Workforce Development – Reducing excess appropriation. Funding is from Federal sources, primarily the Department of Labor.	-\$3,832,202.00
<b>TOTAL</b>	<b>(\$3,726,285.44)</b>

<b>Total Additional Appropriations - All Funds</b>	<b>(\$33,783,011.02)</b>
--	--------------------------

The following represents the overall changes made to the 2011 Annual Appropriation Measure since its adoption on October 28, 2010. The changes reflect the Additional Appropriations, Appropriation Transfers and Cash Transfers to the original adopted appropriation measure.

APPROPRIATION STATUS SUMMARY:

	<u>12/06 Agenda</u>	<u>Year to Date</u>	<u>Adjusted Annual Appropriation</u>
General Fund	\$ (93,443.21)	\$ 30,397,945.98	\$ 335,315,097.98
Other Fund	\$ (33,689,567.81)	\$ 142,638,671.66	\$ 1,551,633,032.90
Total	\$ (33,783,011.02)	\$ 173,036,617.64	\$ 1,886,948,130.88

**Appropriation Transfer Summary** – Is a transfer of appropriation between two or more budget accounts or between different expenditure categories within the same budget account.

<b>General Fund/Health &amp; Human Services</b>	<b>Amount</b>
Transition Advisory Group – Realignment appropriation to cover unemployment compensation charges and Early Retirement Incentive Payments. Funding is from the General Fund.	\$24,329.00
Health & Human Services Subsidy – Realignment appropriation to cover subsidy transfer for the Office of Homeless Services. Funding is from the Health & Human Services Levy Fund.	\$650,000.00
Health & Human Services Subsidy – Realignment appropriation to cover subsidy transfer for the Office of Re-Entry. Funding is from the Health & Human Services Levy Fund.	\$800,000.00
Health & Human Services Subsidy – Realignment appropriation to cover subsidy transfer for Employment & Family Services. Funding is from the Health & Human Services Levy Fund.	\$992,000.00
Probate Court – Realignment to cover personal services through year-end. Funding is from the General Fund.	\$27,000.00
Children & Family Services – Realignment to cover unemployment and ERIP payments. Funding is from the Health & Human Services Levy Fund.	\$24,000.00
Children & Family Services – Realignments to cover contract amendment for Neighborhood Service Center sites. Funding is from the Health & Human Services Levy Fund.	\$1,125,000.00
Senior & Adult Services – Realignment to cover travel reimbursements through year-end for the home health aides. Funding is from public assistance allocations as well as the Health & Human Services Levy Fund.	\$5,500.00
Medical Examiner – Realignment to cover capital outlay through year-end. Funding is from the General Fund.	\$5,000.00
Juvenile Court – Realignment to cover controlled services. Funding is from the General Fund.	\$300,000.00
Juvenile Court – Realignment to cover personal services in the Detention Home account. Funding is from the General Fund.	\$310,000.00
Fiscal Office/Recorder – Realignment to cover personal services through year-end. Funding is from the General Fund.	\$4,500.00
Fiscal Office/Recorder – Realignment from the Recorder division to the Treasury to cover personal expenses through year-end. Funding is from the General Fund.	\$40,000.00
Employment & Family Services – Realignment from the Virgil E. Brown Building Neighborhood Family Service Center (NFSC) to the Ohio City NFSC to cover personal services through year-end. Funding is from the Health & Human Services Levy Fund.	\$59,000.00
Office of Homeless Services – Realignment to cover personal services through year-end. Funding is from the Health & Human Services Levy Fund.	\$5,000.00
Senior & Adult Services – Realignment to cover personal services through year-end. Funding is from public assistance allocations as well as the Health & Human Services Levy Fund.	\$550.00
Transition Advisory Group – Realignment to cover personal services through year-end. Funding is from the General Fund.	\$50,000.00
Sheriff – Realignment from the Operations division to the Law Enforcement division to cover personal services through year-end. Funding is from the General Fund.	\$140,000.00
Domestic Relations Court – Realignment to cover personal services for the Child Support division through year-end. Funding is from the General Fund.	\$64,000.00
Municipal Judicial Court Cost – Realignment to allow workers' compensation charges to post. Funding is from the General Fund	\$15,000.00
Municipal Judicial Court Cost – Realignment to allow personal services to post. Funding is from the General Fund	\$15,000.00
Human Resources/Clerk of the Board – Realignment to cover personal services in the Employment division. Funding is from the General Fund.	\$41,000.00
Fiscal Office/Auditing – Realignment to cover the reinstatement and back payment authorized by the State Employee Relations Board. Funding is from the General Fund.	\$49,000.00
Juvenile Court/Detention and Probation – Realignment to cover a contract amendment. Funding is from the Health & Human Services Levy Fund.	\$50,000.00
Juvenile Court – Realignment to cover personal services through year-end. Funding is from the General Fund.	\$31,410.00
Internal Audit Department – Realignment to cover unanticipated personal services through year-end. Funding is from the General Fund.	\$52,000.00
Fiscal Office/Office of Procurement & Diversity – Realignment to cover data processing charges. Funding is from the General Fund.	\$18,855.00

Human Resources – Realignment to cover personal services through year-end. Funding is from the General Fund.	\$3,000.00
Employment & Family Services – Realignment to cover personal services through year-end. Funding is from the Health & Human Services Levy Fund.	\$20,000.00
Children & Family Services - Realignment to cover personal services through year-end. Funding is from the Health & Human Services Levy Fund.	\$2,000.00
Employment & Family Services – Realignment to cover personal services through year-end. Funding is from the Health & Human Services Levy Fund.	\$25,900.00
Children & Family Services - Realignment to cover personal services through year-end. Funding is from the Health & Human Services Levy Fund.	\$15,000.00
Domestic Relations Court – Realignment to cover personal services through year-end. Funding is from the General Fund.	\$8,042.00
Sheriff – Realignment from Law Enforcement and Jail Operations accounts to the Operations account to cover personal services and copier charge backs. Funding is from the General Fund	\$68,620.00
Prosecutor – Realignment from the General Office (Personal Services), Child Support and Children & Family Service accounts to the General Office to cover other expenses through year-end. Funding is from the General Fund.	\$51,121.16
Sheriff – Realignment to the Correction Officers account to cover personal services through year-end. Funding is from the General Fund.	\$995,513.00
Cuyahoga Support Enforcement Agency – Realignment to cover personal services through year-end. Funding is from Federal IV-D reimbursements, fees for services and the Health & Human Services Levy Fund.	\$37,000.00
Senior & Adult Services – Realignment within various divisions to cover personal services through year-end. Funding is from public assistance allocations, fees for services and the Health & Human Services Levy Fund.	\$43,986.00
Fiscal Office/Recorder – Realignment to cover personal services through year-end. Funding is from the General Fund.	\$1,000.00
Public Works/Centralized Services – Realignment from Risk & Property Management to County Archives to cover personal services through year-end. Funding is from the General Fund.	\$3,000.00
Fiscal Office/OBM/County Executive – Realignment to cover personal services through year-end. Funding is from the General Fund.	\$103,626.62
Transition Advisory Group – Realignment to cover personal services through year-end. Funding is from the General Fund.	\$10,000.00
Fiscal Office/OBM – Realignment from the Office of Budget & Management to the Office of Procurement & Diversity to cover space maintenance charges. Funding is from the General Fund.	\$7,000.00
Sheriff – Realignment from various divisions to Operations and Jail Operations to cover other expenses through year-end. Funding is from the General Fund.	\$49,285.00
Sheriff – Realignment to cover an expense adjustment. Funding is from the General Fund.	\$23,851.00
Domestic Relations Court – Realignment to cover a pre-encumbrance for the Mediation contract. Funding is from the General Fund.	\$7,310.00
Human Resources – Realignment from Human Resources, Employment Relations, HR Commission, and Internal Audit to Human Resources and Employment Relations to cover data processing charges. Funding is from the General Fund.	\$475,200.00
<b>TOTAL</b>	<b>\$6,848,598.78</b>

<b>Other Operating Funds</b>	<b>Amount</b>
Public Works/Sanitary Engineer – Realignment to cover vehicle purchase. Funding is from sanitary sewer district fees.	\$60,000.00
Public Works/Centralized Services – Realignment to cover auto parts and supplies. Funding is from charges to user agencies.	\$3,000.00
Board of Developmental Disabilities – Realignment to cover expenses through year-end.	\$700,000.00
Law Library Resource Board – Realignment to cover personal services through year-end. Funding is from fines and fees collected.	\$775.00
Public Works/Centralized Services – Realignment from the Courthouse Square Parking to the Huntington Park Garage account to cover the annual debt service transfer, and parking tax payments. Funding is from parking fees.	\$100,000.00
Human Resources Information System – Realignment to provide funding to cover capital purchases for the Information System account. Funding is from leftover dollars received for technology related support.	\$12,500.00
Information Services Center – Realignment to cover controlled expenses through year-end. Funding is from charges to user agencies.	\$150,000.00
Board of Revision – Realignment from the Real Estate Assessment to the Auditor Assessment Fund to cover other expenses through year-end. Funding is from fees assessed on real property tax collections.	\$30,000.00
Fiscal Office/Real Estate Assessment – Realignment to cover technology purchases through year-end. Funding is from fees assessed on real property tax collections.	\$10,000.00
Hospitalization Self-Insurance Fund – Realignment to cover personal services through year-end. Funding is from employee and employer contributions.	\$6,250.00
Development – Realignment in the County Airport account to cover personal services through year-end. Funding is from a General Fund subsidy as well as airport usage fees.	\$5,500.00

Public Works/Centralized Services – Realignment in the Building Management account to cover personal services through year-end. Funding is from space maintenance charges to user agencies.	\$55,000.00
Justice Services/Cuyahoga County Regional Information (CRIS)– Realignment to cover the purchase switches to connect the Juvenile Justice Center to CRIS. Funding is from user fees and a General Fund subsidy.	\$12,000.00
Sheriff – Realignment within the Building Security Services account to cover the purchase of recording equipment. Funding is from charges to user agencies.	\$14,395.00
Public Defender/Cleveland Municipal Division – Realignment to cover personal services through year-end. Funding is from State reimbursements.	\$12,000.00
Court of Common Pleas – Realignment to cover personal services through year-end. Funding is from a fee assessed on every foreclosure filings.	\$12,000.00
Fiscal Office Treasury – Realignment to cover personal services in the Delinquent Real Estate Tax Assessment division. Funding is from fees assessed on delinquent real estate taxes.	\$40,700.00
Juvenile Court/Title IV-E – Realignment to cover personal services through year-end. Funding is from the U.S. Department of Health & Human Services.	\$2,250.00
Sheriff – Realignment within the Central Security accounts to cover personal services through year-end. Funding is from charges to user agencies.	\$214,555.00
Sheriff – Realignment within the Carrying Concealed Weapons Application Fees account to cover personal services through year-end. Funding is from application fees.	\$15,901.00
Public Works/Centralized Services – Realignment to cover personal services through year-end. Funding is from charges to user agencies.	\$17,000.00
Hospitalization Self-Insurance Fund – Realignment to cover personal services through year-end. Funding is from employee and employer contributions.	\$1,610.00
Public Works/Centralized Services – Realignment to cover data processing charges. Funding is from parking fees.	\$25,000.00
Fiscal Office/Treasury – Realignment in the Delinquent Real Estate Tax Assessment to cover personal services through year-end. Funding is from fees assessed on delinquent taxes.	\$24,300.00
Public Works/Centralized Services – Realignment within the Fast Copy account to cover personal services through year-end. Funding is from charges to user agencies.	\$10,000.00
Hospitalization Self-Insurance Fund – Realignment to cover data processing charges. Funding is from employer and employee contributions for health insurance premiums.	\$1,500.00
Public Works/Centralized Services – Realignment to cover utility expenses through year-end. Funding is from charges to user agencies.	\$100,000.00
<b>TOTAL</b>	<b>\$1,636,236.00</b>

<b>Grants/Projects</b>	<b>Amount</b>
Sheriff – Realignment of the ARRA JAG grant to cover an expense adjustment to transfer personal services from the General Fund to the grant. Funding is from the Department of Justice.	\$212,500.00
<b>TOTAL</b>	<b>\$212,500.00</b>

<b>Total Appropriation Transfers - All Funds</b>	<b>\$8,697,334.78</b>
--	-----------------------

Thank you for your consideration regarding this matter.

Sincerely,



Matthew Rubino  
 Director, Office of Budget & Management  
[mrubino@cuyahogacounty.us](mailto:mrubino@cuyahogacounty.us)  
 (216) 443-7448  
 Fax: (216) 443-7256

# MEMORANDUM

TO: Jeanne Schmotzer  
FROM: Matthew Rubino  
DATE: January 10, 2012  
RE: Agenda Items

**BLANKET RESOLUTION R2011-0320**  
**Revised: December 20, 2011**  
**Revised: December 27, 2011**  
**Revised: January 3, 2012**  
**REVISED: JANUARY 10, 2012**

The Office of Budget & Management is submitting the following 2011 fiscal items processed under Resolution R2011-0320.

## ITEMS SUBMITTED THROUGH DECEMBER 12, 2011

### Resolutions: Additional Appropriations

A1.	24A510 – Public Assistance Funds-Work and Training WT137109 – Administrative Services Other Expenses	\$ (1,500,000.00)	<b>BA1101144</b>
A2.	24A301 – Public Assistance Funds Children and Family Services CF135467 – Administrative Services - CFS Other Expenses	\$ (787,000.00)	
A3.	24A301 – Public Assistance Funds Children and Family Services CF135491 – Information Services Other Expenses	\$ (500,000.00)	

Reduction of excess appropriation from controlled services line item that funds data processing, space maintenance, and indirect cost charges. The Department of Children and Family Services and Employment and Family Services is funded by Federal and State revenues as well as the Health and Human Services levy.

B1.	20A302 – Dog and Kennel CT050047 – Dog Warden Other Expenses	\$ 40,000.00	<b>BA1101097</b>
B2.	51A404 – County Parking Garage CT571125 – Huntington Park Garage Other Expenses	\$ 5,000.00	
B3.	64A606 – Fast Copier CT577551 – Fast Copy Other Expenses	\$ 27,000.00	

Additional appropriation is requested at the dog warden, parking garage, and print shop to cover 2011 indirect costs under controlled services. Funding for the dog warden comes from license and adoption fees. Funding for the parking garage comes from parking fees assessed on patrons. Funding for the print shop comes from charges to user agencies.

C1. 68A100 – Hospitalization – Self Insurance Fund  
 CC499202 – Human Resources Benefits Office  
 Other Expenses \$ 175,000.00

C2. 68A100 – Hospitalization – Self Insurance Fund **BA1101102**  
 CC499202 – Human Resources – Benefits Office  
 Other Expenses \$ 6,233.00

An additional appropriation is requested to cover 2011 indirect costs under controlled services and to cover the RTA bus pass subsidy through year end. Funding for the Hospitalization Self Insurance fund comes from employer and employee contributions.

D. 54A100 – Sanitary Engineer **BA1101097**  
 ST540252 – Sanitary Engineer Administration  
 Other Expenses \$ 5,000.00

Additional appropriation is requested the Public Works – Sanitary Engineer division to cover 2011 indirect costs under controlled services. Funding for the sanitary engineer comes from sanitary sewer district fees.

E. 62A603 – County Garage **BA1101101**  
 CT575001 – Buildings and Grounds – Maintenance Garage  
 Other Expenses \$ 5,000.00

Additional appropriation is requested from the County Garage to cover charges for auto parts and supplies through year end. Funding for the County Garage comes from charges to user agencies.

F. 01A001 – General Fund **BA1101103**  
 DV014100 – Economic Development  
 Personal Services \$ 24,100.00

Additional appropriation is requested to cover Nate Kelly’s salary and fringe benefits through the end of the year. Funding for Economic Development comes from the General Fund.

G. 24A641 - PA Homeless Services **BA1101064**  
 HS158097 – PA Homeless Services  
 Other Expenses \$ 15,000.00

The Department of Homeless Services requests additional appropriation to cover an increase in indirect cost charges for 2011. The funding source is the Health and Human Services Levy Fund.

H. 24A635 - EC-Invest In Children-PA **BA1101065**  
 EC451484 – Early Childhood Admin Serv  
 Other Expenses \$ 57,500.00

The Department of Early Childhood requests additional appropriation to cover an increase in indirect cost charges for 2011. The primary funding source is the Health and Human Services Levy Fund.

11.	22A678 – Shelter + Care Renewal -SRA HS753095 – Shelter + Care '10 Renewal -SRA Other Expenses	\$ (432,600.00)	<b>BA1101060</b>
12.	22A682 – Shelter + Care Renewal –SRA Renewal HS753202 – Shelter + Care -2010 Renewal SRA 70 UNIT Other Expenses	\$ 432,600.00	<b>BA1101061</b>

To request appropriation increase and decrease to realign the 2010 Shelter + Care Renewal funding in the appropriate fund to cover recent award from the United States Department of Housing & Urban Development in connection with the Continuum of Care for Homeless Assistance program for the Shelter Care Plus Sponsor-Based Rental Assistance program in the amount of \$432,600.00 covering the period December 1, 2011 through November 30, 2012. The donation was approved and accepted by the County Executive on August 1, 2011.

ITEMS SUBMITTED THROUGH DECEMBER 20, 2011
---

J.	21A018 - St. Luke's Foundation/Med Home Program EC720730 – St. Luke's Foundation/Med Home Program Other Expenses	\$ 1,321.28	<b>BA1101210</b>
----	--	-------------	------------------

The Department of Early Childhood requests additional appropriation to cover the unforeseen increase in expenses thru year end. The primary funding source is the Health and Human Services levies.

K.	40A526 – Ohio Department of Transportation (ODOT) - Local Projects Administration (LPA) CE785006 – ODOT - LPA Personal Services	\$ 14,966.50	<b>BA1101196</b>
----	--	--------------	------------------

Additional appropriation is requested in the Fitch Road project to cover the transfer of salary expense from the Road and Bridge Fund. Funding for the Fitch Road Project is 80% Federal Highway Administration dollars passed through ODOT, 20% County Funding (\$7.50 Fund).

L1.	29A391 – Health & Human Services Levy 4.8 SU514497 – H&HS Subsidy Treatment Services Other Expenses	\$ 4,000.00	<b>BA1101185</b>
L2.	29A391 – Health & Human Services Levy 4.8 SU514216 – Criminal Justice Intervention Other Expenses	\$ 4,000.00	

Request to increase appropriation to two Health and Human Services subsidy accounts to process the year-end levy subsidies approved by County Council during its December 6, 2011 meeting on resolution no. R2011-0329. This request does not change the amount of the subsidy needed.

M.	29A391 – Health & Human Services Levy 4.8 SU514216 – Criminal Justice Intervention Other Expenses	\$ 1,000.00	<b>BA1101186</b>
----	---	-------------	------------------

Request to increase appropriation to two Health and Human Services subsidy accounts to process the year-end levy subsidies approved by County Council during its December 6, 2011 meeting on resolution no. R2011-0329. This request does not change the amount of the subsidy needed.

N.	22S274 – Home Weatherization Assistance Program	<b>BA1101198</b>
	(HWAP) American Recovery and Reinvestment Act (ARRA) 2009-2010	
	DV725218 – HWAP ARRA Department of Energy (DOE) Support 2009-2010	
	Other Expenses	\$ 93.75

Additional appropriation is requested for the Home Weatherization Assistance Program (HWAP) to recognize the receipt of funds from the County Investment Account #5 of Housewarming Funds. The Housewarming program is a pass-through grant with the Cleveland Housing Network. Funding for the HWAP account comes from the Department of Energy.

O1.	24A510 – Public Assistance Funds-Work and Training	<b>BA1101148</b>
	WT137315 – Work First Services	
	Other Expenses	\$ (2,000,000.00)
O2.	24A510 – Public Assistance Funds-Work and Training	
	WT137109 – Administrative Services - EFS	
	Other Expenses	\$ (300,000.00)

Reduction of unused appropriation from contracts and controlled services to comply with amended certificate of resources. The Department of Employment and Family Services is funded by Federal and State revenues as well as the Health and Human Services levy.

P1.	67A005 – Workers’ Comp Retrospective 2005	<b>BA1101244</b>
	CC498824 – Workers’ Comp Retrospective 2005	
	Other Expenses	\$ 30,000.00
P2.	67A010 – Workers’ Comp Retrospective 2010	<b>BA1101243</b>
	CC498873 – Workers’ Comp Retrospective 2010	
	Other Expenses	\$ (30,000.00)

Cuyahoga County maintains separate Workers’ Compensation Retrospective accounts and subfunds for each of the previous ten years. The requested decrease/increase would allow the claims for occurrences in 2005 to be paid from the subfund for that year. The source of funding is charges to County agencies for workers’ compensation insurance based on injury risk levels.

ITEMS SUBMITTED THROUGH DECEMBER 27, 2011
---

Q1.	24A601 – Senior and Adult Services	<b>BA1101239</b>
	SA138701 – OPTIONS	
	Personal Services	\$ (96,000.00)
Q2.	24A601 – Senior and Adult Services	
	SA138602 – Home-Based Services	
	Personal Services	\$ (278,000.00)

Q3.	24A601 – Senior and Adult Services SA138479 – Adult Protective Services Personal Services	\$	(6,000.00)
Q4.	24A601 – Senior and Adult Services SA138420 – Home Support Personal Services	\$	(178,000.00)
Q5.	24A601 – Senior and Adult Services SA138354 – Management Services Personal Services	\$	(52,000.00)
Q6.	24A601 – Senior and Adult Services SA138321 – Administrative Services Personal Services	\$	(38,000.00)

Request to reduce surplus appropriation in the Department of Senior and Adult Services' personnel budget. This surplus is the result of attrition. The Department is supported by the County's two Health and Human Services Levy Fund, the Public Assistance allocations, and fees for services.

R.	20A600 – Cuyahoga Support Enforcement Agency SE496000 – Cuyahoga Support Enforcement Agency Personal Services	\$	(1,113,000.00)	<b>BA1101240</b>
----	---	----	----------------	------------------

Request to reduce surplus appropriation in the Cuyahoga Support Enforcement Agency's personnel budget. This surplus is the result of attrition. The Agency is supported by Title IV-D federal reimbursement at the rate of 66%, the State Child Support Allocation, fees for services, and the County's two Health and Human Services Levy Fund.

S.	01A001 – General Fund DV014100 – Economic Development Personal Services	\$	38,956.79	<b>BA1101202</b>
----	---	----	-----------	------------------

Additional appropriation is requested in Economic Development to cover payroll For the Wind Energy Project manager and the Deputy Chief of Staff for economic development. The Wind Energy project manager's salary expense will be moved to the grant it is affiliated with early next year via a prior period adjustment. Funding for economic development comes from the General Fund.

T.	54A100 – Sanitary Engineer ST540252 – Sanitary Engineer Administration Other Expenses	\$	30,000.00	<b>BA1101258</b>
----	---	----	-----------	------------------

Additional appropriation is requested at the Sanitary Engineer to cover data processing and telecom costs through year end. Funding for the Sanitary Engineer comes from sanitary sewer district charges and charges for services.

UI.	01A001 – General Fund SH350470 – Jail Operations-Sheriff Other Expenses	\$	(215,500.00)	<b>BA1101249</b>
-----	---	----	--------------	------------------

U2.	61A608 – Central Security Service-Sheriff SH352005 – Building Security Services Personal Services	\$ 215,500.00	<b>BA1101250</b>
-----	---	---------------	------------------

The appropriation reduction (document BA1101249) in Jail Operations is to properly fund year-end payroll expenses in the Sheriff's Protective Services account (document BA1101250). Funding for the Jail Operations account is from the General Fund and the funding for Building Security (Protective Services) is from the internal service fund which derives revenues from charges to county departments which utilize the services of security for the buildings both covering the period January 1, 2011 through December 31, 2011.

V.	01A001 - General Fund PD140053 – Public Defender Other Expenses	\$ 59,000.00	<b>BA1101276</b>
----	---	--------------	------------------

This appropriation transfer is to cover current and expected charges for telephone and data processing charges for the Public Defender's Office.

W.	20A602 - Probate Crt (Clrk) Comput. Fund PC404632 – Probate Computerization \$10 Fee FD Other Expenses	\$ 42,000.00	<b>BA1101320</b>
----	--	--------------	------------------

This appropriation increase is to cover current and expected charges for data processing charges. Sufficient cash is available to cover this increase. This fund is supported by a \$3 filing fee for the operation of the Court, as set forth in O.R.C. 2101.162(A)(1); there is also a \$10 filing fee for the operation of our Clerk of Court, as set forth in O.R.C. 2101.162(B)(1). This may be assessed on estates, guardianships, trusts, adoptions, minor settlements, change of names and civil actions.

ITEMS SUBMITTED THROUGH January 3, 2012
---

X.	24A635 - EC-Invest In Children-PA EC451484 – Early Childhood Admin Service Other Expenses Personal Services	\$ 3,800.00 \$ 2,100.00	<b>BA1101219</b>
----	--	----------------------------	------------------

The Department of Early Childhood requests additional appropriation to cover the unforeseen increase in Fringe benefits and controlled services charges for 2011. The primary funding source is the Health and Human Services Levy Fund.

Y.	24A635 - EC-Invest In Children-PA EC451484 – Early Childhood Admin Service Other Expenses Personal Services	\$ 8,000.00 \$ 300.00	<b>BA1101227</b>
----	--	--------------------------	------------------

The Department of Early Childhood requests additional appropriation to cover the unforeseen increase in Fringe benefits and Data Processing charge backs for 2011. The primary funding source is the Health and Human Services Levy Fund.

Z.	20A821 – State Criminal Alien Asst Program (SCAAP)	<b>BA1101374</b>
	SH456608 – State Criminal Alien Asst Program (SCAAP)	
	Personal Services	\$ 47,047.67

The appropriation is to cover pending expense adjustments from the General Fund by year-end. This increase is funded from sufficient cash in this special revenue fund. Funds from SCAAP is from revenues received from the United States Department of Justice for inmates in the county jail that are illegal aliens.

AA.	40A069 – Capital Projects Fund	<b>BA1100848</b>
	CC767970 – Prosecutor’s 9 <sup>th</sup> Floor ADA Restroom	
	Personal Services	\$ 76,964.00
	Capital Outlay	\$ 13,986.06

This additional appropriation is to cover the costs associated with the Prosecutor’s 9<sup>th</sup> Floor Restroom renovation to comply with Americans with Disabilities Act. The project is completed and this appropriation will cover the expenses associated with the project. Funding for this project is from a General Fund subsidy.

ITEMS SUBMITTED THROUGH January 10, 2012
--

BB1.	20A302 – Dog and Kennel	<b>BA1101280</b>
	CT050047 – Dog Warden	
	Other Expenses	\$ 5,200.00
BB2.	64A606 – Fast Copier	
	CT577551 – Fast Copy	
	Other Expenses	\$ 2,700.00

Additional appropriation is requested for the Kennel and Print Shop to cover year end expenses. Funding for the Dog Warden comes from license and adoption fees. Funding for the Print Shop comes from charge backs to user agencies.

CC1.	24A640 - FCFC Public Assistance	<b>BA1101388</b>
	FC451492 – Family and Children First Council PA	
	Personal Services	\$ (44,859.00)
CC2.	24A640 - FCFC Public Assistance	<b>BA1100872</b>
	FC451492 – Family and Children First Council PA	
	Other Expenses	\$ (469,000.00)
	Capital Outlay	\$ (1,000.00)

Appropriation decreases are requested to reduce excess appropriations in various index codes in the salaries, fringes, commodities, contracts, client services, other expenses and controlled services lines in FCFC. The funding source is primarily the Health and Human Services levies.

DD1.	24A435 - Cuyahoga Tapestry System of Care (CTSOC)	<b>BA1101389</b>
	HS158089 – Cuyahoga Tapestry System of Care (CTSOC)	
	Personal Services	\$ (222,252.00)

DD2.	24A435 - Cuyahoga Tapestry System of Care (CTSOC)		<b>BA1100874</b>
	HS158089 - Cuyahoga Tapestry System of Care (CTSOC)		
	Other Expenses	\$	(357,500.00)
	Capital Outlay	\$	(6,500.00)

Appropriation decreases are requested to reduce excess appropriations in various index codes in the salaries, fringes, commodities, contracts, client services, other expenses and controlled services lines in Tapestry System of Care. The funding source is primarily the Health and Human Services levies.

EE1.	24A301 - Children & Family Services		<b>BA1101403</b>
	CF135442-Caregiver Parent Recruitment		
	Personal Services	\$	(31,900.00)
	Other Expenses	\$	(130,000.00)
EE2.	24A301 - Children & Family Services		<b>BA1101390</b>
	CF135467-CFS Administration		
	Personal Services	\$	(196,924.00)
EE3.	24A301 - Children & Family Services		<b>BA1101403</b>
	CF135467-CFS Administration		
	Other Expenses	\$	(1,000,000.00)
	Capital Outlay	\$	(60,000.00)
EE4.	24A301 - Children & Family Services		<b>BA1101390</b>
	CF135483-Training		
	Personal Services	\$	(1,474.00)
EE5.	24A301 - Children & Family Services		<b>BA1101390</b>
	CF135491-Information Services		
	Personal Services	\$	(161,602.00)
EE6.	24A301 Children & Family Services		<b>BA1101404</b>
	CF135491-Information Services		
	Other Expenses	\$	(161,000.00)
	Capital Outlay	\$	(4,000.00)
EE7.	24A301 - Children & Family Services		<b>BA1101391</b>
	CF135509-Direct Services		
	Personal Services	\$	(591,696.00)
EE8.	24A301 - Children & Family Services		<b>BA1101405</b>
	CF135509-Direct Services		
	Other Expenses	\$	(607,000.00)
EE9.	24A301 - Children & Family Services		<b>BA1101391</b>
	CF135525-Supportive Services		
	Personal Services	\$	(5,241.00)

EE10.	24A301 - Children & Family Services CF135525-Supportive Services Other Expenses	\$	(350,000.00)	<b>BA1101405</b>
EE11.	24A301 - Children & Family Services CF135582-Permanent Custody Adoption Personal Services	\$	(300,196.00)	<b>BA1101391</b>
EE12.	24A301 - Children & Family Services CF135541-Visitation Center Personal Services	\$	(11,473.00)	<b>BA1101392</b>
EE13.	24A301 - Children & Family Services CF135541-Visitation Center Other Expenses	\$	(180,000.00)	<b>BA1101404</b>
EE14.	20A303 - Children Services Fund CF134015-Client Supportive Services Other Expenses	\$	(425,000.00)	<b>BA1101406</b>
EE15.	20A303 - Children Services Fund CF134023-Adoption Services Other Expenses	\$	(1,800,000.00)	<b>BA1101406</b>
EE16.	20A303 - Children Services Fund CF134031-CFS Foster Care Other Expenses	\$	(690,000.00)	<b>BA1101406</b>
EE17.	20A303 - Children Services Fund CF134049-Purchased Congregate & Foster Other Expenses	\$	(2,000,000.00)	<b>BA1101406</b>

Appropriation decreases are requested to reduce excess appropriations in various index codes in the commodities, contracts, client services, and other expenses lines in DCFS. The funding source is primarily Federal and State revenues, as well as the Health and Human Services levies.

FF1.	24A641 - PA-Office of Homeless Services HS158097 - Homeless Services Personal Services	\$	(2,040.00)	<b>BA1101393</b>
FF2.	24A641 - PA-Office of Homeless Services HS158097 - Homeless Services Other Expenses Capital Outlay	\$ \$	(12,000.00) (500.00)	<b>BA1100873</b>
FF3.	20A615 - Office of Homeless Services HS507301 - Office of Homeless Services-Admin. Other Expenses	\$	(570.00)	<b>BA1100873</b>

Appropriation decreases are requested to reduce excess appropriations in various index codes in the salaries, fringes, commodities, contracts, client services, other expenses and controlled

services lines in The Office of Homeless Services. The funding source is primarily the Health and Human Services levies.

GG1.	24A510 - Work & Training Admin WT137109 – Admin Services-General Manager Personal Services	\$	(486.00)	<b>BA1100866</b>
GG2.	24A510 - Work & Training Admin WT137109 – Admin Services-General Manager Other Expenses Capital Outlay	\$	(290,000.00) \$ (3,800.00)	<b>BA1100875</b>
GG3.	24A510 - Work & Training Admin WT137943 – Information Services Personal Services	\$	(54,653.00)	<b>BA1100866</b>
GG4.	24A510 - Work & Training Admin WT137943 – Information Services Other Expenses	\$	(315,000.00)	<b>BA1100876</b>
GG5.	24A510 - Work & Training Admin WT137315 –Work First Services Personal Services	\$	(19,327.00)	<b>BA1100866</b>
GG6.	24A510 - Work & Training Admin WT137315 –Work First Services Other Expenses Capital Outlay	\$	(511,000.00) \$ (2,000.00)	<b>BA1100876</b>
GG7.	24A510 - Work & Training Admin WT137414 – Southgate NFSC Personal Services	\$	(45,340.00)	<b>BA1100867</b>
GG8.	24A510 - Work & Training Admin WT137414 – Southgate NFSC Other Expenses Capital Outlay	\$	(97,000.00) \$ (5,800.00)	<b>BA1100877</b>
GG9.	24A510 - Work & Training Admin WT137430 – Ohio City NFSC Personal Services	\$	(690.00)	<b>BA1100867</b>
GG10.	24A510 - Work & Training Admin WT137455 – Quincy Place NFSC Personal Services	\$	(16,495.00)	<b>BA1100867</b>
GG11.	24A510 - Work & Training Admin WT137463 – VEB Building NFSC Personal Services	\$	(23,950.00)	<b>BA1100868</b>

GG12.	24A510 - Work & Training Admin WT137463 – VEB Building NFSC		<b>BA1100877</b>
	Other Expenses	\$	(185,000.00)
	Capital Outlay	\$	(25,000.00)
GG13.	24A510 - Work & Training Admin WT137471 – Mount Pleasant NFSC		<b>BA1100868</b>
	Personal Services	\$	(9,201.00)
GG14.	24A510 - Work & Training Admin WT137471 – Mount Pleasant NFSC		<b>BA1101399</b>
	Other Expenses	\$	(368,000.00)
GG15.	24A510 - Work & Training Admin WT137471 – Mount Pleasant NFSC		<b>BA1101400</b>
	Other Expenses	\$	(40,000.00)
	Capital Outlay	\$	(4,000.00)
GG16.	24A510 - Work & Training Admin WT137539 – West Shore NFSC		<b>BA1100868</b>
	Personal Services	\$	(1,755.00)
GG17.	24A510 - Work & Training Admin WT137539 – West Shore NFSC		<b>BA1101400</b>
	Other Expenses	\$	(58,000.00)
	Capital Outlay	\$	(7,000.00)
GG18.	24A510 - Work & Training Admin WT137141 – Client Support Services		<b>BA1100869</b>
	Personal Services	\$	(2,774.00)
GG19.	24A510 - Work & Training Admin WT137141 – Client Support Services		<b>BA1101401</b>
	Other Expenses	\$	(185,000.00)
	Capital Outlay	\$	(50,000.00)
GG20.	24A510 Work & Training Admin WT137430 – Ohio City NFSC		<b>BA1101399</b>
	Other Expenses	\$	(710,000.00)
	Capital Outlay	\$	(5,600.00)

Appropriation decreases are requested to reduce excess appropriations in various index codes in the salaries, fringes, commodities, contracts, client services, other expenses and controlled services lines in EFS. The funding source is primarily Federal and State revenues, as well as the Health and Human Services levies.

HH.	24A635 - EC-Invest In Children-PA EC451484 – Early Childhood Admin Services		<b>BA1100870</b>
	Personal Services	\$	(89.00)

Appropriation decreases are requested to reduce excess appropriations in various index codes in the salaries lines in the Office of Early Childhood. The funding source is primarily the Health and Human Services levies.

II.	28W036 - Workforce Development W1140905 WIA Executive and Financial Operations	<b>BA1100834</b>
	Personal Services	\$ (18,160.00)
	Other Expenses	\$ (3,814,042.00)

Appropriation decreases are requested to reduce excess appropriations in various budget line items in the Workforce Development. The funding source is through Federal sources, primarily the Dept of Labor.

JJ1.	63A100 – Information Services Center IS821009 – Information Services Center	<b>BA1101369</b>
	Personal Services	\$ (191,297.87)
	Other Expenses	\$ (35,515.04)
JJ2.	63A200 – Communications/Telecommunications Mgt. Services IS694166 – Telecommunications Management Services	
	Personal Services	\$ (17,185.00)
JJ3.	63A300 – Geographic Information System IS694588 – Geographic Information System	
	Personal Services	\$ (39,504.65)
JJ4.	63A100 – Information Services Center IS692467 – User Supply	
	Other Expenses	\$ (346,157.32)
JJ5.	62A603 – County Garage CT575001 – Buildings and Grounds – Maintenance Garage	
	Personal Services	\$ (3,584.31)
	Other Expenses	\$ (97,739.19)
	Capital Outlays	\$ (575.00)
JJ6.	64A606 – Fast Copier CT577551 – Fast Copy	
	Other Expenses	\$ (744,341.66)
	Capital Outlays	\$ (2,746.00)
JJ7.	51A404 – County Parking Garage CT571125 – Huntington Park Garage	
	Personal Services	\$ (54,117.48)
	Other Expenses	\$ (82,625.19)
JJ8.	51A404 – County Parking Garage CT571117 – County Administration Parking Garage	
	Other Expenses	\$ (246,548.01)

JJ9.	51A404 – County Parking Garage CT571133 – Courthouse Square Parking Lot Other Expenses	\$	(388,793.00)	
JJ10.	20A302 – Dog and Kennel CT050047 – Dog Warden Other Expenses	\$	(29,587.42)	
JJ11.	52A100 – County Airport DV520031 – County Airport Other Expenses	\$	(56,313.31)	<b>BA1101370</b>
JJ12.	64A601 – Supplies CC577700 – County Supplies Other Expenses	\$	(2,090.00)	
JJ13.	20A301 – Real Estate Assessment AU800029 – Auditor Assessment Other Expenses	\$	(960,000.00)	
JJ14.	20A322 – Delinquent Real Estate Tax Assessment - Treasurer TR163063 – Delinquent Real Estate Tax Assessment Other Expenses	\$	(144,000.00)	
JJ15.	20A325 – Tax Prepayment Special Interest TR163212 – Tax Prepayment Special Interest Personal Services Other Expenses	\$ \$	(23,500.00) (329,500.00)	
JJ16.	20A340 – Tax Certificate Administration TR163196 – Tax Certificate Administration Other Expenses	\$	(230,000.00)	
JJ17.	67A001 – Workers’ Compensation Retrospective 2001 CC498774 – Workers’ Compensation Retrospective 2001 Other Expenses	\$	(5,714,000.00)	<b>BA1101372</b>
JJ18.	65A604 – Postage CT577353 – County Mailroom Personal Services Other Expenses	\$ \$	(45,613.20) (475,112.89)	<b>BA1101373</b>
JJ19.	64A601 – Supplies CT577205 – County Storeroom Other Expenses	\$	(184,542.60)	<b>BA1100136</b>
Appropriation reductions are requested to remove excess appropriation from various funds.				
KK.	24A510 - Work & Training Admin WT137141 –Client Support Services Other Expenses	\$	(512,402.19)	<b>BA1101387</b>

The Department of Employment and Family Services requests a reduction of appropriations, as result of the various decertification's of aged encumbrances that were initially earmarked for relief payments for clients as well as other services to support the agency. The primary funding source is the Health and Human Services levies.

LL1.	29A390 - Health & Human Services Levy 2.9	<b>BA1100871</b>
	SU513937 – Metro Health Subsidy 2.9	
	Other Expenses	\$ .13
LL2.	29A391 - Health & Human Services Levy 4.8	<b>BA1100871</b>
	SU514463 – Hosp Operations Subsidy	
	Other Expenses	\$ .13

Additional Appropriation is requested in order to fully appropriate for the revenue received can post to the Metro Health subsidy account.

MM1.	67A005 – Workers' Comp Retrospective 2005	<b>BA1101858</b>
	CC498824 – Workers' Comp Retrospective 2005	
	Other Expenses	\$ 77,000.00
MM2.	67A004 – Workers' Comp Retrospective 2004	<b>BA1101859</b>
	CC498816 – Workers' Comp Retrospective 2004	
	Other Expenses	\$ (77,000.00)

Cuyahoga County maintains separate Workers' Compensation Retrospective accounts and subfunds for each of the previous ten years. The requested decrease/increase would allow the claims for occurrences in 2005 to be paid from the subfund for that year. The source of funding is charges to County agencies for workers' compensation insurance based on injury risk levels.

**ITEMS SUBMITTED THROUGH DECEMBER 12, 2011**

**Resolutions: Appropriation Transfers**

A. FROM: 01A001 – General Fund **BA1101142**  
 CC012831 – Transition Advisory Group  
 Other Expenses \$ 24,329.00

TO: 01A001 – General Fund  
 CM011064 – Board of County Commissioners  
 Personal Services \$ 24,329.00

An appropriation realignment is being used to cover legacy unemployment compensation and ERIP charges for 2011. The Transition Advisory account has sufficient appropriation to cover these expenditures.

B. FROM: 29A391 – 4.8 Mill Health and Human Services Levy **BA1101143**  
 SU514372 – Tapestry System of Care Subsidy  
 Other Expenses \$ 650,000.00

TO: 29A391 – 4.8 Mill Health and Human Services Levy  
 SU514281 – Office of Homeless Services Subsidy  
 Other Expenses \$ 650,000.00

An appropriation realignment is necessary to cover the current subsidy requirements for the Office of Homeless Services. The 4.8 Mill Health and Human Services levy is funded by residential and commercial property taxes.

C. FROM: 29A391 – 4.8 Mill Health and Human Services Levy **BA1101145**  
 SU514521 – HHS Subsidy Youth/Family Partnership  
 Other Expenses \$ 800,000.00

TO: 29A391 – 4.8 Mill Health and Human Services Levy  
 SU514547 – Office of Re-Entry Subsidy  
 Other Expenses \$ 800,000.00

An appropriation realignment is necessary to cover the current subsidy requirements for the Office of Re-Entry. The 4.8 Mill Health and Human Services levy is funded by residential and commercial property taxes.

D. FROM: 29A391 – 4.8 Mill Health and Human Services Levy **BA1101146**  
 SU514315 – Children Services Fund Subsidy  
 Other Expenses \$ 992,000.00

TO: 29A391 – 4.8 Mill Health and Human Services Levy  
 SU514430 – Employment and Family Services Subsidy  
 Other Expenses \$ 992,000.00

An appropriation realignment is necessary to cover the current subsidy requirements for Employment and Family Services. The 4.8 Mill Health and Human Services levy is funded by residential and commercial property taxes.

E.	FROM:	54A100 – Sanitary Engineer		<b>BA1101099</b>
		ST540252 – Sanitary Engineer Administration		
		Other Expenses	\$	60,000.00
	TO:	54A100 – Sanitary Engineer		
		ST540252 – Sanitary Engineer Administration		
		Capital Outlay	\$	60,000.00

An appropriation transfer is requested between commodities and capital outlays in the Sanitary Administration account to cover vehicle purchase. Funding for the Sanitary Engineer comes from sanitary sewer district fees.

F.	FROM:	62A603 – County Garage		<b>BA1101100</b>
		CT575001 – Buildings and Grounds – Maintenance Garage		
		Personal Services	\$	3,000.00
	TO:	62A603 – County Garage		
		CT575001 – Buildings and Grounds – Maintenance Garage		
		Other Expenses	\$	3,000.00

An appropriation transfer is requested from the County Garage between fringe benefits and commodities to cover charges for auto parts and supplies through year end. Funding for the County Garage comes from charges to user agencies.

G.	FROM:	01A001 – General Fund		<b>BA1101169</b>
		PC400051 – Probate Court		
		Personal Services	\$	27,000.00
	TO:	01A001 – General Fund		
		CA360057 – Court of Appeals		
		Personal Services	\$	27,000.00

These transfers are to cover projected payroll expenditures expected for the Court of Appeals for 2011. This transfer has been approved by Probate Court. Sufficient appropriations exist for this transfer.

H.	FROM:	24A301 – Children & Family Services		<b>BA1101058</b>
		CF135509 – Direct Services		
		Personal Services	\$	24,000.00
	TO:	24A301 – Children & Family Services		
		CF135541 – Multi-Systemic Therapy (MST) Unit		
		Personal Services	\$	24,000.00

The Department of Children and Family Services requests a transfer of appropriations, in order to cover the unemployment and ERIP charges within the benefits line. The funding source is primarily the Health and Human Services Levy Fund.

I.	FROM:	20A303 – Children Services Fund	<b>BA1101062</b>
		CF134049 – Purchased Congregate & Foster Care	
		Other Expenses	\$ 1,125,000.00
	TO:	20A303 – Children Services Fund	
		CF134015 – Client Supportive Services	
		Other Expenses	\$ 1,125,000.00

The Department of Children and Family Services requests a transfer of appropriations, in order to provide appropriations to cover the additional cost to amend the Neighborhood Sites contracts end dates from 12/31/11 to 03/31/12. The funding source is primarily the Health and Human Services Levy Fund.

ITEMS SUBMITTED THROUGH DECEMBER 20, 2011
---

J.	FROM:	20R320 – Board of Developmental Disabilities	<b>BA1101149</b>
		MR845024 – Cuyahoga County Board of Mental Ret	
		Capital Outlay	\$ 700,000.00
	TO:	20R320 – Board of Developmental Disabilities	
		MR845024 – Cuyahoga County Board of Mental Ret	
		Other Expenses	\$ 700,000.00

The Cuyahoga County Board of Developmental Disabilities requests a transfer of appropriations, in order to cover the remaining expenses within the Client Services line thru year end.

K.	FROM:	20A264 – County Law Library Resource Bd (CLLRB)	<b>BA1101189</b>
		LL440008 – County Law Library Resource Board (CLLRB)	
		Other Expenses	\$ 775.00
	TO:	20A264 – County Law Library Resource Bd (CLLRB)	
		LL440008 – County Law Library Resource Board (CLLRB)	
		Personal Services	\$ 775.00

This transfer is to cover projected fringe benefit expenses expected for the Law Library for December. Sufficient appropriations exist for this transfer.

L.	FROM:	24A601 – Senior & Adult Services	<b>BA1101184</b>
		SA138420 – Home Support	
		Other Expenses	\$ 5,500.00
	TO:	24A601 – Senior and Adult Services	
		SA138602 – Home-Based Services	
		Other Expenses	\$ 5,500.00

Request to transfer appropriation within the home care units of the Department of Senior and Adult Services to cover travel reimbursement for the home health aides through the end of the year. The four home care units are distinguished by the medical and/or occupational needs of the clients; a shortage in one unit may compensate for an increase in another. This request corresponds with an increase in home-health aide travel in Home-Based Services above what was anticipated in the 2011 budget and is offset by a sizeable surplus in the Home Support

division. This Department is supported by the County's two Health and Human Services levies and the Public Assistance allocations.

M.	FROM:	21S679 – ARRA JAG Grant	<b>BA1101233</b>
		SH719294 – ARRA JAG Grant	
		Other Expenses	\$ 212,500.00
	TO:	21S679 – ARRA JAG Grant	
		SH719294 – ARRA JAG Grant	
		Personal Services	\$ 212,500.00

Request to transfer appropriation within the ARRA JAG Grant totaling approximately \$920,000 awarded to the County in 2009. This grant was allocated among several agencies involved in the criminal justice system, including the Court of Common Pleas, the Sheriff's Office, the Public Defender's Office, the Prosecutor's Office, and the Clerk of Courts. As part of the originally agreed on distribution of funds, the Sheriff's Office was allocated \$212,500 to support the cost associated with hiring four new deputies for the newly developed Transport Unit. This adjustment is necessary to properly align appropriation with a planned expense adjustment, transferring the salaries from the County's General Fund to the grant. The grant was awarded by the Department of Justice and expires February 2013.

N.	FROM:	01A001 – General Fund	<b>BA1101235</b>
		CR180026 – Coroner Operations	
		Other Expenses	\$ 5,000.00
	TO:	01A001 – General Fund	
		CR180026 – Coroner Operations	
		Capital Outlay	\$ 5,000.00

Request to transfer appropriation within the General Fund budget for the Medical Examiner's budget to process expenses through the rest of the year.

O.	FROM:	51A404 – County Parking Garage	<b>BA1101195</b>
		CT571133 – Courthouse Square Parking Lot	
		Other Expenses	\$ 100,000.00
	TO:	51A404 – County Parking Garage	
		CT571125 – Huntington Park Garage	
		Other Expenses	\$ 100,000.00

An appropriation transfer is requested to cover annual debt service transfer and parking tax payments for October and November. Funding for the County Parking Garage comes from parking fees on patrons.

P.	FROM:	20A258 – Human Resources Info. System	<b>BA1101207</b>
		CC522011 – Human Resources Info. System	
		Other Expenses	\$ 12,500.00

TO: 20A258 – Human Resources Info. System  
 CC522011 – Human Resources Info. System  
 Capital Outlay \$ 12,500.00

This transfer would provide funding for capital purchases for the Human Resource Information System from MNJ Technologies Direct. Funding comes from leftover dollars received for technology-related support.

Q. FROM: 01A001 – General Fund **BA1101209**  
 JC372052 – Juvenile Court - Judges  
 Other Expenses \$ 300,000.00

TO: 01A001 – General Fund  
 JC372060 – Juvenile Court - Legal  
 Other Expenses \$ 300,000.00

This request would transfer funds between two Juvenile Court General Fund accounts to cover shortfalls in controlled internal chargebacks.

R. FROM: 01A001 – General Fund **BA1101232**  
 JC372060 – Juvenile Court - Legal  
 Personnel \$ 310,000.00

TO: 01A001 – General Fund  
 JC370056 – Juvenile Court – Detention Home  
 Personnel \$ 310,000.00

A transfer is requested to cover a year-end shortfall in salary.

S. FROM: 01A100 – General Fund **BA1100847**  
 RC172288 – Recorder Automation  
 Other Expenses \$ 4,500.00

TO: 01A100 – General Fund  
 RC172288 – Recorder Automation  
 Personal Services \$ 4,500.00

An appropriation transfer is requested to cover year end payroll expenses for the Records and Licenses division of the Fiscal Office.

T. FROM: 01A100 – General Fund **BA1101160**  
 RC172056 – Recorder General Office  
 Personal Services \$ 40,000.00

TO: 01A100 – General Fund  
 TR161059 – Treasurer Administration  
 Personal Services \$ 40,000.00

An appropriation transfer is requested to cover year end payroll expenses for Treasury Administration account.

U.	FROM:	63A100 – Information Services Center IS821009 – Information Services Center Personal Services	\$ 150,000.00	<b>BA1101162</b>
	TO:	63A100 – Information Services Center IS821009 – Information Services Center Other Expenses	\$ 150,000.00	

An appropriation transfer is requested to restore dollars to the controlled services line that were temporarily used to cover various contracts and communications-related equipment. The funding is generated from charges to user agencies.

ITEMS SUBMITTED THROUGH DECEMBER 27, 2011
---

V.	FROM:	24A510 - Work & Training Admin WT137463 – VEB Building NFSC Personal Services	\$ 59,000.00	<b>BA1101216</b>
	TO:	24A510 - Work & Training Admin WT137430– Ohio City NFSC Personal Services	\$ 59,000.00	

The Department of Employment and Family Services requests a transfer of appropriations, in order to provide appropriations to cover the Fringe Benefits cost for employees reassigned to different locations thru out the year. The funding source is primarily the Health and Human Services Levy Fund

W.	FROM:	24A641 - PA - Homeless Services HS158097 – PA - Homeless Services Other Expenses	\$ 5,000.00	<b>BA1101217</b>
	TO:	24A641 - PA - Homeless Services HS158097 – PA - Homeless Services Personal Services	\$ 5,000.00	

The Department of Homeless Services requests a transfer of appropriations, in order to provide appropriations to cover the Fringe Benefits cost for Worker Comp charges thru year end. The funding source is primarily the Health and Human Services Levy Fund.

X.	FROM:	24A601 – Senior & Adult Services SA138388 – Home Care Skilled Services Other Expenses	\$ 550.00	<b>BA1101271</b>
	TO:	24A601 – Senior and Adult Services SA138388 – Home Care Skilled Services Personal Services	\$ 550.00	

Request to transfer appropriation within the Skilled Services Home Care unit of the Department of Senior and Adult Services to post the final pay period of 2011. This Department is supported by the County's Health and Human Services levies, the Public Assistance allocations, and fees for services.

Y.	FROM:	01A001 – General Fund		<b>BA1101254</b>
		CC012831 – Transition Advisory Group		
		Other Expenses	\$	50,000.00
	TO:	01A001 – General Fund		
		CC012831 – Transition Advisory Group		
		Personal Services	\$	50,000.00

This transfer would provide sufficient funding to cover one-time legacy personnel expenses for the former County Administrator and former Board of County Commissioners accounts. These expenses were charged to other departments, and will be transferred to the Transition Advisory Group.

Z.	FROM:	20A301 – Real Estate Assessment		<b>BA1101260</b>
		BR420067 – Board of Revision – Assessment Fund		
		Personal Services	\$	30,000.00
	TO:	20A301 – Real Estate Assessment		
		AU800029 – Auditor Assessment Fund		
		Other Expenses	\$	30,000.00

This transfer would use staffing vacancy savings in the Board of Revision budget to cover a shortfall in the Real Estate Assessment Fund. Funding is derived from fees on real property tax collections.

AA.	FROM:	20A301 – Real Estate Assessment		<b>BA1101208</b>
		AU800029 – Auditor Assessment		
		Other Expenses	\$	10,000.00
	TO:	20A301 – Real Estate Assessment		
		AU800029 – Auditor Assessment		
		Capital Outlay	\$	10,000.00

The requested transfer would provide sufficient funding in the Capital Outlay line to cover technology purchases. The funds are generated from fees on real property taxes.

BB.	FROM:	68A100 – Hospitalization – Self Insurance Fund		<b>BA1101204</b>
		CC499004 – Hospitalization – Self Insurance Fund		
		Other Expenses	\$	6,250.00
	TO:	68A100 – Hospitalization – Self Insurance Fund		
		CC499202 – Human Resources – Benefits Office		
		Personal Services	\$	6,250.00

An appropriation transfer is requested from the Self Insurance Fund to the Benefits Office to cover payroll and workers' compensation through year end. Funding for the Hospitalization-Self Insurance Fund comes from employee and employer contributions.

CC.	FROM:	52A100 – County Airport	<b>BA1101257</b>
		DV520031 – County Airport District	
		Other Expenses                   \$	5,500.00
	TO:	52A100 – County Airport	
		DV520031 – County Airport District	
		Personal Services               \$	5,500.00

An appropriation transfer is requested at the county airport to cover payroll through year end. Funding for the County Airport comes from a General Fund subsidy and from airport usage fees assessed on customers.

DD.	FROM:	61A607 – Centralized Custodial Services	<b>BA1101278</b>
		CT571042 – Building Management	
		Other Expenses                   \$	55,000.00
	TO:	61A607 – Centralized Custodial Services	
		CT571042 – Building Management	
		Personal Services               \$	55,000.00

An appropriation transfer is requested between contracts and salaries to cover the cost of the County Engineer's chargeback to Central Services for services rendered. Funding for the Centralized Custodial Fund comes from space maintenance charges to user agencies.

EE.	FROM:	50A410 – Cuyahoga County Information System	<b>BA1101173</b>
		JA090068 – J. A. Cuyahoga Regional Information System	
		Other Expenses                   \$	12,000.00
	TO:	50A410 – Cuyahoga County Information System	
		JA090068 – J. A. Cuyahoga Regional Information System	
		Capital Outlays                 \$	12,000.00

The transfer is to cover a customer service request (CSR) for switches to connect Cuyahoga Regional Information System (CRIS) to the Juvenile Justice Center. Funding is derived from user fees and a general fund subsidy covering the period January 1, 2011 through December 31, 2011.

FF.	FROM:	01A001 – General Fund	<b>BA1101181</b>
		SH350579 – Sheriff Operations	
		Personal Services               \$	140,000.00
	TO:	01A001 – General Fund	
		SH350272 – Law Enforcement-Sheriff	
		Personal Services               \$	140,000.00

The transfer is necessary to provide sufficient funds for wages in the Law Enforcement account with the Sheriff's office. Funding is from the General Fund covering the period January 1, 2011 through December 31, 2011.

GG.	FROM:	01A001 – General Fund	<b>BA1101246</b>
		DR391052 – Domestic Relations	
		Personal Services	\$ 57,000.00
	TO:	01A001 – General Fund	
		DR495515 – Domestic Relations Child Support	
		Personal Services	\$ 57,000.00

The transfer is necessary to provide sufficient funds for wages in the Domestic Relations Court Child Support Division. Funding is from the General Fund covering the period January 1, 2011 through December 31, 2011.

HH.	FROM:	01A001 – General Fund	<b>BA1101247</b>
		DR495515 – Domestic Relations Child Support	
		Other Expenses	\$ 7,000.00
	TO:	01A001 – General Fund	
		DR495515 – Domestic Relations Child Support	
		Personal Services	\$ 7,000.00

The transfer is necessary to provide sufficient funds for wages in the Domestic Relations Court Child Support Division. Funding is from the General Fund covering the period January 1, 2011 through December 31, 2011.

II.	FROM:	61A608 – Central Security Service-Sheriff	<b>BA1101248</b>
		SH352005 – Building Security Services	
		Other Expenses	\$ 14,395.00
	TO:	61A608 – Central Security Service-Sheriff	
		SH352005 – Building Security Services	
		Capital Outlays	\$ 14,395.00

The transfer is necessary to provide sufficient funds for the Customer Service Request (CSR) #111069 to purchase recording equipment as part of the move of Protective Services. Funding is from the internal service fund which derives revenues from charges to county departments which utilize the services of security for the buildings covering the period January 1, 2011 through December 31, 2011.

JJ.	FROM:	01A001 – General Fund	<b>BA1101245</b>
		MT805432 – Municipal Judicial Cost	
		Other Expenses	\$ 15,000.00
	TO:	01A001 – General Fund	
		MT805432 – Municipal Judicial Cost	
		Personal Services	\$ 15,000.00

This transfer is to allow current charges for worker's comp charges to post. Sufficient appropriations exist for this transfer.

KK. FROM: 20A804 – Public Defender - Cleve Municipal Div **BA1101252**  
 PD141028 – Public Defender - Cleve Municipal Div  
 Other Expenses \$ 12,000.00  
  
 TO: 20A804 – Public Defender - Cleve Municipal Div  
 PD141028 – Public Defender - Cleve Municipal Div  
 Personal Services \$ 12,000.00

This transfer is to cover payroll charges. Sufficient appropriations exist for this transfer. The funding source for the Public Defenders Cleveland Municipal Division is a cooperative agreement that became effective January 2004. The Cuyahoga County Public Defender and the Cleveland Municipal Court entered into this agreement to provide legal counsel to the indigent defendants in the Cleveland Municipal Court, when such defendants are charged with violations of the City's ordinances that may result in incarceration. These services are provided at the full expense of the City and reimbursed by the State of Ohio's Public Defender Commission at the rate of 25%, less a 3% administrative fee assessed by the County to cover the costs associated with processing the reimbursements.

LL. FROM: 20A812 – Common Pleas Special Project I **BA1101273**  
 CO456475 – Common Pleas Special Project I  
 Other Expenses \$ 12,000.00  
  
 TO: 20A812 – Common Pleas Special Project I  
 CO456475 – Common Pleas Special Project I  
 Personal Services \$ 12,000.00

This transfer is to cover payroll charges. Sufficient appropriations exist for this transfer. This fund is supported by a \$200 fee assessed on every foreclosure action filed.

MM. FROM: 01A001 – General Fund **BA1101275**  
 MT805432 – Municipal Judicial Cost  
 Other Expenses \$ 15,000.00  
  
 TO: 01A001 – General Fund  
 MT805432 – Municipal Judicial Cost  
 Personal Services \$ 15,000.00

This transfer is to allow current charges for benefits to post. Sufficient appropriations exist for this transfer.

NN. FROM: 01A001 – General Fund **BA1101158**  
 CC012054 – Human Resources  
 Personal Services \$ 4,000.00  
  
 FROM: 01A001 – General Fund  
 CC011213 – Clerk of the Board  
 Other Expenses \$ 37,000.00  
  
 TO: 01A001 – General Fund  
 CC012112 - Employment  
 Personal Services \$ 41,000.00

An appropriation transfer is requested to cover year end payroll expenses.

ITEMS SUBMITTED THROUGH January 3, 2012
---

OO.	FROM:	01A001 – General Fund		<b>BA1101316</b>
		AU800011 – Auditor General Fund		
		Other Expenses	\$	49,000.00
	TO:	01A001 – General Fund		
		AU800011 – Auditor General Fund		
		Personal Services	\$	49,000.00

This transfer will cover unanticipated payroll expenses following the reinstatement of a terminated employee and the associated back payment award authorized by the State Employee Relations Board.

PP.	FROM:	20A322 – Delinquent Real Estate Tax Assessment		<b>BA1101318</b>
		TR163063 - Delinquent Real Estate Tax Assessment		
		Other Expenses	\$	40,700.00
	TO:	20A322 – Delinquent Real Estate Tax Assessment		
		TR163063 - Delinquent Real Estate Tax Assessment		
		Personal Services	\$	40,700.00

The requested transfer would use surplus funds to cover a year-end payroll shortfall. Funds are generated from delinquent real estate tax assessment fees.

QQ.	FROM:	20A811 – Juvenile Court Detention and Probation		<b>BA1101322</b>
		JC107524 – Juvenile Court Detention Services		
		Personal Services	\$	50,000.00
	TO:	20A811 – Juvenile Court Detention and Probation		
		JC107524 – Juvenile Court Detention Services		
		Other Expenses	\$	50,000.00

The transfer would use surplus dollars to cover an appropriation for an amendment for a contract for pharmaceutical services. The Health and Human Services Levy Fund provided dollars for the Detention Services programs.

RR.	FROM:	20A635 – Title IV-E - Juvenile Court		<b>BA1101344</b>
		JC517326 – Title IV-E Administration – Juvenile Court		
		Other Expenses	\$	2,250.00
	TO:	20A635 – Title IV-E - Juvenile Court		
		JC517326 – Title IV-E Administration – Juvenile Court		
		Personal Services	\$	2,250.00

The transfer would use surplus contract funds to cover a shortfall in payroll expenses. Funding is provided through the U.S. Department of Health and Human Services passed through the Ohio Department of Jobs and Family Services

SS.	FROM:	01A001 – General Fund		<b>BA1101349</b>
		JC372060 – Juvenile Court - Legal		
		Other Expenses	\$	31,410.00
	TO:	01A001 – General Fund		
		JC372060 – Juvenile Court - Legal		
		Personal Services	\$	31,410.00

The requested transfer would use surplus contracts funds to cover quarterly payments for the Early Retirement Incentive Plan.

TT.	FROM:	01A001 – General Fund		<b>BA1101261</b>
		IA018002 – Internal Audit Department		
		Personal Services	\$	52,000.00
	TO:	01A001 – General Fund		
		AU800011 – Auditor General Fund		
		Personal Services	\$	52,000.00

This request would cover unanticipated payroll expenses related to the reinstatement of a former employee and back payment award, which left insufficient funds to cover quarterly Early Retirement Incentive Plan payments. The transfer would use Internal Audit Department appropriation that was not used because of the delay in hiring staff.

UU.	FROM:	01A001 – General Fund		<b>BA1101329</b>
		CC012088 – Office of Procurement and Diversity		
		Personal Services	\$	17,973.00
		Capital Outlays	\$	882.00
	TO:	01A001 – General Fund		
		CC012088 – Office of Procurement and Diversity		
		Other Expenses	\$	18,855.00

This transfer request would use surplus funds from within the Office of Procurement and Diversity budget to pay data processing expenses. These chargebacks were higher than anticipated due to work performed for vendor ethics training and implementation of the transparency initiative.

VV.	FROM:	01A001 – General Fund		<b>BA1101381</b>
		CC012054 – Human Resources		
		Other Expenses	\$	3,000.00
	TO:	01A001 – General Fund		
		CC012054 – Human Resources		
		Personal Services	\$	3,000.00

This transfer would cover year end payroll expense adjustments for work for human resource activities.

WW.	FROM:	24A510 - Work & Training Admin WT137463 – VEB Building NFSC Personal Services	\$	20,000.00	<b>BA1101222</b>
	TO:	24A510 - Work & Training Admin WT137109– Administrative Operations Personal Services	\$	20,000.00	

The Department of Employment and Family Services requests a transfer of appropriations, in order to provide appropriations to cover the Worker Comp and Fringe Benefits cost for employees thru out the year. The funding source is primarily the Health and Human Services Levy Fund.

XX.	FROM:	24A301 - Children & Family Services CF135616 – CFS Foster Homes/Resource Mgmt Personal Services	\$	2,000.00	<b>BA1101223</b>
	TO:	24A301 - Children & Family Services CF135483 – Training Personal Services	\$	2,000.00	

The Department of Children and Family Services requests a transfer of appropriations, in order to provide appropriations to cover the Payroll cost for employees thru year end. The funding source is primarily the Health and Human Services Levy Fund.

YY.	FROM:	24A510 - Work & Training Admin WT137463 – VEB Building NFSC Personal Services	\$	25,900.00	<b>BA1101383</b>
	TO:	24A510 - Work & Training Admin WT137109– Administrative Operations Personal Services	\$	10,850.00	
	TO:	24A510 - Work & Training Admin WT137430– Ohio City NFSC Personal Services	\$	15,050.00	

The Department of Employment and Family Services requests a transfer of appropriations, in order to provide appropriations to cover the ERIP cost for employees thru yearend. The funding source is primarily the Health and Human Services Levy Fund.

ZZ.	FROM:	24A301 - Children & Family Services CF135509 – Direct Services Personal Services	\$	15,000.00	<b>BA1101384</b>
	TO:	24A301 - Children & Family Services CF135525 – Supportive Services Personal Services	\$	15,000.00	

The Department of Children and Family Services requests a transfer of appropriations, in order to provide appropriations to cover the ERIP cost for employees thru year end. The funding source is primarily the Health and Human Services Levy Fund.

AAA. FROM:	61A608 – Central Security Service-Sheriff	<b>BA1101334</b>
	SH352039 – Bldg Security Service-CRT Security Monitors	
	Personal Services	\$ 171,063.00
TO:	61A608 – Central Security Service-Sheriff	
	SH352005 – Bldg Security Service-OPBA-Officers	
	Personal Services	\$ 169,790.00
TO:	61A608 – Central Security Service-Sheriff	
	SH352021 – Bldg Security Service-Non-Bargaining Personnel	
	Personal Services	\$ 1,273.00

The transfer is to cover a payroll items in the proper accounts. Funding is from the internal service fund which derives revenues from charges to county departments which utilize the services of security for the buildings covering the period January 1, 2011 through December 31, 2011.

BBB. FROM:	61A608 – Central Security Service-Sheriff	<b>BA1101339</b>
	SH352039 – Bldg Security Service-CRT Security Monitors	
	Personal Services	\$ 43,492.00
TO:	61A608 – Central Security Service-Sheriff	
	SH352005 – Bldg Security Service-OPBA-Officers	
	Personal Services	\$ 43,492.00

The transfer is to cover a Early Retirement Incentive Program (ERIP) payments in the proper accounts. Funding is from the internal service fund which derives revenues from charges to county departments which utilize the services of security for the buildings covering the period January 1, 2011 through December 31, 2011.

CCC. FROM:	01A001 – General Fund	<b>BA1101340</b>
	DR391052 – Domestic Relations Court	
	Personal Services	\$ 8,042.00
TO:	01A001 – General Fund	
	DR495515 – Domestic Relations Court Child Support	
	Personal Services	\$ 8,042.00

The transfer is to cover a Early Retirement Incentive Program (ERIP) payments in the proper accounts. Funding is from the General Fund covering the period January 1, 2011 through December 31, 2011.

DDD. FROM: 20A806 – Carrying Concealed Weapons Appl. Fees **BA1101342**  
 SH350108 – Carrying Concealed Weapons Application Fees  
 Other Expenses \$ 15,901.00

TO: 20A806 – Carrying Concealed Weapons Application Fees  
 SH350108 – Carrying Concealed Weapons Application Fees  
 Personal Services \$ 15,901.00

The transfer is to cover fringe benefits for a pending expense adjustment from the General Fund. Funding is derived from application fees to obtain a permit to carry a concealed weapon covering the period January 1, 2011 through December 31, 2011.

EEE. FROM: 01A001 – General Fund **BA1101375**  
 SH350272 – Law Enforcement-Sheriff  
 Personal Services \$ 25,620.00

FROM: 01A001 – General Fund  
 SH350470 – Jail Operations  
 Other Expenses \$ 43,000.00

TO: 01A001 – General Fund  
 SH350579 – Sheriff Operations  
 Personal Services \$ 65,720.00  
 Other Expenses \$ 2,900.00

The transfer is to cover fringe benefits for Early Retirement Incentive Program (ERIP) payments and copier chargebacks. Funding is from the General Fund covering the period January 1, 2011 through December 31, 2011.

FFF. FROM: 01A001 – General Fund **BA1101380**  
 PR191056 – General Office-Prosecutors  
 Personal Services \$ 25,000.00

FROM: 01A001 – General Fund  
 PR200071 – Prosecutors Child Support  
 Other Expenses \$ 19,297.41

FROM: 01A001 – General Fund  
 PR194720 – Prosecutors Children & Family Service  
 Other Expenses \$ 6,823.75

TO: 01A001 – General Fund  
 PR191056 – General Office-Prosecutors  
 Other Expenses \$ 51,121.16

The transfer is to cover controlled and other expenses in the Prosecutor's Office at years end. Funding is from the General Fund covering the period January 1, 2011 through December 31, 2011.

GGG. FROM:	01A001 – General Fund	<b>BA1101325</b>
	SH350272 – Law Enforcement	
	Personal Services	\$ 107,630.00
	01A001 – General Fund	
	SH350942 – Correction Officers	
	Capital Outlays	\$ 60,100.00
TO:	01A001 – General Fund	
	SH350942 – Correction Officers	
	Personal Services	\$ 167,730.00

Request to transfer appropriation within the General Fund budget of the Sheriff's Office to post year-end payroll for jail personnel.

HHH. FROM:	01A001 – General Fund	<b>BA1101327</b>
	SH350579 – Sheriff Operations	
	Personal Services	\$ 137,700.00
	Other Expenses	\$ 176,000.00
	Capital Outlays	\$ 3,600.00
	01A001 – General Fund	
	SH350272 – Law Enforcement	
	Personal Services	\$ 96,000.00
	Other Expenses	\$ 240,000.00
	01A001 – General Fund	
	SH350058 – Sheriff	
	Other Expenses	\$ 156,083.00
	Capital Outlays	\$ 18,400.00
TO:	01A001 – General Fund	
	SH350942 – Correction Officers	
	Personal Services	\$ 827,783.00

Request to transfer appropriation within the General Fund budget of the Sheriff's Office to post year-end payroll for jail personnel.

III. FROM:	20A600 – Cuyahoga Support Enforcement Agency	<b>BA1101328</b>
	SE496000 – Cuyahoga Support Enforcement Agency	
	Other Expenses	\$ 37,000.00
TO:	20A600 – Cuyahoga Support Enforcement Agency	
	SE496000 – Cuyahoga Support Enforcement Agency	
	Personal Services	\$ 37,000.00

Request to transfer appropriation within the budget of the Cuyahoga Support Enforcement Agency (CSEA) to post Early Retirement Incentive Program expenses through the rest of the year. These expenses were budgeted, but the appropriation was reduced based on the assumption that final expenses had posted. CSEA is supported through federal IV-D reimbursement at the

rate of 66%, the State Child Support allocation, fees for services, and the County's two health and human services levies.

JJJ.	FROM:	24A601 – Senior and Adult Services		<b>BA1101330</b>
		SA138503 – Information and Outreach		
		Personal Services	\$	43,986.00
	TO:	24A601 – Senior and Adult Services		
		SA138602 – Home-Based Services		
		Personal Services	\$	11,303.00
		24A601 – Senior and Adult Services		
		SA138479 – Adult Protective Services		
		Personal Services	\$	8,745.00
		24A601 – Senior and Adult Services		
		SA138388 – Skilled Services		
		Personal Services	\$	6,100.00
		24A601 – Senior and Adult Services		
		SA138420 – Home Support		
		Personal Services	\$	1,978.00
		24A601 – Senior and Adult Services		
		SA138610 – Community Resources		
		Personal Services	\$	6,205.00
		24A601 – Senior and Adult Services		
		SA138321 – Administrative Services		
		Personal Services	\$	3,397.00
		24A601 – Senior and Adult Services		
		SA138354 – Management Services		
		Personal Services	\$	6,258.00

Request to transfer appropriation within the Department of Senior and Adult Services (DSAS) to post Early Retirement Incentive Program expenses. DSAS is supported by the County's Public Assistance allocations, fees for services, and the County's two health and human services levies.

KKK.	FROM:	61A607 – Centralized Custodial Services		<b>BA1101167</b>
		CT571042 – Building Management		
		Other Expenses	\$	17,000.00
	TO:	61A607 – Centralized Custodial Services		
		CT571042 – Building Management		
		Personal Services	\$	17,000.00

An appropriation transfer is requested to cover year end payroll expenses. Revenues come from charges to user agencies for space maintenance.

LLL. FROM: 68A100 – Hospitalization – Self Insurance **BA1101168**  
 CC499202 – Human Resources Benefits Office  
 Other Expenses \$ 1,610.00

TO: 68A100 – Hospitalization – Self Insurance  
 CC499202 – Human Resources Benefits Office  
 Personal Services \$ 1,610.00

An appropriation transfer is requested to cover year end payroll expenses. The Self-Insurance fund receives funding from employer and employee contributions for health insurance premiums.

MMM. FROM: 51A404 – County Parking Garage **BA1101355**  
 CT571117 – County Administration Parking Garage  
 Other Expenses \$ 25,000.00

TO: 51A404 – Hospitalization – Self Insurance  
 CT571125 – Huntington Park Garage  
 Other Expenses \$ 25,000.00

An appropriation transfer is requested to cover year end data processing charges. Revenues are generated from parking fees.

NNN. FROM: 01A100 – General Fund **BA1101356**  
 RC172288 – Recorder Automation  
 Other Expenses \$ 1,000.00

TO: 01A100 – General Fund  
 RC172288 – Recorder Automation  
 Personal Services \$ 1,000.00

An appropriation transfer is requested to cover year end payroll expenses for the Records and Licenses division of the Fiscal Office.

OOO. FROM: 20A322 – Delinquent Real Estate Tax Assess. Treas. **BA1101357**  
 TR163063 – Delinquent Real Estate Tax Assessment - Treasurer  
 Other Expenses \$ 24,300.00

TO: 20A322 – Delinquent Real Estate Tax Assessment - Treasurer  
 TR163063 – Delinquent Real Estate Tax Assessment - Treasurer  
 Personal Services \$ 24,300.00

An appropriation transfer is requested to cover year end payroll expenses for Treasurer's Delinquent Tax Assessment account. Revenues come from fees on delinquent taxes.

PPP. FROM: 01A001 – General Fund **BA1101358**  
 CT577106 – Risk and Property Management  
 Personal Services \$ 3,000.00

TO: 01A001 – General Fund  
 CT577601 – County Archives  
 Personal Services \$ 3,000.00

An appropriation transfer is requested to cover year end payroll expenses.

QQQ. FROM:	64A606 – Fast Copier		<b>BA1101359</b>
	CT577551 – Fast Copy		
	Other Services	\$	10,000.00
TO:	64A606 – Fast Copier		
	CT577551 – Fast Copy		
	Personal Services	\$	10,000.00

An appropriation transfer is requested to cover year end payroll expenses. Revenues are generated from charges to user agencies for cost-per-copy and print shop services.

RRR. FROM:	68A100 – Hospitalization – Self Insurance		<b>BA1101361</b>
	CC499004 – Hospitalization – Self Insurance Fund		
	Other Expenses	\$	1,500.00
TO:	68A100 – Hospitalization – Self Insurance		
	CC499202 – Human Resources Benefits Office		
	Other Expenses	\$	1,500.00

An appropriation transfer is requested to cover year end data processing expenses. The Self-Insurance fund receives funding from employer and employee contributions for health insurance premiums.

SSS. FROM:	01A100 – General Fund		<b>BA1101364</b>
	EX016006 – County Executive		
	Other Expenses	\$	75,402.39
	Capital Outlays	\$	11,224.23
FROM:	01A100 – General Fund		
	CC013052 – Office of Budget and Management		
	Personal Services	\$	17,000.00
TO:	01A100 – General Fund		
	EX016006 – County Executive		
	Personal Services	\$	103,626.62

An appropriation transfer is requested to cover year end payroll expenses.

TTT. FROM:	61A607 – Centralized Custodial Services		<b>BA1101365</b>
	CT577379 – Buildings and Grounds – Custodial Services		
	Personal Services	\$	100,000.00
TO:	61A607 – Centralized Custodial Services		
	CT803049 – Justice Center Maintenance		
	Other Expenses	\$	100,000.00

An appropriation transfer is requested to cover year end electric utility expenses. Revenues come from charges to user agencies for space maintenance.

UUU. FROM:	01A001 – General Fund		<b>BA1101242</b>
	CC012831 – Transition Advisory Group		
	Other Expenses	\$	10,000.00
TO:	01A001 – General Fund		
	CC012831 – Transition Advisory Group		
	Personal Services	\$	10,000.00

An appropriation transfer is requested to cover year end fringe benefit costs.

VVV. FROM:	01A001 – General Fund		<b>BA1101368</b>
	CC013052 – Office of Budget and Management		
	Other Expenses	\$	7,000.00
TO:	01A001 – General Fund		
	CC012088 – Office of Procurement and Diversity		
	Other Expenses	\$	7,000.00

An appropriation transfer is requested to cover space maintenance expenses.

ITEMS SUBMITTED THROUGH January 10, 2012
--

WWW. FROM:	01A001 – General Fund		<b>BA1100852</b>
	SH350058 – Sheriff		
	Other Expenses	\$	9,498.00
FROM:	01A001 – General Fund		
	SH350272 – Law Enforcement		
	Other Expenses	\$	11,933.00
FROM:	01A001 – General Fund		
	SH350470 – Jail Operations-Sheriff		
	Personal Services	\$	3,995.00
FROM:	01A001 – General Fund		
	SH350579 – Sheriff Operations		
	Personal Services	\$	23,859.00
TO:	01A001 – General Fund		
	SH350579 – Sheriff Operations		
	Other Expenses	\$	32,687.00
TO:	01A001 – General Fund		
	SH350470 – Jail Operations		
	Other Expenses	\$	16,598.00

The transfer is to cover year end expenses such as copier and office supply chargebacks along with purchase orders for food expenses. Funding is from the General Fund covering the period January 1, 2011 through December 31, 2011.

XXX. FROM:	01A001 – General Fund	<b>BA1100865</b>
	SH350470 – Jail Operations-Sheriff	
	Other Expenses	\$ 23,851.00
TO:	01A001 – General Fund	
	SH350579 – Sheriff Operations	
	Personal Services	\$ 23,851.00

The transfer is to cover year end expenses to correct expense adjustment that posted to the Sheriff instead of Prosecutor's Office. Funding is from the General Fund covering the period January 1, 2011 through December 31, 2011.

YYY. FROM:	01A001 – General Fund	<b>BA1101454</b>
	DR495515 – Domestic Relation Child Support	
	Other Expenses	\$ 7,310.00
TO:	01A001 – General Fund	
	DR391052 – Domestic Relations	
	Other Expenses	\$ 7,310.00

The transfer is to provide sufficient appropriations for the necessary pre-encumbrance for the Mediation contract that was not encumbered covering the period November 1, 2011 through October 31, 2012. Funding is from the General Fund covering the period January 1, 2011 through December 31, 2011.

ZZZ. FROM:	01A001 – General Fund	<b>BA1100863</b>
	CC012054 – Human Resources	
	Personal Services	\$ 1,024.00
	Capital Outlay	\$ 12,679.00
	01A001 – General Fund	
	CC012112 – Employment Relations	
	Personal Services	\$ 3,424.00
	Capital Outlay	\$ 368.00
	01A001 – General Fund	
	HC019018 – Human Resource Commission	
	Personal Services	\$ 151,036.00
	Other Expenses	\$ 120,750.00
	Capital Outlay	\$ 400.00
	01A001 – General Fund	
	IA018002 – Internal Audit	
	Other Expenses	\$ 185,519.00

TO:	01A001 – General Fund		
	CC012054 – Human Resources		
	Other Expenses	\$	381,200.00
	01A001 – General Fund		
	CC012112 – Employment Relations		
	Other Expenses	\$	94,000.00

The transfers would use unexpended funds to cover year end data processing charges. One reason for the higher data processing costs was work done for the SAP Human Resources Information System.

S:\\_NewServer\Resos\2011 Year End\2011 Year-End Fiscal Agenda\ADDYEAR\_END 11 01.10.12.doc

# County Council of Cuyahoga County, Ohio

## Resolution No. R2012-0015

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/Office of Budget &amp; Management</b>	<b>A Resolution</b> approving the appropriation of funds for Year 2012 based on the Statement of Appropriation Status dated 12/31/2011, and declaring the necessity that this Resolution become immediately effective.
---	--

WHEREAS, the County Executive/Fiscal Officer/Office of Budget & Management, recommends the appropriation of funds for Year 2012 based on the attached Statement of Appropriation Status dated 12/31/2011 for: a) free balances for grants and capital projects, b) encumbrances for grants and capital projects, and c) encumbrances for all other funds; and,

WHEREAS, pursuant to R.C. 5705.38, each year the County must appropriate funds for each of its non-trust and agency accounts; and,

WHEREAS, the County appropriates the full amount of a grant or capital project when it is first identified; and,

WHEREAS, the free balance (the unexpended and unencumbered appropriation) is then appropriated each following year until the grant or capital project is completed; and,

WHEREAS, encumbrances for capital projects, grant funds and all other funds must also be appropriated and these encumbrances represent payments in process or contract in place at the end of the year that span more than one (1) calendar year; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue without interruption, and to provide for the usual, daily operation of county departments.

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

**SECTION 1.** The County Council hereby approves the appropriation of funds for Year 2012 based on the attached Statement of Appropriation Status dated 12/31/2011 for: a) free balances for grants and capital projects, b) encumbrances for grants and capital projects, and c) encumbrances for all other funds.

**SECTION 2.** It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue without interruption, and to provide for the usual, daily operation of the County. Provided



**Encumbrances and Free Balances from Fiscal Year 2011  
Report 11 year-end 2011**

Report 11  
Free Balances  
Carryforward

<u>CONTROL TYPE</u>	<u>PREENCUMBRANCES</u>	<u>ENCUMBRANCES</u>	<u>TOTAL</u>	
01	8,304,374.18	17,772,684.04	26,077,058.22	
02	5,688,013.99	31,436,830.29	37,124,844.28	
03	4,248,382.78	83,978,449.34	88,226,832.12	
		<b>TOTAL ENCUM &amp; PRENCUMB FOR NONGRANTS &amp; NONPROJECTS</b>	<b>151,428,734.62</b>	
08		12,100,059.72	12,100,059.72	19,755,208.15
09		2,176,291.65	2,176,291.65	23,480,770.26
10		6,130,848.73	6,130,848.73	24,231,017.55
11		23,150.00	23,150.00	1,245,724.20
12		41,457,467.61	41,457,467.61	93,269,460.16
16		12,079,726.45	12,079,726.45	62,118,654.72
17		12,318,519.16	12,318,519.16	37,990,867.67
18		9,898,175.56	9,898,175.56	9,122,273.99
20		2,800,942.45	2,800,942.45	13,922,937.07
<b>TOTAL</b>	<u>18,240,770.95</u>	<u>232,173,145.00</u>	<u>250,413,915.95</u>	<u><b>285,136,913.77</b></u>
				<b>Total free balances</b>

**TOTAL PRENCUM & ENCUM FOR GRANTS & PROJECTS** 98,985,181.33  
**TOTAL PRENCUMBRANCES & ENCUMBRANCES** 250,413,915.95



**Item Details:**

**Agency/Dept. Name:** Office of Budget and Management      **Agency/Dept. Head Name:** Matthew Rubino

**Type of Request:** Other

**Request Prepared by:** Mille Jones      **Telephone No.:** 443-7220

**SUMMARY OF REQUESTED ACTION:**

Office of Budget & Management, recommending the appropriation of funds for the Year 2012 based on Financial Reporting's Statement of Appropriation Status dated 12/31/11:

- a) free balances for grants and capital projects;
- b) encumbrances for grants and capital projects; and
- c) encumbrances for all other funds.

Each year the County must appropriate funds for each of its non-trust and agency accounts per ORC 5705.38. The County appropriates the full amount of a grant or capital project when it is first identified. The free balance (the unexpended and unencumbered appropriation) is then appropriated each following year until the grant or capital project is completed. Encumbrances for capital projects, grant funds and all other funds must also be appropriated. These encumbrances represent payments in process or contract in place at the end of the year that span more than one calendar year. Report 11 will be provided once it is available.

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

**Explanation for Increase/Decrease in \$ Amount for current request:**

**Financial Information:**

# County Council of Cuyahoga County, Ohio

## Resolution No. R2012-0016

<p>Sponsored by: <b>County Executive FitzGerald/Departments of Development and Law</b></p>	<p><b>A Resolution</b> approving an amendment to a Collective Bargaining Agreement with Teamsters Local 436, affiliated with the International Brotherhood of Teamsters, covering approximately 7 employees at the County Airport for the period 12/1/2010 - 11/30/2013; directing that funds necessary to implement the amended Collective Bargaining Agreement be budgeted and appropriated; authorizing the County Executive to execute all documents consistent with this Resolution, and declaring the necessity that this Resolution become immediately effective.</p>
--	--

WHEREAS, the Cuyahoga County Department of Law has been engaged in collective bargaining negotiations with Teamsters Local 436, affiliated with the International Brotherhood of Teamsters (hereinafter collectively referred to as "Teamsters Local 436"), for a re-opener for wages and health insurance in the collective bargaining agreement ("CBA") covering approximately 7 employees from the Cuyahoga County Airport; and,

WHEREAS, the current CBA between Cuyahoga County and Teamsters Local 436 is effective for a time period of 12/1/2010 – 11/30/2013; and,

WHEREAS, the current CBA calls for re-opener negotiations of wage and health insurance in 2012 and 2013, according to Article 31, Section 10, titled Insurance, and Article 32, Section 2, titled Wages; and,

WHEREAS, at the end of 2011, the parties met on multiple occasions, and on January 6, 2012, Cuyahoga County and Teamsters Local 436 reached a tentative agreement on wage and insurance re-opener negotiations; 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 Department of Law and the County Executive are recommending that Council approve the amended proposed CBA; and,

WHEREAS, it is necessary that this Resolution become immediately effective to ensure the efficient operation of the Cuyahoga County Airport.

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

**SECTION 1.** The Cuyahoga County Council hereby approves the amended CBA between Cuyahoga County and Teamsters Local 436, covering approximately 7 employees of the Cuyahoga County Airport for the period of 12/1/2010 – 11/30/2013, and authorizes the County Executive to execute all documents consistent with this Resolution.

**SECTION 2.** Funds necessary to implement the amended CBA between the County and Teamsters Local 436 shall be budgeted and appropriated.

**SECTION 3.** It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue without interruption, and to provide for the usual, daily operation of the County. Provided that this Resolution receives the affirmative vote of at least eight members of County Council, this Resolution shall become immediately effective upon the signature of the County Executive.

**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 \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

Journal CC005  
January 24, 2012

## **HEALTH INSURANCE BENEFITS**

**Section 1.** An eligible employee is defined as a full time employee covered by this Agreement. The Flex Count Plan (the plan) is defined as the section 125 or cafeteria plan, which is provided by the Employer for health insurance, benefits for County employees. The Employer shall provide eligible employees the opportunity to enroll in the plan once during each plan year at its annual open enrollment period. The plan year commences on January 1, and ends on December 31 of the calendar year, but is subject to change.

**Section 2.** Effective March 1, 2012, bi-weekly employee contributions for medical, prescription drug, and ancillary (dental and vision) benefits shall be determined as follows:

- A) **METROHEALTH PLAN** The County shall offer a plan through the MetroHealth System at no cost to employees.
- B) **STANDARD BENEFIT PLANS** The Employer shall pay 90% of plan costs and the employees shall pay 10% of plan costs.
- C) **DENTAL AND VISION** The Employer shall pay 90% of plan costs and the employees shall pay 10% of plan costs.

**Section 3.** The costs of the medical and prescription drug plans will be determined through an actuarially certified process that is verified through an outside party and that includes reserves necessary to sustain the plans. In successive plan years, the Employer may add to or delete plans/providers offered and/or employees may be offered additional plans with reduced or increased benefit levels.

**Section 4.** Deductibles and co-insurance shall be introduced, effective March 1, 2012.

**Section 5.** The Employer shall be entitled to increase the cost containment features of the Flex Count plans which may include, but are not limited to deductibles, co-insurance, and spousal exclusions.

**Section 6.** The Employer may implement or discontinue incentives for employees to participate in Employer sponsored wellness programs, including, but not limited to, the right to offer the opportunity to reduce employee contributions through participation in wellness programs as determined by the Employer.

**Section 7.** The Employer may offer incentives to encourage use of low cost providers/plans (including HSA plans) which may be discontinued or modified by the Employer in future plans years with notification to the Union.



# County Council of Cuyahoga County, Ohio

## Resolution No. R2012-0004

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Works/County Engineer</b></p>	<p><b>A Resolution</b> declaring that public convenience and welfare requires deck sealing of various bridges in connection with the Bridge Deck Sealing Program; total estimated construction costs \$150,000.00; and finding that special assessments are not to be levied and collected to pay any part of the County's costs of said improvements.</p>
--	--

WHEREAS, the Department of Public Works/County Engineer has recommended that public convenience and welfare requires that seven (7) bridges undergo deck sealing as a part of the County's Bridge Deck Sealing Program; and

WHEREAS, special assessments are not to be levied and collected to pay any part of the County's costs of these improvements; and

WHEREAS, the anticipated construction costs for sealing the seven (7) bridge decks is \$150,000.00, which will be funded entirely through the County's Road and Bridge Fund; and

WHEREAS, the primary goal of this project is to properly maintain bridges for which the County is responsible; and

WHEREAS, the deck sealing of the seven (7) bridges is in keeping with the statutory mandates which states, "*The [County] shall construct and keep in repair all necessary bridges in municipal corporations on all county roads and improved roads that are of general and public utility, running into or through the municipal corporations, and that are not on state highways*" (RC 5591.02); and "*the [County] shall construct and keep in repair necessary bridges over streams and public canals on or connecting state, county, and improved roads*" (RC 5591.21); and.

WHEREAS, the address of the seven (7) bridges to be sealed and the Council Districts of the bridges are as follows:

Bridge Address	Council District
<ul style="list-style-type: none"> <li>• Bassett Road Bridge No. 03.57 over Porter Creek in the City of Bay Village</li> </ul>	01
<ul style="list-style-type: none"> <li>• Bennett Road Bridge No. 01.82 over the East Branch of Rocky River in the City of North Royalton</li> </ul>	05

<ul style="list-style-type: none"> <li>Harvard Avenue Bridge over the Cuyahoga River in the City of Cleveland and the Village of Cuyahoga Heights</li> </ul>	06 and 07
<ul style="list-style-type: none"> <li>Lewis Road Bridge No. 02.91 over the West Branch of Rocky River in Olmsted Township and City of North Olmsted</li> </ul>	01
<ul style="list-style-type: none"> <li>Rockside Road Bridge No. 03.41 over the Ohio Canal in the Village of Valley View</li> </ul>	06
<ul style="list-style-type: none"> <li>Triskett Road Bridge No. 01.34 over the Norfolk Southern Railroad and Greater Cleveland Regional Transit Authority in the City of Cleveland</li> </ul>	02
<ul style="list-style-type: none"> <li>Whiskey Island Drive Bridge No. 00.93 over the Norfolk Southern Railroad in the City of Cleveland</li> </ul>	03

WHEREAS, the anticipated start-completion dates for the sealing of the seven (7) bridge decks is the 2013 calendar year.

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

**SECTION 1.** The County Council hereby finds that public convenience and welfare requires that seven (7) bridges undergo deck sealing as a part of the County's Bridge Deck Sealing Program.

**SECTION 2.** The addresses of the seven (7) bridges to be sealed and the Council Districts of the bridges are as follows:

<b>Bridge Address</b>	<b>Council District</b>
<ul style="list-style-type: none"> <li>Bassett Road Bridge No. 03.57 over Porter Creek in the City of Bay Village</li> </ul>	01
<ul style="list-style-type: none"> <li>Bennett Road Bridge No. 01.82 over the East Branch of Rocky River in the City of North Royalton</li> </ul>	05
<ul style="list-style-type: none"> <li>Harvard Avenue Bridge over the Cuyahoga River in the City of Cleveland and Village of Cuyahoga Heights</li> </ul>	06 and 07
<ul style="list-style-type: none"> <li>Lewis Road Bridge No. 02.91 over the West Branch of Rocky River in Olmsted Township and City of North Olmsted</li> </ul>	01
<ul style="list-style-type: none"> <li>Rockside Road Bridge No. 03.41 over the Ohio Canal in the Village of Valley View</li> </ul>	06
<ul style="list-style-type: none"> <li>Triskett Road Bridge No. 01.34 over the Norfolk Southern Railroad and Greater Cleveland Regional Transit Authority in the City of Cleveland</li> </ul>	02



# County Council of Cuyahoga County, Ohio

## Resolution No. R2012-0005

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/County Engineer</b>	<b>A Resolution</b> declaring that public convenience and welfare requires replacement of sidewalks on various bridges in connection with the Bridge Sidewalk Replacement Program; total estimated construction costs \$1,250,000.00; and finding that special assessments are not to be levied and collected to pay any part of the County's costs of said improvements.
---	---

WHEREAS, the Department of Public Works/County Engineer has recommended that public convenience and welfare requires the replacement of the sidewalks on a total of eight (8) bridges; total estimated construction cost is \$1,250,000.00; and

WHEREAS, the replacement of the sidewalks on the eight bridges will be divided into two projects: 1) the East Project consisting of five (5) bridges, and 2) the West Project consisting of three (3) bridges; and

WHEREAS, that special assessments are not to be levied and collected to pay any part of the County's costs of these improvements; and

WHEREAS, the anticipated construction costs for replacing the sidewalks on all eight (8) bridges is \$1,250,000.00, consisting of \$500,000.00 for the East Project (5 bridges) and \$750,000.00 for the West Project (3 bridges); and

WHEREAS, the two projects will be funded entirely through the County's Road and Bridge Fund; and

WHEREAS, the primary goal of this project is to properly maintain bridges for which the County is responsible; and

WHEREAS, the replacement of the sidewalks on the eight (8) bridges is in keeping with the statutory mandates which states, "*The [County] shall construct and keep in repair all necessary bridges in municipal corporations on all county roads and improved roads that are of general and public utility, running into or through the municipal corporations, and that are not on state highways*" (RC 5591.02); and "*the [County] shall construct and keep in repair necessary bridges over streams and public canals on or connecting state, county, and improved roads*" (RC 5591.21); and

WHEREAS, the Ohio Attorney General has interpreted these statutes to include the obligation to repair sidewalks located on such bridges (1981 Ohio Op. Atty Gen. 2-22, 1981 Ohio Op. Atty Gen. No. 81-007, 1981 WL 156157 (Ohio A.G.); and

WHEREAS, the addresses of the eight bridges where the sidewalks will be replaced are:

<b>Bridge Address</b>	<b>Council District</b>
<ul style="list-style-type: none"> <li>• Chagrin River Road Bridge No. 02.40 over Sulphur Springs Creek in the Village of Bentleyville</li> </ul>	06
<ul style="list-style-type: none"> <li>• Pleasant Valley Road Bridge No. 09.68 over Cuyahoga River, Canal Road and Ohio Canal in the City of Independence and Village of Valley View</li> </ul>	06
<ul style="list-style-type: none"> <li>• Rockside Road Bridge No. 03.23 over CSXT Railroad and Access Road in the City of Independence</li> </ul>	06
<ul style="list-style-type: none"> <li>• Rockside Road Bridge No. 03.32 over Cuyahoga River in the City of Independence and Village of Valley View</li> </ul>	06
<ul style="list-style-type: none"> <li>• Rockside Road Bridge No. 04.80 over former P&amp;LE Railroad Right-of-Way in the Village of Valley View</li> </ul>	06
<ul style="list-style-type: none"> <li>• Bagley Road Bridge No. 05.63 over East Branch of Rocky River in the City of Berea</li> </ul>	05
<ul style="list-style-type: none"> <li>• Hilliard Road Bridge No. 03.21 over Cahoon Creek in the City of Westlake</li> </ul>	01
<ul style="list-style-type: none"> <li>• Hilliard Road Bridge No. 08.57 over Rocky River, Cleveland MetroParks and Valley Parkway in the Cities of Rocky River and Lakewood</li> </ul>	01 and 02

WHEREAS, the anticipated start-completion dates for the replacement of the sidewalks on the eight (8) bridges is the 2013 calendar year.

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

**SECTION 1.** The County Council hereby finds that public convenience and welfare requires the replacement of the sidewalks on a total of eight (8) bridges, which will be divided into two projects, 1) the East Project consisting of five (5) bridges, and 2) the West Project consisting of three (3) bridges.

**SECTION 2.** The addresses of the eight bridges where the sidewalks will be replaced are as follows:

Bridge Address	Council District
<ul style="list-style-type: none"> <li>Chagrin River Road Bridge No. 02.40 over Sulphur Springs Creek in the Village of Bentleyville</li> </ul>	06
<ul style="list-style-type: none"> <li>Pleasant Valley Road Bridge No. 09.68 over Cuyahoga River, Canal Road and Ohio Canal in the City of Independence and Village of Valley View</li> </ul>	06
<ul style="list-style-type: none"> <li>Rockside Road Bridge No. 03.23 over CSXT Railroad and Access Road in the City of Independence</li> </ul>	06
<ul style="list-style-type: none"> <li>Rockside Road Bridge No. 03.32 over Cuyahoga River in the City of Independence and Village of Valley View</li> </ul>	06
<ul style="list-style-type: none"> <li>Rockside Road Bridge No. 04.80 over former P&amp;LE Railroad Right-of-Way in the Village of Valley View</li> </ul>	06
<ul style="list-style-type: none"> <li>Bagley Road Bridge No. 05.63 over East Branch of Rocky River in the City of Berea</li> </ul>	05
<ul style="list-style-type: none"> <li>Hilliard Road Bridge No. 03.21 over Cahoon Creek in the City of Westlake</li> </ul>	01
<ul style="list-style-type: none"> <li>Hilliard Road Bridge No. 08.57 over Rocky River, Cleveland MetroParks and Valley Parkway in the Cities of Rocky River and Lakewood</li> </ul>	01 and 02

**SECTION 3.** That special assessments are not to be levied and collected to pay any part of the County's cost of these improvements.

**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 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 \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: January 10, 2012  
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC005  
January 24, 2012

# County Council of Cuyahoga County, Ohio

## Resolution No. R2012-0006

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/County Engineer</b>	<b>A Resolution</b> declaring that public convenience and welfare requires various replacements on various bridges; total estimated construction cost \$150,000.00 each; and finding that special assessments are not to be levied and collected to pay any part of the County's costs of said improvements.
---	--

WHEREAS, the Department of Public Works/County Engineer has recommended that public convenience and welfare requires a) the deck replacement on Lee Road Bridge No. 00.77 over Mill Creek in the City of Maple Heights; and b) replacing the railing on Memphis Road Bridge No. 00.95 over Countryman's Creek in the City of Brooklyn; and

WHEREAS, that special assessments are not to be levied and collected to pay any part of the County's costs of these improvements; and

WHEREAS, the anticipated construction costs for these projects are: a) replacing the bridge deck on Lee Road Bridge No. 00.77 is \$150,000.00; and b) replacing the railing on Memphis Road Bridge No. 00.95 is \$150,000.00; and

WHEREAS, these projects will be funded entirely through the County's Road and Bridge Fund; and

WHEREAS, the primary goal of these projects are to properly maintain bridges for which the County is responsible; and

WHEREAS, the replacement of the deck on the Lee Road Bridge No. 00.77 over Mill Creek in the City of Maple Heights and replacing the railing on the Memphis Road Bridge No. 00.95 over Countryman's Creek in the City of Brooklyn is in keeping with the statutory mandates which states, "*The [County] shall construct and keep in repair all necessary bridges in municipal corporations on all county roads and improved roads that are of general and public utility, running into or through the municipal corporations, and that are not on state highways*" (RC 5591.02); and "*the [County] shall construct and keep in repair necessary bridges over streams and public canals on or connecting state, county, and improved roads*" (RC 5591.21); and.

WHEREAS, the anticipated start-completion dates for these projects is the 2013 calendar year.



# County Council of Cuyahoga County, Ohio

## Resolution No. R2012-0007

<p>Sponsored by: <b>County Executive FitzGerald/Department of Development</b></p>	<p><b>A Resolution</b> approving a Participation and Redevelopment Agreement with Cleveland Housing Network, Inc. for the Emerald Alliance VII Redevelopment Project, located at 9431 Lorain Avenue and 3147 West 95th Street, Cleveland, for the period 10/10/2011 - 10/9/2015 in connection with a Clean Ohio Assistance Fund grant agreement with State of Ohio, Department of Development in the amount of \$656,272.00; 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.</p>
---	--

**WHEREAS**, the County Executive/Department of Development has requested the approval of a Participation and Redevelopment Agreement with Cleveland Housing Network, Inc. for the Emerald Alliance VII Redevelopment Project, located at 9431 Lorain Avenue and 3147 West 95th Street, Cleveland, for the period 10/10/2011 - 10/9/2015 in connection with a Clean Ohio Assistance Fund grant agreement with State of Ohio, Department of Development in the amount of \$656,272.00; and

**WHEREAS**, the County Executive/Department of Development applied for a Clean Ohio Assistance Fund grant in connection with the Emerald Alliance VII Redevelopment Project from the State of Ohio, Department of Development in the amount not-to-exceed \$750,000.00; and

**WHEREAS**, the County has received approval from the State for a grant in the amount of \$656,272.00 in Clean Ohio Assistance Funds from the program; and

**WHEREAS**, it is necessary that this Resolution become immediately effective because the project's term began October 10, 2011, as per the Grant Agreement with the State of Ohio.

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

**SECTION 1.** That the County Council hereby approves a Participation and Redevelopment Agreement with Cleveland Housing Network, Inc. for the Emerald Alliance VII Redevelopment Project, located at 9431 Lorain Avenue and 3147 West 95th Street, Cleveland, for the period 10/10/2011 - 10/9/2015 in connection with a Clean Ohio Assistance Fund grant agreement with State of Ohio, Department of Development in the amount of \$656,272.00.



# County Council of Cuyahoga County, Ohio

## Resolution No. R2012-0009

<p>Sponsored by: <b>County Executive FitzGerald on behalf of Juvenile Court</b></p>	<p><b>A Resolution</b> approving an amendment to Contract No. CE1100151-02 with Berea Children's Home for Community-based Treatment Center management services for the period 1/1/2011 - 6/30/2011 to extend the time period to 6/30/2012 and for additional funds in the amount of \$1,153,828.80; 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>
---	---

WHEREAS, the County Executive on behalf of Juvenile Court requests approval to amend Contract No. CE1100151-02 with Berea Children's Home for Community-based Treatment Center management services for the period 1/1/2011 - 6/30/2011 to extend the time period to 6/30/2012 and for additional funds in the amount of \$1,153,828.80; and,

WHEREAS, the Community-based Treatment Center implemented by Berea Children's Home is located in a secure residential facility where criminogenic risk factors are addressed through cognitive restructuring and skill acquisition that has been developed by the University of Cincinnati; and,

WHEREAS, the Community-based Treatment Center program allows for juveniles to be diverted from institutional placement and treated closer to where they live; and,

WHEREAS, the Community-based Treatment Center program is funded entirely by the Ohio Department of Youth Services through the Targeted RECLAIM grant (State funding for evidence-based and model programs that reduce commitments to the Ohio Department of Youth Services); and,

WHEREAS, the proposed amendment is necessary due to the increased number of youth participating in the program; and,

WHEREAS, the proposed amendment to the contract is specifically exempt from the Competitive Bid Requirements pursuant to ORC 307.86(J); and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County and the Cuyahoga County

Juvenile Court can continue without interruption, and to provide for the usual, daily operation of a county department.

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

**SECTION 1.** The County Council hereby approves the amendment to Contract No. CE1100151-02 with Berea Children's Home for Community-based Treatment Center management services for the period 1/1/2011 - 6/30/2011 to extend the time period to 6/30/2012 and for additional funds in the amount of \$1,153,828.80.

**SECTION 2.** The County Council authorizes the County Executive to execute the amendment to Contract No. CE1100151-02 with Berea Children's Home in accordance with this Resolution and to take any other measures necessary to effectuate the amendments authorized herein.

**SECTION 3.** It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County and the Cuyahoga County Juvenile Court can continue without interruption, and to provide for the usual, daily operation of a county department; therefore, this Resolution, provided it receives the affirmative vote of at least eight members of County Council, shall become effective immediately upon the signature of the County Executive; otherwise it shall be in full force and effect from and immediately after the earliest time permitted 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 \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was duly adopted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: January 10, 2012  
Committee(s) Assigned: Justice Affairs

Journal CC005  
January 24, 2012

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2012-0001

Sponsored by: <b>County Executive FitzGerald/Departments of Law and Public Works</b>	<b>An Ordinance</b> amending Ordinance No. O2011-0016, as amended, which established the organizational structure of the Department of Law.
--	---

WHEREAS, the County Council established the Department of Law in Ordinance No. O2011-0016, as amended in Ordinance No. O2011-0029; and,

WHEREAS, the County had previously placed the operations of risk management in its then Department of Central Services; and,

WHEREAS, Central Services was placed in the Department of Public Works under the County's new organizational structure; and,

WHEREAS, County Council has determined that handling risk management for the County more properly belongs in the Department of Law; and,

WHEREAS, County Council has determined that the best course to achieve this goal is to establish a Risk Management division in the Department of Law; and,

WHEREAS, the Department of Law, including the newly established Risk Management Division, regularly handles sensitive, often confidential information, including materials and information that are subject to the attorney-client privilege; and,

WHEREAS, County Council has determined that all employees in the Law Department, including the Risk Management Division, hold fiduciary relations and must therefore be at-will, unclassified employees.

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

**SECTION 1.** Section 1(g) of Ordinance No. O2011-0016, as amended, establishing the Department of Law shall be amended as follows (deletions are stricken out; additions are bolded):

- (g) ~~The Cuyahoga County Department of Law shall be composed of the Director of Law, a Deputy Chief Director of Law, Assistant Law Directors, and, as deemed necessary by the Director of Law, such other assistants and other staff, including paralegals and executive and administrative assistants to serve the Director,~~



## SUBSTITUTE ORDINANCE

### County Council of Cuyahoga County, Ohio

#### Ordinance No. O2012-0001

Sponsored by: <b>County Executive FitzGerald/Departments of Law and Public Works</b>	<b>An Ordinance</b> amending Ordinance No. O2011-0016, as amended, which established the organizational structure of the Department of Law, <b>and declaring the necessity that this Ordinance become immediately effective.</b>
--	--

WHEREAS, the County Council established the Department of Law in Ordinance No. O2011-0016, as amended in Ordinance No. O2011-0029; and,

WHEREAS, the County had previously placed the operations of risk management in its then Department of Central Services; and,

WHEREAS, Central Services was placed in the Department of Public Works under the County's new organizational structure; and,

WHEREAS, County Council has determined that the Law Department should administer the County's risk management; and,

WHEREAS, County Council has determined that the best course to achieve this goal is to establish a new Risk Management division in the Department of Law; and,

WHEREAS, the Department of Law, including the newly established Risk Management Division, regularly handles sensitive, often confidential information, including materials and information that are subject to the attorney-client privilege; and,

WHEREAS, County Council has determined that all employees in the Law Department, including the Risk Management Division, hold fiduciary relationships and must therefore be at-will, unclassified employees; and,

**WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue without interruption, and to provide for the usual, daily operation of a county department.**

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

**SECTION 1.** Section 1(g) of Ordinance No. O2011-0016, as amended, establishing the Department of Law shall be amended as follows (deletions are stricken out; additions are bolded):

- (g) ~~The Cuyahoga County Department of Law shall be composed of the Director of Law, a Deputy Chief Director of Law, Assistant Law Directors, and, as deemed necessary by the Director of Law, such other assistants and other staff, including paralegals and executive and administrative assistants to serve the Director, Deputy Director, and the Assistant Law Directors.~~ **The Department of Law shall contain the following divisions: (1) General Division and (2) Risk Management Division. The General Division shall contain the following sections: (a) Labor and Employment; (b) Open Meetings and Public Records; (c) Budget and Finance; (d) Legislation; (e) Contracting, Procurement and Real Estate; (f) Environmental; and (g) Charter and Constitutional Law. The specific goals, duties and activities of the Department's divisions and sections shall be further determined by the Director of Law. Since all employees in the Law Department hold fiduciary relationships and regularly interact with sensitive and confidential information and materials, including materials and documents protected by the attorney-client privilege, all employees in every division and section in the Law Department are and shall remain at-will, unclassified employees. Nothing herein is intended to limit the ability of the County Executive and the Director of Law to abolish positions for the purpose of enhancing the efficiency of operations or any other reason permitted by law.**

**SECTION 2.** It is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue without interruption, and to provide for the usual, daily operation of a county department; therefore, this Ordinance, provided it receives the affirmative vote of at least eight members of County Council, shall become effective immediately; otherwise it shall be in full force and effect from and immediately after the earliest time permitted by law.

**SECTION 3.** Open Meetings. 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 \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: January 10, 2012

Committee(s) Assigned: Human Resources, Appointments & Equity and Justice  
Affairs

Journal CC005  
January 24, 2012

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2011-0061

Sponsored by: <b>County Executive FitzGerald/Department of Human Resources on behalf of Human Resource Commission</b>	<b>An Ordinance</b> providing for modifications and adoption of the County's Human Resources Personnel Policies and Procedures Manual to be applicable to all County employees, and declaring the necessity that this Ordinance become immediately effective.
---	---

WHEREAS, the County Executive/Department of Human Resources on behalf of the Human Resource Commission has recommended to amend the Human Resources Personnel Policies and Procedures Manual; and,

WHEREAS, Cuyahoga County Charter Section 9.01 provides that the County's Human Resources Policies and Systems for County employees shall be established by ordinance and shall be administered in such a manner as will eliminate unnecessary expense and duplication of effort, while ensuring that persons will be employed in the public service without discrimination on the basis of race, color, religion, sex, national origin, sexual orientation, disability, age or ancestry; and,

WHEREAS, on April 5, 2011, County Council adopted the Human Resources Personnel Policies and Procedures Manual ("the Policy Manual") for a period not-to-exceed June 30, 2011 (Ordinance No. O2011-0015); and,

WHEREAS, on June 28, 2011, County Council extended the effective period for the Policy Manual for a period not-to-exceed December 31, 2011 (Ordinance No. O2011-0028); and,

WHEREAS, the following sections in the Policy Manual currently do not apply to certain agencies, but are required to ensure consistency throughout all Departments: **Section 6, Workweek and Hours/Payroll; Section 7.03, Employee Assistance Program; Section 8.04, FMLA, Amount of Leave; Section 8.05, FMLA, Coordination with Other Leaves of Absence; and Section 9, Employee Leave;** and,

WHEREAS, the following sections contain proposed modifications to the current policies: **Section 5.09, Non-Bargaining Position Audits; Section 7.03, Employee Assistance Program; Section 7.10, Sustainable Cuyahoga County; Section 11.01, Health Care Benefits; and Section 16.01, Traveling on County Business;** and,

WHEREAS, on October 19, 2011, the Department of Human Resources submitted a revised version of the Personnel Policies and Procedures Manual (attached hereto as Exhibit "A") to the Human Resource Commission; and,

WHEREAS, on November 2, 2011, the Human Resource Commission fully reviewed and considered the proposed revisions to the County's Personnel Policies and Procedures Manual as presented by the County's Department of Human Resources; and,

WHEREAS, the Cuyahoga County Human Resource Commission recommends the approval of the proposed revisions to County 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 development.

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

**SECTION 1. Adoption of Revised Human Resources Personnel Policies and Procedures Manual:** Council hereby adopts the amended version of the County's Human Resources Personnel Policies and Procedures Manual that is attached hereto as Exhibit "A" as effective for all County employees (added language underlined; deleted language in ~~strikethrough~~), and shall remain in force and effect and shall be followed by County employees under the authority of the County Council and the County Executive.

**SECTION 2. Transition to 40-hour Workweek:** Employees that are being transitioned from a 35-hour workweek to a 40-hour workweek as a result of passage of this Ordinance shall be transitioned in the following manner: Employees that previously worked a 35-hour workweek with an unpaid lunch period will receive a one-hour paid lunch period as part of their 40-hour workweek. The annual salary of employees who are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) shall not be raised or lowered as a result of this transition. Employees who are not exempt from the FLSA overtime provisions will have their hourly pay reduced in a manner that will cause the employee to receive the same amount in annual earnings.

**SECTION 3. FMLA Calendar Transition:** In accordance with Section 8.04 of the Policies and Procedures Manual, FMLA entitlement will be calculated on a "forward rolling" basis for all County Employees. This Section shall not apply to Departments where the FMLA entitlement was previously calculated using a different method, however, until 90 days after the effective date of this Ordinance. In addition, Human Resources must make this transition in such a way that the affected employees retain the full benefit of 12 weeks of leave under whichever method affords the greatest benefit to the employee.

**SECTION 4. Employee Leaves:** In accordance with Section 9, all leaves will be governed by the Personnel Policies and Procedures Manual unless superseded by provisions in the respective Collective Bargaining Agreements.

**SECTION 5. Excess Vacation Leave Balances:** Employees who have an accumulated vacation leave balance that is in excess of the applicable maximum balance set forth in Section 9.2 of the Policies and Procedures Manual shall be granted one year from the effective date of this Ordinance to exhaust the excess balance.

**SECTION 6. Non-Bargaining Job Position Audits:** Section 5.09 (1), the following language regarding classification reassignments shall be redacted: "If the position audit results in the employee being reassigned to a classification in a lower pay range, the employee's rate of pay will not be reduced. If the compensation of the reassigned employee exceeds the maximum step of the new pay range, however, the employee will be placed in step X and will not receive an increase in compensation until the maximum rate of pay for the new classification exceeds the employee's rate of pay".

**SECTION 7. Employee Assistance Program:** Section 7.03 shall read as follows: Participation in the program **may be mandated by Management subject to approval by Human Resources**, and is voluntary to all employees, their families and County retirees.

**SECTION 8. Sustainable Cuyahoga County:** Section 7.10, the following language shall be redacted: "This achievement will commemorate the fiftieth anniversary of the June 22, 1969 Cuyahoga River fire which contributed to the formation of the US Environmental Protection Agency".

**SECTION 9. Waiting Period for Health Care Benefits:** Section 11.01 shall be modified so that no sooner than January 1, 2012, all new hires shall be eligible to receive health care benefits on the first day of the month following their date of hire.

**SECTION 10. Cuyahoga County Travel Policy:** Section 16.01, the attached copy of the revised County Travel Policy shall be made available on the County intranet, as referenced in the Personnel Policies and Procedures.

**SECTION 11.** It is hereby found and determined necessary for this Ordinance to become immediately effective, for the reason that this Ordinance provides for the usual daily and necessary operations of Cuyahoga County government in accordance with the requirements of the Cuyahoga County Charter; therefore, this Ordinance, provided it receives the affirmative vote of at least eight members of County Council, shall become effective immediately; otherwise it shall be in full force and effect from and immediately after the earliest time permitted by law.

**SECTION 12.** 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 \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President                      Date

\_\_\_\_\_  
County Executive                              Date

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

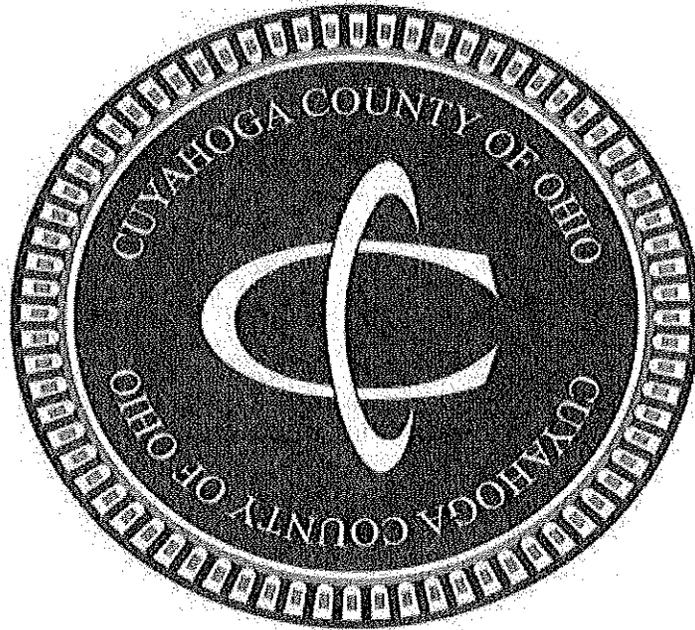
First Reading/Referred to Committee: December 6, 2011

Committee(s) Assigned: Human Resources, Appointments & Equity

Second Reading: January 10, 2012

Journal CC005  
January 24, 2011

# Personnel Policies and Procedures Manual



## Cuyahoga County Department of Human Resources

Initial Effective Date: 4/5/2011 (Ordinance No. O2011-0015)  
1<sup>st</sup> Revision: 6/28/2011 (Ordinance No. O2011-0028)  
2<sup>nd</sup> Revision: 10/11/2011 (Ordinance No. O2011-0043)  
3<sup>rd</sup> Revision: 1/24/2012 (Ordinance No. O2011-0061)

# Table of Contents

<b>SECTION 1: INTRODUCTION / GENERAL INFORMATION.....</b>	
<b>INTRODUCTION .....</b>	<u>1.01</u>
<b>ADMINISTRATION .....</b>	<u>1.02</u>
<b>DISCLAIMER / RESERVATION OF RIGHTS .....</b>	<u>1.03</u>
<b>RELATIONSHIP TO COLLECTIVE BARGAINING AGREEMENTS.....</b>	<u>1.04</u>
<b>RELATIONSHIP TO DEPARTMENTAL POLICY AND PROCEDURE MANUALS .....</b>	<u>1.05</u>
<b>BUILDING CLOSURE POLICY .....</b>	<u>1.06</u>
<b>EMPLOYEE COMMUNICATIONS WITH THE MEDIA .....</b>	<u>1.07</u>
<b>ACKNOWLEDGEMENT OF RECEIPT .....</b>	<u>1.08</u>
<b>SECTION 2: CIVIL SERVICE .....</b>	
<b>CLASSIFICATION .....</b>	<u>2.01</u>
<b>ADMINISTRATIVE RULES.....</b>	<u>2.02</u>
<b>PRIOR SERVICE.....</b>	<u>2.03</u>
<b>SECTION 3: CODE OF ETHICS.....</b>	
<b>ETHICS POLICY.....</b>	<u>3.01</u>
<b>SECTION 4: EQUAL EMPLOYMENT OPPORTUNITY.....</b>	
<b>DIVERSITY STATEMENT.....</b>	<u>4.01</u>
<b>AFFIRMATIVE ACTION POLICY .....</b>	<u>4.02</u>
<b>EQUAL EMPLOYMENT OPPORTUNITY POLICY.....</b>	<u>4.03</u>
<b>WORKPLACE HARASSMENT POLICY.....</b>	<u>4.04</u>
<b>EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT PROCEDURE .....</b>	<u>4.05</u>
<b>ANTI-RETALIATION POLICY .....</b>	<u>4.06</u>
<b>THE AMERICANS WITH DISABILITIES ACT (“ADA”).....</b>	<u>4.07</u>
<b>RELIGIOUS ACCOMMODATION.....</b>	<u>4.08</u>
<b>SECTION 5: EMPLOYMENT WITH THE COUNTY .....</b>	
<b>APPLICATION .....</b>	<u>5.01</u>
<b>EXAMINATIONS .....</b>	<u>5.02</u>
<b>EMPLOYMENT ELIGIBILITY VERIFICATION .....</b>	<u>5.03</u>
<b>APPLICANT DRUG TESTING.....</b>	<u>5.04</u>
<b>CRIMINAL BACKGROUND CHECK .....</b>	<u>5.05</u>
<b>NEW HIRE ORIENTATION / ID BADGES .....</b>	<u>5.06</u>
<b>NEW-HIRE PROBATIONARY PERIOD.....</b>	<u>5.07</u>
<b>PERFORMANCE EVALUATION.....</b>	<u>5.08</u>
<b>NON-BARGAINING POSITION AUDITS .....</b>	<u>5.09</u>
<b>PROMOTION .....</b>	<u>5.10</u>
<b>PROMOTIONAL PROBATIONARY PERIOD.....</b>	<u>5.11</u>
<b>TEMPORARY WORKING LEVEL (TWL).....</b>	<u>5.12</u>
<b>LATERAL CLASS CHANGE .....</b>	<u>5.13</u>
<b>DEMOTION .....</b>	<u>5.14</u>
<b>REDUCTION.....</b>	<u>5.15</u>
<b>RESIGNATION - VOLUNTARY TERMINATION OF EMPLOYMENT .....</b>	<u>5.16</u>



REMOVAL – INVOLUNTARY TERMINATION OF EMPLOYMENT .....	5.17
LAYOFFS.....	5.18
DISABILITY SEPARATION.....	5.19
DISABILITY RETIREMENT.....	5.20

**SECTION 6: WORKWEEK AND HOURS / PAYROLL.....**

COMPLIANCE WITH THE FAIR LABOR STANDARDS ACT (FLSA) .....	6.01
ATTENDANCE RECORDS .....	6.02
TIMESHEET RECORDKEEPING.....	6.03
AUTOMATED TIME RECORDKEEPING.....	6.04
STANDARD WORKWEEK AND HOURS.....	6.05
FLEXTIME / REDUCED WORK HOURS.....	6.06
LUNCH / BREAKS.....	6.07
OVERTIME, COMPENSATORY TIME AND EXCHANGE TIME (ACCRUAL) .....	6.08
HOLIDAYS .....	6.09
PAYROLL SYSTEM.....	6.10
PAYROLL DEDUCTIONS .....	6.11
DIRECT DEPOSIT PROGRAM.....	6.12
SAVINGS PROGRAMS.....	6.13
PAYMENT UPON SEPARATION FROM EMPLOYMENT WITH COUNTY .....	6.14

**SECTION 7: WORKPLACE WELLNESS .....**

DRUG-FREE WORKPLACE .....	7.01
SMOKE-FREE WORKPLACE .....	7.02
EMPLOYEE ASSISTANCE PROGRAM (EAP).....	7.03
FITNESS FOR DUTY – DRUG AND ALCOHOL TESTING .....	7.04
FITNESS FOR DUTY – PHYSICAL AND MENTAL HEALTH.....	7.05
SAFETY POLICY .....	7.06
WORKPLACE VIOLENCE.....	7.07
MEDIATION PROGRAM .....	7.08
WELLNESS PROGRAMS.....	7.09
SUSTAINABLE CUYAHOGA COUNTY.....	7.10

**SECTION 8: FAMILY MEDICAL LEAVE ACT (FMLA).....**

DEFINITIONS .....	8.01
ELIGIBILITY REQUIREMENTS.....	8.02
QUALIFYING CONDITIONS.....	8.03
AMOUNT OF LEAVE .....	8.04
COORDINATION WITH OTHER LEAVES OF ABSENCE.....	8.05
FMLA APPLICATION PROCEDURE .....	8.06
CONTINUATION OF BENEFITS.....	8.07
INTERMITTENT LEAVE AND REDUCED LEAVE SCHEDULES.....	8.08
RETURN TO WORK.....	8.09

**SECTION 9: EMPLOYEE LEAVE (GENERAL).....**

GENERAL.....	9.01
VACATION LEAVE .....	9.02
SICK LEAVE .....	9.03
COMPENSATORY TIME .....	9.04
EXCHANGE TIME .....	9.05
FUNERAL/BEREAVEMENT LEAVE .....	9.06
COURT LEAVE/HRC HEARINGS/JURY DUTY.....	9.07
LEAVE DONATION PROGRAM .....	9.08
UNPAID LEAVES OF ABSENCE .....	9.09



<b>SECTION 10: MILITARY LEAVE .....</b>	
<b>MILITARY LEAVE WITH PAY .....</b>	<u>10.01</u>
<b>UNPAID MILITARY LEAVE .....</b>	<u>10.02</u>
<b>SECTION 11: BENEFITS.....</b>	
<b>HEALTH CARE BENEFITS .....</b>	<u>11.01</u>
<b>OPEN ENROLLMENT .....</b>	<u>11.02</u>
<b>BENEFITS DURING UNPAID LEAVES OF ABSENCE .....</b>	<u>11.03</u>
<b>CHANGES IN MEDICAL BENEFITS COVERAGE.....</b>	<u>11.04</u>
<b>CONTINUATION OF COVERAGE .....</b>	<u>11.05</u>
<b>RETIREMENT – OHIO PUBLIC EMPLOYEE RETIREMENT SYSTEM (OPERS).....</b>	<u>11.06</u>
<b>DEATH BENEFIT.....</b>	<u>11.07</u>
<b>OPTIONAL ADDITIONAL EMPLOYEE BENEFITS.....</b>	<u>11.08</u>
<b>FLEXIBLE SPENDING ACCOUNTS (FSAs).....</b>	<u>11.09</u>
<b>SECTION 12: WORKERS' COMPENSATION.....</b>	
<b>WORKERS' COMPENSATION POLICY .....</b>	<u>12.01</u>
<b>EMPLOYEE PROCEDURE.....</b>	<u>12.02</u>
<b>SUPERVISOR PROCEDURE.....</b>	<u>12.03</u>
<b>RELATIONSHIP TO LEAVE TIME.....</b>	<u>12.04</u>
<b>ALTERNATIVE WORK PROGRAM .....</b>	<u>12.05</u>
<b>WAGE CONTINUATION PROGRAM .....</b>	<u>12.06</u>
<b>SECTION 13: EMPLOYEE CONDUCT POLICY .....</b>	
<b>GUIDELINES FOR APPROPRIATE CONDUCT.....</b>	<u>13.01</u>
<b>EMPLOYEE DRESS/APPEARANCE .....</b>	<u>13.02</u>
<b>EMPLOYEE RESPONSIBILITY FOR COUNTY PROPERTY.....</b>	<u>13.03</u>
<b>RECORDING OF CONVERSATIONS .....</b>	<u>13.04</u>
<b>WORKPLACE SEARCH/PRIVACY POLICY.....</b>	<u>13.05</u>
<b>PROFESSIONAL LICENSES.....</b>	<u>13.06</u>
<b>CRIMINAL CONVICTION .....</b>	<u>13.07</u>
<b>INAPPROPRIATE CONDUCT / GROUNDS FOR DISCIPLINE .....</b>	<u>13.08</u>
<b>PROGRESSIVE DISCIPLINE PROGRAM.....</b>	<u>13.09</u>
<b>CONDUCT/PERFORMANCE IMPROVEMENT MEASURES.....</b>	<u>13.10</u>
<b>PRE-DISCIPLINARY CONFERENCE (PDC).....</b>	<u>13.11</u>
<b>APPEALS.....</b>	<u>13.12</u>
<b>SECTION 14: ATTENDANCE CONTROL PLAN.....</b>	
<b>PURPOSE.....</b>	<u>14.01</u>
<b>AWOL (ABSENT WITHOUT OFFICIAL LEAVE) .....</b>	<u>14.02</u>
<b>ATTENDANCE CONTROL PLAN.....</b>	<u>14.03</u>
<b>APPEALS.....</b>	<u>14.04</u>
<b>SECTION 15: ELECTRONIC EQUIPMENT AND COMMUNICATIONS.....</b>	
<b>ELECTRONIC EQUIPMENT AND COMMUNICATIONS POLICY .....</b>	<u>15.01</u>
<b>PRIVACY EXPECTATIONS .....</b>	<u>15.02</u>
<b>SECURITY AND PROPRIETARY INFORMATION .....</b>	<u>15.03</u>
<b>PROHIBITED USES OF ELECTRONIC EQUIPMENT AND COMMUNICATIONS .....</b>	<u>15.04</u>
<b>SECTION 16: TRAVEL / DRIVING ON COUNTY BUSINESS.....</b>	



TRAVELING ON COUNTY BUSINESS.....	16.01
SAFETY BELT USAGE.....	16.02
DRIVING ON COUNTY BUSINESS / USE OF COUNTY FLEET VEHICLES.....	16.03
VEHICLE ACCIDENT REPORTING PROCEDURE.....	16.04
<b>SECTION 17: EMPLOYEE COMPLAINT PROCEDURES.....</b>	
EQUAL EMPLOYMENT OPPORTUNITY COMPLAINTS.....	17.01
FAIR LABOR STANDARDS ACT (FLSA) COMPLAINTS.....	17.02
GENERAL COMPLAINTS.....	17.03
<b>SECTION 18: RECORDS MANAGEMENT.....</b>	
CONFIDENTIAL INFORMATION.....	18.01
COMPLIANCE WITH RECORDS RETENTION SCHEDULE.....	18.02
PERSONNEL RECORDS.....	18.03
ELECTRONIC MAIL RECORDS.....	18.04
COMPLYING WITH REQUESTS TO INSPECT AND COPY COUNTY RECORDS.....	18.05



# Section 1: INTRODUCTION / GENERAL INFORMATION

## **1.01**      **Introduction**

Cuyahoga County (“County”) is responsible for providing many vital services to the citizens of Cuyahoga County through its employees. The County expects employees to fulfill their role in providing these services and to perform their job in a professional, fair, honest, and thorough manner. The County expects that employees will strive for excellence in advancing the County’s mission, demonstrating integrity and professional standards.

## **1.02**      **Administration**

All matters relating to the administration of the policies and procedures in this Manual will be under the general supervision of the Director of the Department of Human Resources (“Human Resources”).

Questions regarding interpretation and application of this Manual should be directed to Human Resources.

## **1.03**      **Disclaimer / Reservation of Rights**

The policies and procedures set forth in this Manual supersede all previous written and unwritten County personnel policies. This Manual does not constitute a contract of employment, expressed or implied, and should not be considered as such. Furthermore, this Manual is not a limitation on the County’s right to direct its workforce. Unless restricted by law, the County reserves all rights to manage its workforce. The policies and procedures contained in this Manual do not reflect or represent every conceivable factual situation, but those most often encountered. Situations may differ and will be handled as warranted by the circumstances and at the discretion of the County. The policies and procedures in this Manual are intended to be guidelines to employees and managers. The County retains the right to amend, add to or change the policies and procedures in this Manual at any time.



## **1.04      Relationship to Collective Bargaining Agreements**

For employees covered by a collective bargaining agreement, the terms and conditions of the collective bargaining agreement supersede this Manual on any subject covered by the collective bargaining agreement. The subjects covered in this Manual do not diminish the County's management rights and should not in any way be considered a waiver of these rights. Employees should contact their union representative or Human Resources should they have any questions regarding conflicts between your collective bargaining agreement and this Manual.

## **1.05      Relationship to Departmental Policy and Procedure Manuals**

The terms and conditions of this Manual supersede any contradictory terms or conditions set forth in any Departmental Policy and Procedure Manual.



## **1.06 Building Closure Policy**

Timesheet Code: AWD

### *Closing for the Full Day*

**In the event that it appears necessary to close County Buildings for a complete day, either the evening before or prior to 6:30 a.m. on the day of the proposed closing, the County Executive or designee will authorize the placing of a recording on the County's main number (216) 443-7000 regarding the closing of County Buildings.** The recording will also identify the County's 24-hour security number (216) 443-2141. This number will provide person-to-person solutions in unusual cases of emergency.

In addition, arrangements for dissemination of County building status information have been made with local television and radio stations. These announcements can be heard/found on the following radio and television stations/websites:

<b><u>Television Stations</u></b>	<b><u>Radio Stations</u></b>	<b><u>Websites</u></b>
WKYC – TV, Channel 3	WTAM, 1100 AM	<a href="http://www.cuyahogacounty.us">www.cuyahogacounty.us</a>
WOIO-TV, Channel 19	WMVX, 106.5 FM	<a href="http://www.wkyc.com">www.wkyc.com</a>
WUAB-TV, Channel 43	WMJI, 105.7 FM	<a href="http://www.wtam.com">www.wtam.com</a>
WVIZ/PBS, ideastream	WGAR, 99.5 FM	<a href="http://www.wmvx.com">www.wmvx.com</a>
	WAKS, 96.5 FM	<a href="http://www.wmji.com">www.wmji.com</a>
	WMMS, 100.7 FM	<a href="http://www.wgar.com">www.wgar.com</a>
	WHLO, 640 AM	<a href="http://www.kisscleveland.com">www.kisscleveland.com</a>
	WKDD, 98.1 FM	<a href="http://www.wmms.com">www.wmms.com</a>
	WCRF, 103.3 FM	<a href="http://www.640whlo.com">www.640whlo.com</a>
	WCPN, 90.3 FM	<a href="http://www.wkdd.com">www.wkdd.com</a>
	WCLV, 104.9 FM	<a href="http://www.1350radiofreeohio.com">www.1350radiofreeohio.com</a>
	Radio Free Ohio, 1350 AM	

The announcement will state “CUYAHOGA COUNTY GOVERNMENT BUILDINGS CLOSED.” In the absence of an announcement, employees should assume the County's buildings are open for operation.

### *Early Closings / Abbreviated Work Day*

Employees will be notified by their respective Department's management should it be necessary to close buildings early because of weather or other emergency. Employees will be instructed by management as to the actual closing time of the building and the proper procedure for completing their timesheet for that day.

### *“Essential Employees”*

Any notice of closing will not apply to “essential employees” (i.e., employees necessary to protect the immediate safety and/or security of person or property for which the County has direct responsibility, or the provision of emergency services which cannot be interrupted.) All elected officials, agency heads, and Department Directors will identify their essential employees and any buildings that must remain open and operating during an emergency building closing.



## **1.07      Employee Communications with the Media**

Any news media request for comment (e.g., on-camera interview, interview by a newspaper) shall be referred immediately to the Director of Communications or applicable Department Director and/or designee for official response.

## **1.08      Acknowledgement of Receipt**

Employees are required to acknowledge receipt of this Manual (either electronically or in writing) and are required to make themselves familiar with its contents. A copy of each employee's acknowledgement will be retained by Human Resources.



## Section 2: CIVIL SERVICE

### **2.01**      **Classification**

Pursuant to the Ohio Revised Code (“Revised Code”), County employees are divided into either unclassified service or classified service.

#### *Unclassified Service*

The unclassified service is comprised of the specific positions listed in the Revised Code, which includes, but is not limited to, Department Directors, the clerical and administrative staff of the County Executive, student interns, and temporary employees. All offices and positions in the unclassified service are exempt from civil service examination and have no tenure under the law. Unclassified employees serve at the pleasure of the County.

#### *Classified Service*

All other employees are deemed to be classified employees and their employment is subject to the provisions of the Ohio Revised Code, the Ohio Administrative Code, the Cuyahoga County Administrative Rules and this Manual.

### **2.02**      **Administrative Rules**

The County has adopted the rules applicable to county government contained in the Ohio Administrative Code Chapter 123 except as they are modified by the Cuyahoga County Administrative Rules.

### **2.03**      **Prior Service**

Employees who have prior service with the County or another political subdivision of the State of Ohio may be eligible for a higher vacation accrual rate or credit for unused accumulated sick leave.

Employees must provide Human Resources with a letter from their former employer(s), on their letterhead, with qualifying start and end dates of employment and with verification of any unused accumulated sick leave. Vacation accrual rates and available sick leave balances shall be adjusted and be effective upon receipt of documentation deemed acceptable by the County.

**NOTE:** See Section 9.02 for more information on the impact of prior service on vacation accrual rates and Section 9.03 for the impact on sick leave balances.



## Section 3: CODE OF ETHICS

### 3.01      Ethics Policy

It is the policy of the County to carry out its mission in accordance with the strictest ethical guidelines and to ensure that County members and employees conduct themselves in a manner that fosters public confidence in the integrity of the County, its processes, and its accomplishments. Failure to adhere to the standards of ethical conduct may subject an employee to discipline, up to and including removal, pursuant to Section 13 of this Manual as well as criminal prosecution in certain cases.

See complete policy at [hr.cuyahogacounty.us](http://hr.cuyahogacounty.us). Hard copies are available upon request to Human Resources.



**Section 4:**  
**EQUAL EMPLOYMENT  
OPPORTUNITY**

**4.01**      **Diversity Statement**

The County recognizes the value of diversity and all the benefits of fostering an inclusive work environment. All County employees should strive to create and support a work environment representative of the citizens we serve and reflective of the demographics of Cuyahoga County.

Diversity represents those human qualities that are different from our own and outside the groups to which we personally belong. Diversity incorporates the primary characteristics of age, ethnicity, gender, physical abilities and challenges, race and sexual orientation. Diversity dimensions also include educational background, geographic location, parental status, military experience, religious beliefs, and social, economic and political affiliation.

**4.02**      **Affirmative Action Policy**

Through affirmative action, the County seeks to enhance its equal employment opportunity goal and achieve equitable and sufficient representation of protected class members who have traditionally been underrepresented at all levels of employment and specifically where under-utilization exists.

The County shall make good faith efforts to recruit, train, hire, and promote members of these groups at sufficient levels. This includes preventing discrimination in hiring and promoting, providing access to varieties of jobs at all levels of pay and enhancing opportunities for these groups.



## **4.03      Equal Employment Opportunity Policy**

The County is committed to maintaining a professional work environment in which all individuals are treated with respect and dignity. Each employee has the right to work in an atmosphere which promotes equal opportunities and prohibits discriminatory practices, including harassment. It is the policy of the County to assure equal employment opportunities to all persons. The County strictly prohibits discrimination against any person in the recruitment, training, examination, appointment, retention, discipline or any other aspect of personnel administration based on any of the following characteristics (“protected characteristics”):

- Age
- Ancestry
- Disability
- Genetic Information
- Military Status
- National Origin
- Race
- Religion
- Sex / Gender
- Sexual Orientation
- Veteran Status

The County will not condone nor tolerate acts of discrimination and/or harassment, including sexual harassment, by any supervisor or employee under any circumstances. Appropriate corrective action will be taken if any employee is in violation of this policy.

Employees who feel that they have been discriminated against in violation of this Policy should immediately report their complaint in accordance with the County Equal Employment Opportunity Complaint Procedure (Section 4.05).



## **4.04      Workplace Harassment Policy**

In furtherance of its Equal Employment Opportunity Policy, the County strictly prohibits any form of “workplace harassment”. “Workplace harassment” is defined as:

- Conduct, whether verbal, non-verbal or physical;
- That is based on a person’s protected characteristic (*see above*); and
- Creates an intimidating, hostile or offensive work environment that unreasonably interferes with work or negatively affects an individual’s employment opportunities.

Workplace harassment can occur between co-workers, an employee and a supervisor/manager, or an employee and a non-employee who conducts business with the County.

### Sexual Harassment

The County’s prohibition against “workplace harassment” includes a zero tolerance policy prohibiting sexual harassment. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature that takes place under either of the following conditions:

- Submission to or rejection of this conduct by an individual is used explicitly or implicitly as a factor in decisions affecting hiring, evaluation, promotion, pay increases, termination or other aspects of employment; or
- This conduct substantially interferes with an individual’s employment or creates an intimidating, hostile, or offensive work environment.

Examples of sexual harassment include, but are not limited to:

- Unwanted sexual advances;
- Demands for sexual favors in exchange for favorable treatment or continued employment;
- Repeated sexual jokes, flirtations, advances or propositions;
- Verbal abuse of a sexual nature - graphic, verbal commentary about an individuals’ body, sexual prowess or sexual nature;
- Whistling or leering;
- Touching, pinching or assault;
- Coerced sexual acts;
- Suggestive insulting, obscene comments or gestures; and
- Display in the workplace of sexually suggestive objects, pictures or written material.

All forms of workplace harassment are unacceptable in the workplace itself and by any employee, in any setting involving business and outside the workplace, including but not limited to, other work-related settings such as business trips, holiday parties, office picnics and County approved events which employees attend.

Employees who feel that they have been subjected to harassment in violation of this Policy should immediately report their complaint in accordance with the County Equal Employment Opportunity Complaint Procedure (Section 4.05).



## **4.05 Equal Employment Opportunity Complaint Procedure**

**Employees who feel that they have been subject to discrimination or harassment in violation of the policies set forth in this Manual should immediately report their complaint in accordance with the procedure in this section. An employee or applicant wishing to file a discrimination, harassment, and/or retaliation complaint should contact Human Resources at (216) 443-7190 or TTY (216) 443-7002.**

Employees may also contact their immediate supervisor or their Department Director if they so choose. The supervisor or Director will then refer the matter to Human Resources.

If, after initial review of the complaint, it is determined that the complaint involves equal employment opportunity issues, Human Resources will initiate a thorough investigation into the complaint to determine whether there has been a violation of the Equal Employment Opportunity Policy, Workplace Harassment Policy, and/or Anti-Retaliation Policy. The investigation by Human Resources may include:

- Interviews of the complainant, the charged party and any other relevant witnesses;
- Requests for written statements by the complainant, the charged party and any other relevant witnesses; and
- Review of relevant documentation and personnel files.

Efforts will be made to complete the investigation in a prompt manner. The length of the investigation will vary based on the circumstances surrounding the investigation.

Information obtained in the course of investigations will remain confidential to the extent required by law. Information will be kept confidential unless disclosure is required to further the investigation or unless the County is required to release such information as a result of judicial, administrative or grievance proceedings or under the Ohio Public Records Law.

After obtaining and reviewing all necessary information, Human Resources will issue a determination as to whether there is probable cause to believe that the charged party has violated any of the County's equal employment opportunity policies. The complainant and the charged party will be informed in writing of the determination.

If Human Resources finds that there is probable cause, Human Resources, in consultation with Department management, will determine the appropriate corrective action to remedy the violation. Corrective action for violations of County Equal Employment Opportunity, Workplace Harassment, and Retaliation Policies, includes, but is not limited to:

- Discipline, up to and including removal, of the charged party pursuant to the County Discipline Policy (Section 13);
- Mediation referral (Section 7.08);
- Training (Section 13.10); and/or
- Administrative transfers of employees to separate certain individuals.

*Section 4.05*



## **4.06      Anti-Retaliation Policy**

The County strictly prohibits retaliatory action against an individual who opposes discrimination and/or harassment.

“Opposing discrimination and/or harassment” may include, but is not necessarily limited to:

- Filing a charge of discrimination or harassment;
- Cooperating with an internal or external investigation of alleged discrimination or harassment;
- Complaining to anyone about alleged discrimination against oneself or others;
- Threatening to file a charge of discrimination or harassment;
- Refusing to obey an order reasonably believed to be discriminatory;
- Picketing in opposition to discrimination; or
- Requesting a reasonable accommodation based on religion or disability.

“Retaliatory action” may include, but is not necessarily limited to:

- Employment actions, such as termination, refusal to hire and denial of promotions;
- Other actions affecting employment such as threats, unjustified negative evaluations, unjustified negative references or increased surveillance; or
- Any other action such as an assault or unfounded civil or criminal charges that is likely to deter reasonable people from pursuing their rights.

Any action that is perceived to be retaliatory against an individual should be immediately reported in accordance with the County Equal Employment Opportunity Complaint Procedure (Section 4.05).

*Section 4.06*

## **4.07      The Americans With Disabilities Act (“ADA”)**

Cuyahoga County  
Department of Human Resources



Policies and Procedures Manual

Last Revised: 1/24/2012

The County, in accordance with the Rehabilitation Act of 1973, Section 504, and the Americans with Disabilities Act of 1990 (“ADA”), seeks to assure its employees that no individual will be discriminated against in a county workplace due to a disability. Under the ADA, the term disability means: "(a) A physical or mental impairment that substantially limits one or more major life activities of an individual; (b) a record of such an impairment; or (c) being regarded as having such an impairment." Simply having a disability does not ensure ADA coverage.

An “ADA Reasonable Accommodation” may be provided to qualified employees. What constitutes a reasonable accommodation will vary from case to case depending on the needs of the position and of the qualified employee. There is no guarantee that a reasonable accommodation will exist for every situation.

The County seeks to ensure that individuals with a disability are hired and retained, and have reasonable access to County owned and leased facilities, as well as facilities occupied by providers under contract with the County to provide services.

#### ADA Reasonable Accommodation Request Procedure

The County’s ADA Reasonable Accommodation Request Procedure serves to verify the existence of a disability and the need for an accommodation in testing, program accessibility, or employment.

**To request an ADA accommodation, the employee is required to contact Human Resources (216-443-7190) to request a copy of the required forms.** The forms need to be returned to Human Resources, who will then contact the medical provider for verification of disability information provided by the employee.

Upon receipt of the required medical information, Human Resources will engage the employee in an interactive process to:

- Ascertain the individual's precise job-related limitations and how they can be overcome with reasonable accommodation; and
- To identify potential accommodations and assess the effectiveness of each.

Human Resources, with input from the employee, department management and other necessary professionals, will determine whether or not a reasonable accommodation may be fashioned, and whenever possible, will recommend an appropriate accommodation. The appropriate accommodation need not be the one desired by the employee.

Human Resources will forward a copy of their recommendation(s) to the Department Director. Once the Director approves the recommendation, Human Resources will then inform the employee. The Employment Relations Division will monitor the situation to ensure that the agreed upon accommodation is achieved and maintained as long as required. **Section 4.07**

## **4.08 Religious Accommodation**



In accordance with federal and state laws and County policy, the County prohibits discrimination on the basis of religion. The County provides reasonable accommodations for sincerely held religious beliefs and/or practices unless doing so would impose an undue hardship on the County. A reasonable religious accommodation is an adjustment to the work environment that will allow an employee to comply with his or her religious beliefs. An employee seeking a reasonable religious accommodation should initially approach their immediate supervisor to discuss their request. If the employee is not satisfied with their supervisor's response, the employee can forward their request to Human Resources for review. Human Resources will respond to the employee's request within a reasonable time.

*Section 4.08*



## Section 5:

# EMPLOYMENT WITH THE COUNTY

### **5.01**      **Application**

All persons applying for original appointment to a position under the County shall complete and file with Human Resources an “Employment Application Form”.

No applicant shall be required to disclose their religious or political affiliation or racial or ethnic origin, except as necessary to gather equal employment opportunity or other statistics that, when collected, will not identify any specific individual.

### **5.02**      **Examinations**

Appointments and promotions for positions in the classified service are made according to merit and fitness, which are evaluated through competitive examinations and/or other appropriate mechanisms as determined by the Director of Human Resources. An examination may include an evaluation of such factors as education, training, capacity, knowledge, manual dexterity, and physical or psychological fitness. An examination may involve structured interviews, assessment centers, work simulations, examination of knowledge, skills and abilities, and any other acceptable testing methods.

### **5.03**      **Employment Eligibility Verification**

In accordance with the Immigration Reform and Control Act of 1986, the County is committed to employ only United States citizens and aliens lawfully authorized to work in the United States.

Employees hired after June 1, 1987, are required to complete Section 1 of Form I-9 Employment Eligibility Verification and present documentation within three working days to Human Resources to verify identity and employment eligibility.

Human Resources shall examine the documentation and, if satisfied, shall complete Section 2 of Form I-9 to record information. The completed Form I-9 shall be retained for three years or for one year past the employment of the individual, whichever is longer.



## **5.04      Applicant Drug Testing**

All final applicants tentatively offered a position under the County will be required to submit to urinalysis to test for illegal drug use prior to final appointment. An applicant with a positive test may not be offered employment for a period of one (1) year from the date of the positive test. Applicants shall have an opportunity to submit medical documentation of legally prescribed medications which may explain a positive test result.

**NOTE:** See Section 7.04 for more information on County drug/alcohol testing policies and procedures.

## **5.05      Criminal Background Check**

All outside applicants for employment may be required to submit to fingerprinting for a criminal background check. A criminal background check may also be required for current employees who are applying for certain types of positions under the County (e.g., positions working with children or seniors). The County in its discretion may also periodically conduct criminal background checks of current employees.

In addition to the performance of a criminal background check, all applicants for employment are required to disclose whether they have been convicted of any of the following crimes:

- Felonies (or under arrest for crime punishable as a felony);
- Crimes involving dishonesty, fraud, or theft (e.g., forgery, burglary, robbery, credit card fraud, perjury, bribery, tax evasion);
- Crimes of moral turpitude (e.g., sex offenses, pandering, prostitution, importuning, public indecency);

**NOTE:** Current employees are required to disclose if they are arrested for certain crimes. See Section 13.07.

Conviction of a crime or a history of criminal convictions may prevent an applicant from being offered employment. Determination of such action will be based on an analysis of the responsibilities of the position and the nature and time frame of the conviction. Current employees may also be subject to discipline, up to and including removal, pursuant to Section 13 of this Manual, if a background check reveals a criminal conviction.



## **5.06      New Hire Orientation / ID Badges**

All newly appointed employees are required to attend a general County employee orientation. Newly appointed employees may also be required to attend additional employee orientations as required by their respective department.

New employees will receive an identification badge from the County at no cost. Employees are required to wear their identification badges at all times while on County property or County business. It is the responsibility of the employee to contact their supervisor immediately if an identification badge is lost, stolen or damaged. Employees are required to request a new badge within five (5) working days. Employees will be charged a replacement fee to obtain a new badge. Non-compliance with this Section could subject the employee to disciplinary action under Section 13 of this Manual.



## **5.07      New-Hire Probationary Period**

All newly appointed employees to a non-bargaining, full or part-time classified position shall be required to successfully complete a probationary period of no less than one hundred eighty (180) calendar days, with its effective date beginning the date of appointment. No appointment is final until the employee has satisfactorily served the probationary period. A probationary employee may be removed or reduced at any time during the probationary period when, in the sole judgment of the County, the employee's fitness and/or quality of work are not such as to merit continuation in the position. A probationary employee has no right to appeal the removal or reduction under the Revised Code.

**NOTE:** The length of a probationary period for a part-time employee shall be determined in accordance with Ohio Administrative Code Section 123:1-19-04.

A longer probationary period, not in excess of one (1) year, may be established for specific job classifications. The Director of Human Resources may extend an employee's probationary period to allow additional time to review the employee's performance. No extension may be granted, however, if the extension would cause the total probationary period to exceed one (1) year.

Probationary employees will be evaluated with respect to performance efficiency twice during their probationary period. The first performance evaluation will be completed within thirty (30) days of the conclusion of the first half of the probationary period. The second evaluation will be completed within thirty days of completion of the probationary period, unless the employee is given a probationary removal or reduction, in which case the final evaluation will be made at the time of the removal or reduction. The final probationary evaluation shall state whether the employee is to be retained, removed or reduced.

The following time shall not be counted as part of the probationary period:

- Days spent on any unpaid leave of absence; or
- Days spent on a paid leave of absence for more than five (5) consecutive working days.

The employee's probationary period shall be extended by a number of days equal to the number of days that are not counted as part of the probationary period. For example, an employee who misses 10 consecutive working days on paid sick leave will have their probationary period automatically extended for 10 working days.

**NOTE:** Probationary periods and probationary evaluation requirements for bargaining unit employees are set forth in each applicable collective bargaining agreement.



## **5.08      Performance Evaluation**

Performance evaluations are an opportunity for management to assess work performance of employees and to provide them with instructive feedback. Classified employees will be evaluated with respect to performance efficiency on a schedule determined by the Director of Human resources. Each evaluation shall measure the employee's performance for the year immediately preceding the evaluation date.

Each employee will be evaluated by their immediate supervisor. Upon completion of their evaluation, the evaluator shall prepare a Performance Evaluation Form and review it with the employee. The employee shall sign the evaluation to indicate that he or she has received a copy of the completed form. The employee's signature on the form does not indicate agreement with its contents; it merely acknowledges receipt of the form. Refusal of the employee to sign the form shall constitute waiver of the employee's appeal rights outlined below.

Employees who disagree with their performance evaluation are entitled to prepare a rebuttal statement that will be attached to their evaluation prior to placement in the employee's personnel file.

**NOTE:** Bargaining unit employees should refer to their collective bargaining agreement for information on performance evaluations.



## 5.09      Non-Bargaining Position Audits

Non-probationary, non-bargaining, classified employees who believe that their duties have changed significantly and feel that their classification is no longer appropriate may request a position audit.

An employee wishing to initiate a position audit shall submit their request in writing to the Director of Human Resources. Upon receipt of the employee's request, Human Resources shall forward a Comprehensive Position Questionnaire (CPQ) to the employee for completion. The CPQ will be accompanied by a cover letter and instructions for completing the CPQ. The cover letter will also be sent to the employee's Department Director.

The employee shall return the completed CPQ forms to Human Resources within thirty (30) days of receipt. The employee may request in writing to the Director of Human Resources a **onetime** extension of time in which to complete the CPQ. The deadline, however, may not be extended beyond thirty (30) days after the original due date.

Human Resources will review all submitted information and will make a determination as to the appropriate classification. To meet the classification criteria, an employee must perform the mandatory duties stated in the classification function at least 20% of the time. Prior to rendering a decision on the position audit request, Human Resources reserves the right to conduct an on-site audit. Upon completion of their review, Human Resources will send results of the position audit to the employee by certified mail to the address listed on the employee's Request for Position Audit Form with a copy to the Department Director. The employee has the right to appeal the decision rendered by Human Resources. This must be done in writing to the Cuyahoga County Human Resources Commission (HRC) within thirty (30) days of receipt of the letter of notification from Human Resources.

**NOTE:** Employees may lose their appeal rights if their own negligence caused them to fail to receive the position audit decision from Human Resources (i.e., failure to list correct mailing address on Request for Position Audit Form or failure to sign for the certified letter).

If the position audit results in the employee being reassigned to a classification in a higher pay range, the employee's rate of pay shall be adjusted to either the minimum of the new pay range or to the lowest step in the range which will reflect an increase of at least 5%, whichever is the greater increase.

If the position audit results in the employee being reassigned to a classification in a lower pay range, the employee's rate of pay may be reduced.

If the position audit results in no change in the employee's classification, but a change in the pay range assignment of the classification, the employee will be adjusted to the same step in the new pay range. *Section 3.09 (1)*



If the position audit results in the employee being reassigned to a classification in a higher pay range, any salary adjustment will be computed retroactive to the beginning of the first pay period following the date that the written request for the position audit was received by Human Resources. If the position audit results in the creation of a new classification and/or pay range, any salary adjustment will be effective the first pay period following approval of the new classification and/or pay range by the County (i.e., not retroactive).

If, after conducting a position audit on an employee, Human Resources becomes aware of similarly situated employees, it will reassign the other employees, effective the beginning of the first pay period following the date that the decision was rendered on behalf of the employee that had requested the audit. Similarly situated employees will not be entitled to retroactive pay increases.

An employee may withdraw the request for a position audit at any time prior to a decision being rendered. An employee may not request a position audit more than once in a twelve-month (12) rolling period unless documentation acceptable to the Director of Human Resources is provided at the time of the second request that the job has substantially changed since the date of the completion of the previous audit.

An employee who has received a classification change pursuant to this Section is not required to serve a new probationary period.

**NOTE:** Bargaining unit employees should refer to their collective bargaining agreement for information on position audits.

*Section 5.09 (2)*



## **5.10      Promotion**

Promotions for positions in the classified service shall be made according to merit and fitness. Competitive examinations or other appropriate mechanisms to determine merit and fitness shall be utilized unless deemed impracticable by the Director of Human Resources.

Whenever a current employee is selected to fill a position which is in a higher pay range, the employee will be adjusted to the minimum of the new pay range, or be placed on a step in the higher pay range that reflects at least a five percent (5%) increase in his or her salary, whichever is greater. At no time will an employee be eligible for promotion while serving a probationary period.

## **5.11      Promotional Probationary Period**

All newly promoted classified employees shall be required to successfully complete a probationary period of one hundred eighty (180) days. The promotional probationary period follows the same procedures as the New Employee Probationary Period (Section 5.07) with regard to extension of the period, applicability of time spent on unpaid leave of absence and evaluation. No promotion is final until the employee has served the probationary period.

If an employee accepts a promotion and is found to be unsatisfactory in the advanced position, the employee shall be returned to the position from which the employee was promoted or to a similar position. Upon such return, the employee's salary shall be the same that the employee was receiving prior to promotion, except for changes in pay range that may have occurred or any step increase to which the employee would have been entitled in the lower classification.

Any employee failing a promotional probationary period shall have the right to appeal through the Employee Complaint Procedure (Section 17.03) within five days following issuance of notice of failure of probationary period. A probationary employee, however, has no right to appeal the removal or reduction under the Revised Code.

## **5.12      Temporary Working Level (TWL)**

A TWL pay adjustment may be granted when an employee is temporarily assigned a significant amount of the duties of a position with a higher pay range for a minimum of a two (2) week period, but not to exceed one (1) year.

The employee must meet the minimum requirements for the position in the higher pay range to be granted a TWL pay adjustment. An employee that is granted a TWL pay adjustment will be placed on a step that reflects at least a 5% increase in his or her salary, or the lowest step in the higher pay range, whichever is greater.



### **5.13      Lateral Class Change**

A lateral classification change involves the movement of an employee, with the employee's consent, from one classification to another classification that is assigned to the same pay range or to a pay range in which the step one rate is the same as the step one rate as the classification from which the employee moves. An employee who accepts a lateral classification change will not have their pay adjusted and will not be subject to a probationary period.

**NOTE:** The filing of a Request for Position Audit (Section 5.10) constitutes the employee's consent to a lateral classification change should that be the ultimate decision at the end of the position audit process.

### **5.14      Demotion**

A demotion is a reduction in rank or position to a classification which carries a lower salary range than that previously held. A demotion shall only be made for one or more of the offenses set forth in Section 13.08 of this Manual, except when the employee voluntarily agrees to a demotion in writing.

An employee who is demoted will be placed on a step in the lower pay range which reflects at least a 5% decrease in salary or be adjusted to the maximum of the pay range of the new position, whichever is the greater reduction in salary.

### **5.15      Reduction**

"Reduction" means a change of the classification held by an employee to one having a lower base pay range, a change to lower step within a salary range with an accompanying diminution in compensation, or any decrease in compensation for an employee. A reduction shall only be made for one or more of the offenses set forth in the Section 13.08 of this Manual, except when the employee voluntarily agrees to a reduction in writing.



## **5.16      Resignation - Voluntary Termination of Employment**

An employee may resign his or her employment with the County by submitting sufficient notice to the Department of Human Resources. Upon receipt of an employee's notice of Resignation, the Director of Human Resources will confirm acceptance of the employee's resignation to the employee in writing. A resignation notice may not be rescinded by an employee after acceptance by the Director, unless, in their sole discretion, the County accepts the employee's request to rescind.

Employees are requested, where possible, to provide fourteen (14) days advance written notice of their intended resignation.

## **5.17      Removal – Involuntary Termination of Employment**

Removal is an involuntary termination of County employment. A removal shall only be made for one or more of the offenses set forth in Section 13.08 of this Manual. Employees who are removed may appeal the removal to the HRC or in accordance with the terms of their collective bargaining agreement (See Section 13.12 of this Manual for more information regarding an employee's right to appeal a removal action.)

## **5.18      Layoffs**

County employees in the classified service may be laid off whenever a reduction in force is necessary due one or more of the following reasons:

- Lack of funds;
- Lack of work; or
- The abolishment of positions as a result of reorganization for the efficient operation of the County, for reasons of economy, or for lack of work.

Whenever it becomes necessary for the County to reduce its workforce, the County shall lay off employees or abolish their positions in accordance with the Revised Code and the administrative rules promulgated thereunder. Employees should refer to the applicable Ohio Revised Code and Ohio Administrative Code sections for detailed information regarding retention points, order of layoff, displacement rights and reinstatement rights.

**NOTE:** Bargaining employees should refer to their respective collective bargaining agreement for information regarding to layoffs.



## **5.19      Disability Separation**

An employee who is unable to perform the essential job duties of his or her position due to a disabling illness, injury or condition may be disability separated. A disability separation may be voluntary or involuntary.

### *Eligibility*

An employee is eligible for disability separation if both of the following conditions are met:

1. The employee is unable to perform the essential job duties of his or her position due to a disabling illness injury or condition; and
2. The employee has exhausted all of his or her paid sick leave and applicable unpaid leave.

When the employee does not dispute his or her inability to perform the essential job duties of his or her position due to a disabling illness, injury or condition, the disability separation process is considered “**voluntary**” and the following conditions apply:

- The County may grant the employee’s request for voluntary disability separation or may require the employee to submit to a medical or psychological fitness for duty examination with a physician chosen by the County. If the examination supports the employee’s request, the County shall grant the employee’s request. If the medical examination does not support the employee’s request, the County will not approve the request.
- An employee who is granted a voluntary disability separation waives his or her right to a pre-separation hearing and to any appeal of the decision to approve his or her request.
- An employee who is granted a voluntary disability separation shall retain the right to be reinstated to his or her position for two (2) years from the date that the employee is no longer in active work status due to a disabling illness, injury or condition. An employee may submit a written request for reinstatement from a voluntary disability in accordance with the procedure established below.

When there is a dispute between the County and the employee as to the employee’s ability to perform the essential job duties of his or her position, the disability separation process is considered “**involuntary**” and the following conditions apply:

- The County must have substantial credible medical evidence of an employee’s disabling illness, injury or condition (e.g., a fitness for duty examination finding the employee unfit for duty).
- The County must determine that the employee is unable to perform any of his or her essential job duties.
- The County will institute a hearing prior to involuntarily disability separating an employee. The employee shall be provided written notice at least seventy two (72) hours in advance of the hearing. If the employee does not waive his or her right to the hearing in writing, the hearing shall go forward and the employee has the right to examine the County’s evidence of disability, to rebut that evidence, and to present testimony and evidence on his or her own behalf.



- If the County determines, after weighing the testimony presented and evidence admitted at the pre-separation hearing, that the employee is unable to perform his or her essential job duties, then the County shall issue an involuntary disability separation order.
- An involuntarily disability separated employee shall have the right to appeal in writing to HRC within ten (10) days following the date the order is served.
- An employee shall have the right to request reinstatement to his or her position for two (2) years from the date of separation.

Reinstatement

An employee on disability separation may make a written request to the County for reinstatement from the separation. An employee may not make a first request for reinstatement until three (3) months from the date the employee was no longer in active work status. The County shall notify the employee of its decision to approve or deny the reinstatement request no later than sixty (60) days after it receives the employee's written request. The employee shall not make subsequent requests for reinstatement more than once every three (3) months from the date the employee is notified of a reinstatement denial.

**An employee is not eligible for reinstatement if the request occurs later than two (2) years from the date that the employee was no longer in active work status due to the disabling illness, injury or condition.**

**NOTE:** For purposes of reinstatement under this Section, the date of separation is the date in which the employee was no longer performing active work status due to the disabling illness, injury or condition. If an employee attempts to return to work but fails to perform the essential job duties for six (6) consecutive months, the employee's effective date of separation does not change.

An employee's request for reinstatement shall be accompanied by substantial, credible medical evidence that the employee is once again capable of performing the employee's essential job duties. Upon receipt of this evidence, the County shall either reinstate the employee or require the employee to submit to a medical or psychological fitness for duty examination. If the County determines that the employee is unable to perform his or her essential job duties, the County will institute a pre-reinstatement hearing.

An employee shall be provided written notice at least seventy two (72) hours in advance of the pre-reinstatement hearing. If the employee does not waive the right to the hearing, then at the hearing the employee has a right to examine the County's evidence of continuing disability, to rebut that evidence, and to present testimony and evidence on his or her own behalf.

If the County finds the employee incapable of performing essential duties, the County will not reinstate the employee. The employee will be notified of this decision in writing and shall have the right to appeal in writing to HRC within thirty (30) days of receiving the decision.



If the County determines that the employee is to be reinstated, the employee has a right to be assigned to a position in the classification the employee held at the time of disability separation. If the classification the employee held at the time of disability separation no longer exists or is no longer utilized by the County, the employee shall be placed in a similar classification. If no similar classification exists, or if the employee no longer meets the minimum qualifications, the employee may be laid off in accordance with the Ohio Revised Code or in accordance with an applicable collective bargaining agreement.

County employees who are unable to perform the essential job duties of his or her position on a permanent basis due to a disabling illness, injury or medical condition, may be eligible for disability retirement through OPERS. Employees must contact OPERS to initiate the disability retirement process. If the employee has been granted disability benefits by OPERS, the reinstatement requirements of this Section may apply for up to five years.

**NOTE:** If the employee has been granted disability benefits by OPERS, the reinstatement requirements of this Section may apply for up to five years. See Section 5.20 of this Manual for more details.



## **5.20      Disability Retirement**

County employees who are unable to perform the essential job duties of his or her position on a permanent basis due to a disabling illness, injury or medical condition, may be eligible for disability retirement through OPERS. Employees must contact OPERS to initiate the disability retirement process. Contact information for OPERS can be found in Section 11.06 of this Manual.



## Section 6: **WORKWEEK AND HOURS / PAYROLL**

### **6.01      Compliance with the Fair Labor Standards Act (FLSA)**

The FLSA is a federal law which requires that certain employees be paid at least the federal minimum wage for all hours worked and overtime for all hours worked over forty (40) hours in a workweek. It is County policy to comply with all requirements of the FLSA. In accordance with this policy, all positions with the County are categorized as either “non-exempt” or “exempt” based on the nature of the positions:

- **Non-Exempt Employees** – Non-exempt employees receive compensatory time or overtime for time worked beyond forty (40) hours in a workweek.
- **Exempt Employees** – Exempt employees do not receive compensatory time or overtime for time worked beyond forty (40) hours in a workweek. Subject to the provisions of 6.08 of this Manual, however, exempt employees may be eligible to receive exchange time for time worked beyond (40) hours.

An employee who believes that he or she has been improperly categorized as exempt or his or her paycheck has been improperly docked may file a complaint in accordance with the County FLSA Complaint Process ([Section 17.02](#)). If the County determines that the employee has been improperly categorized or docked, the employee will be re-categorized and/or reimbursed.



## **6.02      Attendance Records**

Human Resources utilizes two methods for capturing time worked by employees: (1) timesheets – including paper and electronic forms; and (2) automated time recording system. The following attendance records policies and procedures are established pursuant to principles of public accountability. Attendance records are public records.

Each employee is generally required to record or clock his or her time at the moment of arriving to commence work and departing for the workday. Supervisors will arrange for a sign in/out procedure to be in place for all employees who are required to report directly to a worksite away from the location where the normal sign in/out procedure takes place. The employee, however, is solely responsible for accurately completing and signing his or her own timesheet.

**Falsification of a timesheet is grounds for discipline, up to and including removal.**

Employees who do not report to work on time are in violation of the Attendance Control Policy (Section 14.03). When an employee is tardy without approved leave (i.e., sick/vacation/FMLA), the time taken will be without pay and will be cumulative toward the employee AWOL hours (*see* Section 14.02).



## **6.03      Timesheet Recordkeeping**

Timesheets (paper or electronic) are to be used to record reasons for absences and additional hours worked which qualify for overtime, compensatory time and/or exchange time. Timesheets will include the following codes for all the various possibilities for absences:

<b>Reason for Absence</b>	<b>Timesheet Code</b>	<b>Policy Manual Section</b>
Abbreviated Work Day	AWD	<u>1.06</u>
Absent w/out Official Leave	AWOL	<u>14.02</u>
Compensatory Time Leave	CT	<u>9.04</u>
Court/Jury Duty/HRC Leave	CL	<u>9.07</u>
Exchange Time Leave	ET	<u>9.05</u>
Extended Unpaid Sick/Medical Leave	LOA	<u>9.09</u>
FMLA Leave	FMLA	<u>8</u>
Holiday	H	<u>6.09</u>
Holiday w/out Pay	HX	<u>N/A</u>
Leave Donation	SLD	<u>9.08</u>
New-Hire Administrative Leave	ALX	<u>9.09</u>
Paid Administrative Leave	AL	<u>13.09</u>
Paid Military Leave	ML	<u>10.01</u>
Personal Day	PD	<u>N/A</u>
Personal Leave of Absence	LOA	<u>9.09</u>
Sick Leave	S	<u>9.03/9.06</u>
Suspension w/out Pay	SUSX	<u>13.09</u>
Suspension w/Pay	SUS	<u>13.09</u>
Unpaid Military Leave	MLX	<u>10.02</u>
Vacation Leave	V	<u>9.02</u>
Voluntary Work Reduction	VWR	<u>6.06</u>
Worker's Compensation Leave w/out Pay	WCX	<u>12.04</u>

**Each employee is responsible for ensuring that the employee has adequate available leave time when requesting/claiming leave time on his or her timesheet. Employees who claim leave time that they do not have will be considered AWOL for the claimed period of time (See Section 14.02).**

Employees shall adhere to the following procedure for accurately completing their timesheet:

- Accurately record the time they **began work and the time that they ended working** for each regular working day;
- Determine the number of hours and minutes worked each day (only if utilizing paper timesheet);
- Convert the time worked or time off to a decimal (only if utilizing paper timesheet);



- If time worked is less than the scheduled workday, note the hours off and indicate the reason for the absence (only if utilizing paper timesheet);
- Add the weekly regular, overtime, compensatory and exchange hours for each week to reflect in the breakdown of hours worked on the timesheet (only if utilizing paper timesheet); and
- Sign or electronically submit the timesheet to indicate their confirmation of the times noted as the arrival and departure for each day.

The sum of work time, authorized leave and time without pay shall not exceed the amount of time an employee would have been regularly scheduled to work in any day, unless overtime/compensatory time/exchange time was required and authorized by the supervisor/department head.

Upon the validation of the timesheet by the employee, the supervisor shall review the timesheet to certify that the employee rendered the time indicated on the timesheet. Supervisors are accountable for their employees' whereabouts at all times. If the supervisor is satisfied that the employee's timesheet accurately reflects the employee's attendance for the week, the supervisor shall sign or electronically submit the timesheet to reflect the authorization of hours to be paid.

Upon the completion and validation of timesheets, the supervisor (or designee) must ensure that signatures by each employee and the supervisor are included. All completed timesheets must be forwarded on a weekly basis to the appropriate payroll administrator for record keeping and processing.

**Falsification of a timesheet by an employee or a supervisor is a violation of the County's Discipline Policy (Section 13), which may result in disciplinary action, up to and including removal from County employment.**



## **6.04      Automated Time Recordkeeping**

The second method for time recording utilized by the County is by automated time recording mechanism (e.g., Timelink). The automated payroll system is a precise measure of time and attendance which is based upon keypunches and/or card swipes. No grace period exists for employees who utilize the automated time recording mechanism. Therefore, should an employee key or swipe in after their scheduled time to work or before their scheduled shift ends, the system will note the late arrival or early departure and accordingly dock the earnings of the employee.

Employees who utilize the automated time recording mechanism must do so at their assigned worksite. It is the responsibility of each employee to punch in at the start of the shift and out at the conclusion of the shift. Early arrivals and late departures will not be counted as overtime unless previously approved by a supervisor.

**Under no circumstances may an employee swipe/key another employee in at the beginning of a shift or out for the end of a shift. Violation of this provision may result in disciplinary action, up to and including removal.**



## **6.05**      **Standard Workweek and Hours**

The normal workweek for full-time County employees is five (5) days per week, usually Monday through Friday. The normal workday is from 8:30 a.m. to 4:30 p.m., with a paid lunch period in accordance with Section 6.07 of this Manual. The normal workweek and standard hours of work may vary based on operation needs, and/or in cases of 7-day/24-hour-a-day operations or in situations covered by a collective bargaining agreement.

**NOTE:** A non-exempt employee may not work beyond the standard hours of work so as to exceed the normal forty-hour workweek without prior authorization by the employee's supervisor.

In the case of unexcused absences or absence without approved leave, the time missed will be without pay and will be recorded as AWOL pursuant to Section 14.02.



## **6.06      Flextime / Reduced Work Hours**

Department Directors, in their sole discretion, may authorize employees to participate in flextime. Those authorized to participate in flextime are required to comply with all other policies and procedures, including, but not limited to, the requirements of this Section and the Attendance Control Policy (Section 14). Participation in flextime does not eliminate any of the work rule requirements mandated in this Manual. Department Directors, in their sole discretion, may revoke the offer of flextime at any time.

**NOTE:** No flextime options permit employees to work before 7:00 a.m. or beyond 6:00 p.m. unless absolutely necessary for County operations.

### *Flextime Options*

#### OPTION A – Core Hours

- Permits employees to choose, on a day to day basis, a work schedule beginning as early as 7:00 a.m. and as late as 10:00 a.m.
- An employee's workday will end eight (8) hours from the time they arrive.
- All employees are required to be present during the "core hours" of 10:00 a.m. to 3:00 p.m.

#### OPTION B – Four (4) Day Work Week

- Permits employees to work four (4) ten (10) hour days.
- Directors and Division Managers are excluded from participation in this Option.
- Department heads may select from three different plans for reallocating the number of workdays from five (5) to four (4) days:
  - **Plan 1** – Department as a whole operates four days. All employees are scheduled to work the same days (i.e., Monday through Thursday; Tuesday through Friday or Thursday through Sunday).
  - **Plan 2** – Department operates five (5) days a week with each employee working only four days – days off are staggered among teams of employees.
  - **Plan 3** – Department operates seven days a week, each employee working four days – schedule alternates as necessary.
- Holiday Scheduling – Employees on the four (4) day work week will revert to a five (5) day, eight (8) hour schedule during each week in which a holiday occurs

#### OPTION C – Selected Daily Work Hours

- Employee may select a different number of work hours each day.
- Total selected hours must equal forty (40) hours each workweek.
- No less than five (5) hours or more than ten (10) hours may be worked in one day.
- This plan may include Saturday as a workday.
- Holiday Scheduling – Employees who are on selected daily work hours will revert to a five (5) day, eight (8) hour schedule during each week in which a holiday occurs.



Voluntary Work Reduction

Timesheet Code: **VWR**

Department Directors, in their sole discretion, may authorize employees to participate in a voluntary work reduction program. A voluntary work reduction involves a decrease in an employee's amount of hours worked. Those authorized to participate in a voluntary work reduction program are required to comply with all other policies and procedures, including, but not limited to, the requirements of this Section and the Attendance Control Policy (Section 14). Participation in a voluntary work reduction program does not eliminate any of the work rule requirements mandated in this Manual. The Department Director, in their sole discretion, may revoke the offer of a voluntary work reduction program at any time.

**NOTE:** Exempt employees who participate in a voluntary work reduction program shall not be eligible to accumulate exchange time.

Cost Savings Days

In their sole discretion, the County may establish mandatory or voluntary cost savings programs in accordance with the authority granted by the Revised Code. A cost savings program involves the taking of unpaid cost savings days ("furlough days") by County employees.



## **6.07      Lunch / Breaks**

Unless otherwise specified in a collective bargaining agreement, County employees will receive a one-hour paid lunch period. In addition, County employees may receive two paid rest breaks of fifteen (15) minutes in duration. All rest breaks and lunch periods are to be scheduled by the employee's immediate supervisor based on the operational needs of their unit and in accordance with the following provisions:

- One rest break shall be taken in the first half of the work day and one shall be taken in the second half of the work day;
- Rest breaks shall not abut the end or beginning of the lunch period;
- Rest breaks and lunch periods cannot be used to make-up tardiness or quitting early. For example, an employee who is scheduled to end his or her day at 4:30 may not leave for the day at 3:30 p.m. and take his or her lunch from 3:30 to 4:30 p.m.; and
- An employee must return to work after a lunch period for that period to be considered a lunch period. For example, an employee may not take his or her lunch period from 12 p.m. to 1 p.m. and then take sick leave from 1 p.m. until the end of the day. The employee will be required to use his or her own leave time to cover the period from 12 p.m. to 1 p.m. If, however, the employee only used sick leave from 1 p.m. until 2 p.m. and returned to work for the remainder of the day, the 12 p.m. to 1 p.m. period would be considered a proper lunch period.



## **6.08      Overtime, Compensatory Time and Exchange Time** **(Accrual)**

The accrual and use (See Sections 9.04 and 9.05) of all overtime/compensatory time/exchange time must be prior approved by an employee's supervisor.

Employees are not permitted to accrue or use compensatory time or exchange time without prior approval by the employee's supervisor

### *Compensatory Time / Overtime*

In accordance with Section 6.01 of this Manual, employees in non-exempt positions who **are required to or are granted prior authorization** to work beyond forty (40) hours in a work week shall accrue compensatory time at a rate of one and one-half (1 ½) hours for every hour worked beyond forty (40) hours. **It is incumbent upon management (including front-line supervisors) to direct their unit operations and/or employee workload so that non-exempt employees do not perform unscheduled work that results in overtime or compensatory time liability.** It is the duty of unit management to exercise control so that work is not performed by non-exempt employees outside of their normal scheduled work hours unless the additional work time has been authorized.

To avoid overtime or compensatory time liability, a supervisor may direct a "temporary schedule change" within the same workweek so that a non-exempt employee's hours in a paid status within the workweek do not exceed forty hours. For example: Employee (a non-exempt employee) has a typical M-F, 8:30 - 4:30 schedule. The supervisor asks Employee to stay 2 hours late on Wednesday to finish a critical project. If Employee works the remainder of the standard work schedule through the end of the week, Employee will have worked 42 hours, and shall be entitled to overtime or compensatory time for the additional 2 hours. To avoid the overtime or compensatory time liability, the supervisor may direct Employee to work two fewer hours on Thursday or Friday of the same week to maintain the employee's work week at the standard forty hours. **The extra time worked and the reduced work hours must be within the same week (Sunday to Saturday) in order for a temporary schedule change to be effective to avoid unnecessary overtime or compensatory time liability.**

**NOTE:** A "temporary schedule change" is a separate and distinct concept from a flexible work schedule (Section 6.06). A temporary schedule change must be pre-approved by an employee's supervisor and does not constitute a permanent change to an employee's regular work schedule. Non-exempt employee's who work beyond their regular work schedule without prior authorization may be subject to disciplinary action, up to and including termination of employment. A supervisor shall only approve a "temporary schedule change" as a means to avoid overtime or compensatory time liability in extraordinary situations in which a non-exempt employee is required to work additional hours on a particular day during a workweek.



Supervisors must ensure that the employees for whom they sign timesheets understand and comply with the policy on non-exempt overtime/compensatory time. Employees who do not comply with the policy and proceed to work unauthorized overtime should be counseled, the discussion should be documented, and progressive discipline should be initiated with Human Resources for further violations. Supervisors who do not regulate their employees' work hours may also be subject to disciplinary action.

The maximum amount of compensatory time a non-exempt employee may accrue is two hundred forty (240) hours, unless the employee works in a public safety, emergency response position, in which case the maximum is four hundred eighty (480) hours. Employees who have accrued unused compensatory time up to these limits will be paid overtime on a time and one-half basis for all additional overtime worked.

Accrued compensatory time may be used in accordance with Section 9.04 of this Manual. At the sole discretion of the County, non-exempt employees may be paid overtime on a time and one-half basis in lieu of accrual of compensatory time.

#### Exchange Time

Employees in overtime-exempt positions may receive exchange time on an hour-for-hour basis for time worked beyond forty (40) hours in a work week, provided the following:

- There is a compelling, extraordinary reason for the exempt employee to be required to stay beyond normal working hours – staying to finish up normal assignments does not qualify;
- There is a “meeting of the minds” between the exempt employee and the supervisor - the employee must either be required to work the overtime or be granted **prior** authorization by their supervisor to work the additional hours; and
- The required or authorized increment of additional time is greater than one-half hour per day of required additional time.

After the initial half-hour period is accrued, exchange time is accrued in increments of one-minute. The maximum balance of exchange time an exempt employee may maintain is forty (40) hours.

Accrued exchange time may be used in accordance with Section 9.05 of this Manual.



## **6.09      Holidays**

Timesheet Code: **H**

All County employees are entitled to eight (8) hours of holiday pay for:

New Year's Day	Columbus Day
Martin Luther King Day	Veterans Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Day
Labor Day	

In the event that any of the aforementioned holidays falls on Saturday, the Friday immediately preceding shall be observed as the holiday. In the event that any of the aforementioned holidays fall on Sunday, the Monday immediately following shall be observed as the holiday.

**NOTE:** Bargaining unit employees should refer to their respective collective bargaining agreement for applicable provisions on holidays and holiday pay.

If the employee's work schedule is other than Monday through Friday, he or she is entitled to holiday pay for holidays observed on the employee's day off regardless of the day of the week on which they are observed.

An employee in a non-exempt position who is required to work on a day designated as holiday by this Section shall be entitled to pay for such time worked at overtime rates in addition to his or her regular pay. An employee in an exempt position who is required to work on a day designated as a holiday shall be entitled to exchange time on an hour-for-hour basis for all hours worked in addition to their regular pay.

Temporary employees are not entitled to holiday pay. Part-time/permanent employees are entitled to holiday pay for a portion of the holiday based on the number of hours that they are regularly scheduled to work on the day that the holiday falls.

Employees who are in an unpaid status on the regular work day immediately preceding or following the holiday are not eligible for holiday pay.



## **6.10      Payroll System**

The County's compensation schedule is based on a two-week or eighty-hour (80) pay period, which begins on Sunday morning and ends on Saturday night. Paychecks are distributed on Friday's of pay weeks.

## **6.11      Payroll Deductions**

There are two types of payroll deductions that the County shall be authorized to make from employee wages:

### **Mandatory**

- Federal, state and local withholding taxes
- Ohio Public Employees Retirement System (OPERS)
- Garnishments
- Court ordered child or spousal support
- Medicare portion of Social Security for employees hired after April 1, 1986
- Union dues / Fair Share Fees

**Voluntary:** Employees may authorize deductions from wages for (these options are subject to change periodically at management's discretion):

- Benefit selections
- Charity Choice contributions
- RTA bus passes and vehicle parking, subsidized monthly
- Purchase of prior Ohio service time (contact OPERS @ 614-466-2085)
- Deferred compensation contributions
  - County Commissioners Association of Ohio Deferred Compensation Program (800-423-3699)
  - Ohio Public Employees Deferred Compensation Program (877-644-6457)
- Credit union deductions
  - Cleveland Postal Employees Credit Union (located in basement of County Administration Building – 443-7290)
  - United Telephone Credit Union (440-333-6366)

Employees interested in taking advantage of any of these voluntary deductions should contact the Payroll Division at (216) 443-7380 for more information.



## **6.12      Direct Deposit Program**

In lieu of paper paychecks, the County can electronically transfer net pay into an employee's checking or savings account at the financial institution of the employee's choice. Employees interested in participating in the Direct Deposit Program should contact the Payroll Division at (216) 443-7380 for more information or complete a Direct Deposit Authorization Form on the MyHR website and submit it to the Payroll Division.

## **6.13      Savings Programs**

Employees of the County may be eligible to participate in various savings programs through payroll deduction, including:

- Deferred compensation investment; and
- Credit union savings accounts.

Employees interested in any of these programs should contact the Payroll Division at (216) 443-7380 or refer to the County intranet for more information.

## **6.14      Payment Upon Separation from Employment with County**

Compensation for accrued vacation leave and compensatory time will be included in the last paycheck.

No employee shall be paid for any unused sick leave upon termination of employment, except that, upon retirement, an employee with ten (10) or more years of service may receive cash payment for one-fourth (1/4) the value of the accrued, but unused sick leave credit, not to exceed 240 hours (30 days).



## Section 7: **WORKPLACE WELLNESS**

### **7.01      Drug-Free Workplace**

The County is committed to maintaining a drug-free workplace. All County employees are required to abide by the County Drug Free Workplace Policy. Employees who abuse alcohol and other controlled substances or who use illegal drugs violate this policy and undermine the County's goal of providing responsible and professional service to the public. Employees who violate the County's Drug Free Workplace Policy are subject to discipline up to and including removal.

All individuals who have received a job offer with the County are required to submit to a test for alcohol and/or illegal drugs pursuant to Section 5.04 of this Manual. Current employees may be tested pursuant to the County Fitness for Duty Program (Section 7.04) when there is a reasonable suspicion of impairment or post-accident.

Employees whose jobs require them to possess a commercial driver's license (CDL) and who drive vehicles for which testing is required under Federal regulations are also subject to alcohol and drug testing pursuant to Federal law.

In addition, since early identification and treatment are safeguards to job investment for both the County and its employees, employees who have a substance abuse problem are encouraged to voluntarily seek treatment.



## **7.02      Smoke-free Workplace**

The County passed a resolution approving a smoke-free workplace policy effective August 1, 1994. It provides (in relevant part) that:

“...Be it further resolved that smoking will be strictly prohibited within all areas of County owned or leased buildings including: offices, hallways, entrance ways, lobbies and waiting areas, reception areas, rest rooms, cafeterias, snack bars, elevators, stairwells, meeting and conference rooms, kitchen areas, parking garages and **areas immediately adjacent to any entrances...**”

Furthermore, the Revised Code prohibits smoking in any “public place” or “place of employment”, including **any place adjacent to locations of ingress or egress to the public place or place of employment.**

**NOTE:** Smoking is also prohibited in all County vehicles (*See* Section 16.03).

An employee wishing to report a violation of this Section should:

- If the violation is occurring on County-owned property or is being committed by a County Employee – contact Protective Services at (216) 443-2141 or 1-888-81-HELPU (43578).
- If the violation is occurring on non-County-owned property by a non-County employee (i.e., County-leased property) – contact the Ohio Department of Health Smoking Ban Hotline at 1-866-559-OHIO (6446).

In addition to the penalties proscribed by the Revised Code, employees of the County who violate this section may be subjected to discipline, up to and including removal.



## **7.03      Employee Assistance Program (EAP)**

Employee Assistance Program (EAP) services assist County employees with resolving personal and family related problems which adversely affect work, relationships, and quality of life. EAP services also help identify and alleviate obstacles to maintaining good mental and personal health.

Participation in the program may be mandated by Management with approval from Human Resources or voluntary and is available to all employees, their family members and County retirees. The County pays all costs related to EAP enrollment. EAP services include:

- Assessment of problem areas;
- Counseling, if necessary; and
- Referral to additional support services for more comprehensive treatment.

If extended treatment or counseling is required, an employee's health plan may cover most costs.

All communications with the EAP are confidential and employees who participate are assured that their job, future, and reputation will neither be jeopardized nor benefited by utilizing the EAP program. It is the responsibility of the employee to follow through with referrals for assessment of a problem and to follow recommendations of the diagnostician or counseling agent.

**Employees interested in using the EAP services or who have questions regarding the program should contact Human Resources or the County's EAP provider:**

Ease@Work

(216) 241-EASE (3273) or (800) 521-3273

[www.easeatwork.com/EASEy](http://www.easeatwork.com/EASEy)

Username: COUNTY

Password: EASE



## **7.04**

## **Fitness for Duty – Drug and Alcohol Testing**

In accordance with its Drug Free Workplace Policy, the County has established the following Fitness for Duty/Drug and Alcohol Testing Program.

**NOTE:** Bargaining unit employees should refer to their collective bargaining agreement for information regarding drug and alcohol testing.

### *Reasonable Suspicion*

If a supervisor or Department manager/Director has a reasonable suspicion that an employee may be under the influence of drugs and/or alcohol, the supervisor shall immediately:

- If during regular business hours (8:30 a.m. – 4:30 p.m.), contact the Fitness for Duty Coordinator at 216-443-7630.
- If before or after regular business hours, contact the Protective Services Division at (216) 443-2141

The Fitness for Duty Coordinator will come to the worksite and perform an evaluation of the employee. If the Fitness for Duty Coordinator, in consultation with Department management, determines that a drug and/or alcohol test is appropriate, the employee's immediate supervisor and another member of Department management will be required to sign a Reasonable Suspicion Form.

The employee will then be asked whether he or she is willing to submit to a drug and/or alcohol test. If the employee refuses, the employee will be treated as having tested positive and will be referred to and disciplined in accordance with the Fitness for Duty Program (*see below*).

If the employee agrees to the drug and/or alcohol test, he or she will be escorted by either the Fitness for Duty Coordinator or a Protective Services representative to an approved testing site. If the employee leaves the testing site at any point prior to being tested, the employee will be treated as having tested positive and will be referred to and disciplined in accordance with the Fitness for Duty Program (*see below*). Upon conclusion of the test, the Fitness for Duty Coordinator will determine whether the employee will be taken back to their worksite or to their residence. The leave status of the employee during this period of time will be determined by the County in light of the particular circumstances of each case.

If the employee's test results are positive, the employee will be referred to and disciplined in accordance with the Fitness for Duty Program (*see below*). If the employee's test results are negative, the investigation will be closed by the Fitness for Duty Coordinator.



### Post-Accident

Employees involved in a vehicle accident as defined under Section 16.04 of this Manual, must follow the reporting procedures outlined in that Section. Upon being notified of a vehicle accident by the employer's supervisor and/or Protective Services, the Fitness for Duty Coordinator will consult with the appropriate parties and determine whether a drug and/or alcohol test is appropriate.

If the Fitness for Duty Coordinator determines that a drug and/or alcohol test is appropriate, the Fitness for Duty Coordinator or a representative from Protective Services will meet the employee at the accident site and take him or her directly to an approved testing facility. If the employee needs to seek immediate medical attention, the Fitness for Duty Coordinator will attempt to contact the medical facility where the employee seeks treatment in order to arrange for a drug and/or alcohol test of the employee.

If the employee refuses to submit to the test or leaves the testing site at any point prior to being tested, the employee will be treated as having tested positive and will be referred to and disciplined in accordance with the Fitness for Duty Program (*see below*). Upon conclusion of the test, the Fitness for Duty Coordinator will determine whether the employee will be taken back to his or her worksite or residence. The leave status of the employee during this period of time will be determined by the County in light of the particular circumstances of each case.

If the employee's test results are positive, the employee will be referred to and disciplined in accordance with the Fitness for Duty Program (*see below*). If the employee's test results are negative, the investigation will be closed by the Fitness for Duty Coordinator.

Employees involved in a non-vehicle related accident on work time may be required to submit to a drug and/or alcohol test pursuant to the County's Workers' Compensation Procedures (Section 12.02). The results of the drug and/or alcohol test, or the employee's refusal to submit to the test may affect the employee's eligibility for compensation and benefits pursuant to Revised Code Section 4123.54 and Chapter 4121 of the Revised Code and will subject the employee to the provisions of the County's Fitness for Duty Program (*see below*).

### Commercial Driver License

In accordance with rules issued by the U.S. Department of Transportation (49 C.F.R. 382), the Ohio Department of Transportation (Section 4506 of the Ohio Revised Code) and the County's Drug-Free Workplace Program, employees who are required by the County to have a Commercial Driver License (CDL) are subject to drug and alcohol testing.



*Fitness for Duty Program*

New-hire probationary employees are not eligible to participate in the Fitness for Duty Program. If a new-hire probationary employee tests positive for drugs or alcohol under any of the above-cited testing procedures, he or she will be immediately removed from employment with the County.

All non-new-hire probationary employees who test positive for drugs and/or alcohol pursuant to a “reasonable suspicion” or “post-accident” test will be offered a chance to enroll in the Fitness for Duty Program. If the employee declines to enroll in the Program, he or she will be removed from their employment with the County based on the positive test. If the employee enrolls in the program, they will be required to sign a “last chance agreement”.

Employees enrolled in the Fitness for Duty Program will be required to submit to intensive outpatient treatment through the County’s EAP. Employees who refuse or neglect to seek treatment will be in violation of the terms of their Fitness for Duty Agreement and will be removed from employment with the County. The employee will also be subject to random drug/alcohol tests for the duration of the two-year (2) program. If the employee tests positive for drugs and/or alcohol at any time during that two-year (2) period or refuses to submit to a random test, the employee will be considered in violation of his or her last chance agreement and will be removed from employment with the County. If the employee complies with all requirements of the program and does not test positive during the two-year (2) period, he or she will return to regular status.

An employee who is concerned about a substance abuse problem may voluntarily enroll in the Fitness for Duty Program at any time. Employees who voluntarily enroll, however, will not be required to sign a “last chance agreement” unless they test positive for drugs or alcohol while in the program.

An employee whose performance is below standard or who has violated a work rule cannot avoid discipline by enrolling in a treatment program or by enrolling in the Fitness for Duty Program.



## **7.05      Fitness for Duty – Physical and Mental Health**

The County may require that an employee submit to medical or psychological examinations for purposes of determination of the employee's fitness for duty. If a Department Director, in consultation with Human Resources, determines that an employee's behavior and/or condition warrants a Fitness for Duty Examination, the Department Director shall complete a Medical Examination Request Form and submit it to Human Resources. Upon receipt of the Examination Request Form, the employee will be scheduled for an examination with an appropriate licensed practitioner. The employee will be notified of the date and time of their examination. At the sole discretion of the Director of Human Resources, the employee may be placed on paid administrative leave pending the results of the examination. The employee will be required to adhere to all requirements of employees on paid-administrative leave (*see Note Box on p. 101*).

An employee's refusal to submit to an examination or the unexcused failure to appear for an examination amounts to insubordination, which may result in discipline, up to and including removal. An employee will be responsible for the costs associated with an unexcused failure to appear at a scheduled examination.

Upon completion of the examination, the County will receive a report outlining the physician's opinion regarding the employee's fitness for duty. The employee will also receive a copy of the physician's report unless the physician determines that the disclosure of the information is likely to have an adverse effect on the employee, in which case the information shall be released to a physician, psychiatrist, or psychologist who is designated by the person or by the person's legal guardian. If the physician determines that the employee is fit for duty, the employee shall return to work on the day immediately following the day they are notified of the physician's findings or as soon as practicable. Failure to return to work will subject the employee to discipline pursuant to the Attendance Control Policy (*see Section 14.03*).

If the physician determines that the employee is not fit for duty, the employee will not be returned to work and will be taken off paid administrative leave and will be required to use their accrued paid leave (sick, vacation, exchange time, and/or compensatory time) or go on an unpaid leave in accordance with Section 9.09 of this Manual. The employee will remain off work while the medical conditions identified by the physician remain unresolved. The employee should submit medical documentation from their treating physician to the Fitness for Duty physician. The Fitness for Duty physician will determine whether the treatment provided renders the employee fit for duty and able to return to work in their job classification.

Once the employee exhausts all of their paid and unpaid leave, the County will move forward with disability separation proceedings pursuant to Section 5.19 of this Manual.

**NOTE:** An employee that is determined to be not fit for duty may be eligible for disability retirement through OPERS. Please refer to Section 5.20, for more information on disability retirement through OPERS.



## 7.06      Safety Policy

All County employees are charged with the responsibility of promoting the safety and security of fellow employees and the general public who come in contact with the County services and facilities.

All employees and contractors of the County are expected to conduct their duties in a safe manner, aimed at preventing or minimizing injuries and property damage throughout all County operations. Each employee must operate safely, use equipment, tools and materials properly and be totally familiar with work rules and procedures for his or her areas of responsibility. Each employee shall take an active part in the identification and reporting of hazards. Supervisors shall actively participate in the assessment and resolution of hazards and shall fully cooperate with Central Services and Protective Services to eliminate or control hazards in all areas of County facilities.

## 7.07      Workplace Violence

Threats, threatening behavior, or acts of violence against employees, clients, or guests by anyone on County property will not be tolerated. In addition to applicable criminal penalties, employees who violate this section may be subject to discipline, up to and including removal. The County reserves the right to remove anyone who engages in violent or threatening behavior from the premises and may require that they remain off the premises pending the outcome of an investigation and/or as long as they are still considered a threat.

**Employees should immediately contact Protective Services at (216) 443-2141 or 1-888-81-HELPU (43578), and/or the appropriate law enforcement authority (911) if an employee (or guest/client) is creating or communicating a threat of violence. Employees that fail to report such threats will be subject to disciplinary action, up to and including termination of employment.**

Employees with a criminal or civil protective or restraining order which lists company locations as being protected areas are responsible for providing a copy of such documents to Protective Services and Human Resources. Human Resources may meet with the employee and offer EAP or other services that might assist the employee.



## **7.08      Mediation Program**

Mediation is a voluntary process in which a neutral third person (“the mediator”) assists individuals in resolving their conflicts. The mediator assists the parties in clarifying, discussing, and resolving the issues that created the conflict. The mediator, however, will not judge the parties or make decisions for them. The County has established a mediation program to prevent the progression and escalation of inter-personal conflicts and to help employees respond to conflict in an effective and positive manner. It is the desire of the County that employees make use of the mediation service before conflict affects the quality of work relationships or results in workplace violence.

The County mediation program is available to all County employees at all levels and can be requested by either party at any time. County management may also refer employees to the mediation program when appropriate. Mediation communication is confidential to the extent allowed by law. Communication that is never confidential, however, includes signed agreements between the parties, threats of bodily injury, plans to commit a crime and complaints of mediator misconduct. Participation in the County Mediation Program does not exempt employees from following County policies and procedures and will not delay any pending discipline. The County reserves the right to take disciplinary measures where standard rules of conduct are violated or where behavior deteriorates to unacceptable levels.

**Employees interested in participating in or learning more about the County Mediation Program should contact Human Resources, Employment Relations Division, at (216) 443-7190 or TTY (216) 443-7002.**

## **7.09      Wellness Programs**

The County is committed to their employees maintaining good health. To that end, at the sole discretion of the County, wellness opportunities may be periodically offered to employees, including:

- Lunch and learn programs;
- Fitness classes (e.g., aerobics or body sculpting);
- Flu shots at discounted prices;
- Discounted fitness club memberships;
- Health screenings (e.g., mammograms, cholesterol, hypertension);
- Annual wellness fair;
- Health risk assessment;
- Certain preventative care covered at 100% through benefits; and/or
- Discounts on medications for asthma, cholesterol, diabetes and hypertension;

Employees will be notified of these offers as they become available.



## **7.10      Sustainable Cuyahoga County**

The County is committed to sustainability and sustainable development as defined in the Brundtland Commission Report, *Our Common Future*, 1987:

"Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs."

Critical to this is the financial balance of the "triple bottom line" - measuring success through economic, environmental, and social equity.

### Office Practice

The County encourages all employees to seek opportunities to incorporate sustainable principles in work and home life. Some examples include:

- Conserve energy by turning off lights, adjusting thermostats, and turning off equipment when not in use;
- Reduce, Reuse and Recycle products to reduce waste and conserve natural resources;
- Buy local;
- Use public transportation, reduce vehicle idling, and use fuel efficient vehicles; and
- Increase personal wellness.

Information regarding county sustainability programs such as recycling may be found on the County intranet, Sustainability Office website links, as well as by direct notifications.

### Climate Change and the "Carbon Footprint"

On November 15, 2007, the County adopted a resolution making a Climate Stabilization Declaration to:

"Work closely with local, state, and federal governments and other leaders to reduce county geographical greenhouse gas (GHG) emissions to 80 percent below current levels by 2050..."

As a result of this declaration, a mid-term goal was set to achieve 20 percent reduction in emissions by June 22, 2019. In furtherance of this declaration, the County is reducing its annual "carbon footprint" or ecological footprint through reduction in use of fossil fuels such as coal, oil & gas that produce greenhouse gas emissions. The sum total direct use of fuels and indirect use through procurement of products and services equal ones "carbon footprint".

***Section 7.10***



# Section 8: FAMILY MEDICAL LEAVE ACT (FMLA)

Timesheet Code: FMLA

## 8.01      Definitions

- Active Duty***                      Duty under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.
- Adoption***                              Legally and permanently assuming the responsibility of raising a child as one's own. The source of an adopted child is not a factor in determining eligibility for FMLA leave.
- Chronic Serious Health Condition***      A health condition that meets the following criteria:
- Requires periodic visits (at least twice a year) for ***treatment*** by a ***health care provider***, or by a nurse under the direct supervision of a ***health care provider***;
  - Continues over an extended period of time (including recurring episodes of a single underlying condition); and
  - May cause episodic rather than a continuing period of ***incapacity*** (e.g., asthma, diabetes, epilepsy, etc.).
- Conditions Requiring Multiple Treatments***      Any period of absence to receive multiple ***treatments*** (including any period of recovery therefrom) by a ***health care provider*** or by a provider of health care services under orders of, or on referral by, a ***health care provider***, for either:
- Restorative surgery after an accident or other injury; or
  - A condition that would likely result in a period of ***incapacity*** of more than 3 consecutive days in the absence of medical intervention or ***treatment***, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), or kidney disease (dialysis).
- Contingency Operation***      Same meaning as definition provided in section 101(a)(13) of title 10, United States Code.



**Covered Servicemember** Current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical *treatment*, recuperation, or therapy, is otherwise in *outpatient status* or is otherwise on the temporary disability retired list, for a *serious injury or illness* incurred in the line of duty on active duty.

**Daughter** For purposes of FMLA leave taken for birth or *adoption*, or to care for a family member with a *serious health condition*, daughter means a biological, *adopted*, or *foster child*, a stepchild, a legal ward, or a child of a person standing *in loco parentis*, who is either under age 18, or age 18 or older and *“incapable of self-care because of a mental or physical disability”* at the time that FMLA leave is to commence.

**Forward Rolling Twelve (12) Month Period** The twelve month period measured forward from the date an employee’s first FMLA leave begins.

**Foster Care** 24-hour care for children in substitution for, and away from, their parents or guardian. Such placement is made by or with the agreement of the State as a result of a voluntary agreement between the parent or guardian that the child be removed from the home, or pursuant to a judicial determination of the necessity for foster care, and involves agreement between the State and foster family that the foster family will take care of the child.

**Health Care Provider** A health care provider for purposes of the FMLA includes:

- A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the State in which the doctor practices.
- Podiatrists, dentists, clinical psychologists, chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist), and optometrists.
- Nurse practitioners, nurse-midwives, clinical social workers, and physician assistants.
- Christian Science Practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts.
- A health care provider listed above who practices in a country other than the United States, who is authorized to practice in accordance with the law of that country, and who is performing within the scope of his or her practice as defined under such law.

**Inpatient Care** An overnight stay in a hospital, hospice, or residential medical care facility, including any period of *incapacity*.



***Incapable of Self-Care***

Where the individual requires active assistance or supervision to provide daily self-care in three or more of the “activities of daily living” (ADL’s) or “instrumental activities of daily living” (IADL’s). ADL’s include adaptive activities such as scaring appropriately for one’s grooming and hygiene, bathing, dressing and eating. IADL’s include cooking, cleaning, shopping, taking public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.

***Incapacity and Treatment***

A period of ***incapacity*** of more than 3 consecutive, full calendar days, and any subsequent ***treatment*** or period of ***incapacity*** relating to the same condition, that also involves one of the following:

- ***Treatment*** 2 or more times, within 30 days of the first day of ***incapacity***, by a ***health care provider***.
  - Both ***treatments*** must involve an in-person visit to a ***health care provider***.
  - The first in-person visit must take place within 7 days of the first day of ***incapacity***.
  - Whether the second ***treatment*** visit is necessary must be determined by the ***health care provider*** (i.e., the doctor must request that the employee follow-up).
- ***Treatment*** by a ***health care provider*** on at least one occasion, which results in a ***regimen of continuing treatment*** under the supervision of the ***health care provider***.
  - The initial ***treatment*** requires an in-person visit to a ***health care provider***.
  - The initial in-person visit must take place within 7 days of the first day of ***incapacity***.
  - Whether the ***regimen of continuing treatment*** is necessary must be determined by the ***health care provider*** (i.e., doctor must prescribe the regimen).

***Incapacity***

Inability to work, attend school or perform other regular daily activities due to the ***serious health condition***, ***treatment*** therefore, or recovery therefrom.

***In Loco Parentis***

Those with day-to-day responsibilities to care for and financially support a child, or, in the case of an employee, who had such responsibilities for the employee when the employee was a child. A biological or legal relationship is not necessary.

***Intermittent Leave***

Leave taken in separate blocks of time due to a single illness or injury rather than for one continuous period of time.



<b><i>Next of Kin of a Covered Servicemember</i></b>	The nearest blood relative other than the <b><i>covered servicemember's spouse, parent, son, or daughter.</i></b>
<b><i>Outpatient Status</i></b>	With respect to a <b><i>covered servicemember</i></b> , the status of a member of the Armed Forces assigned to either a military medical treatment facility as an outpatient; or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.
<b><i>Parent</i></b>	A biological, <b><i>adoptive</i></b> , step or <b><i>foster father or mother</i></b> , or any other individual who stood <b><i>in loco parentis</i></b> to the employee when the employee was a <b><i>son</i></b> or <b><i>daughter</i></b> as defined in this section. In-law family members are not covered.
<b><i>Parent of a Covered Servicemember</i></b>	A <b><i>covered servicemember's</i></b> biological, <b><i>adoptive</i></b> , step or <b><i>foster father or mother</i></b> , or any other individual who stood <b><i>in loco parentis</i></b> to the covered servicemember. This term does not include parents "in law".
<b><i>Permanent or Long-Term Conditions</i></b>	A period of <b><i>incapacity</i></b> which is permanent or long-term due to a condition for which <b><i>treatment</i></b> may not be effective (e.g., Alzheimer's, a severe stroke, or the terminal stages of a disease). The individual must be under the continuing supervision of, but need not be receiving active <b><i>treatment</i></b> by a <b><i>health care provider</i></b> .
<b><i>Physical or Mental Disability</i></b>	A physical or mental impairment that substantially limits one or more of the major life activities of an individual.
<b><i>Qualifying Exigency</i></b>	The following types of military-related events may qualify as a "qualifying exigency" for purposes of eligibility for purposes of military-related FMLA leave under this Section: <ul style="list-style-type: none"> <li>• <i>Short-Notice Deployment</i></li> <li>• <i>Military Events and Related Activities</i></li> <li>• <i>Childcare and School Activities</i></li> <li>• <i>Financial and Legal Arrangements</i></li> <li>• <i>Counseling</i></li> <li>• <i>Rest and Recuperation</i></li> <li>• <i>Post-Deployment Activities</i></li> <li>• <i>Additional Activities</i></li> </ul>
<b><i>Reduced Leave Schedule</i></b>	Leave schedule that reduces an employee's usual number of working hours per week or hours per day for a period of time.



***Regimen of Continuing Treatment***

Includes a course of prescription medication (e.g., antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition (e.g., oxygen). A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistamines, or salves, or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for FMLA purposes.

***Serious Health Condition***

An illness, injury, impairment or physical or mental condition that involves at least one of the following:

- ***Inpatient Care;***
- ***“Incapacity and Treatment”;***
- ***Pregnancy or Prenatal Care;***
- ***Chronic Serious Health Condition;***
- ***Permanent or Long-Term Conditions;*** or
- ***Conditions Requiring Multiple Treatments.***

***Serious Illness or Injury***

An injury or illness incurred by a ***covered servicemember*** in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.

***Son***

For purposes of FMLA leave taken for birth or ***adoption***, or to care for a family member with a ***serious health condition***, son means a biological, ***adopted***, or ***foster child***, a stepchild, a legal ward, or a child of a person standing ***in loco parentis***, who is either under age 18, or age 18 or older and ***“incapable of self-care because of a mental or physical disability”*** at the time that leave is to commence.

***Son or Daughter of a Covered Servicemember***

The ***covered servicemember’s*** biological, ***adopted***, or ***foster child***, stepchild, legal ward, or a child for whom the servicemember stood ***in loco parentis***, and who is of any age.

***Son or Daughter on Active Duty or Call to Active Duty***

The employee’s biological, ***adopted***, or ***foster child***, stepchild, legal ward, or a child for whom the employee stood ***in loco parentis***, who is on active duty or a call to active duty status, and who is of any age.

***Spouse***

A husband or wife as defined or recognized under Ohio law for purposes of marriage in Ohio.

***Treatment***

Includes, but is not limited to, examinations to determine if a ***serious health condition*** exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations, or dental examinations.



## **8.02      Eligibility Requirements**

Prior to making an application for FMLA under this Section, an employee must meet both of the following conditions to be considered eligible:

- The employee must have completed twelve (12) months of employment with the County. These twelve (12) months do not need to be consecutive; and
- The employee must have worked a minimum of one-thousand two-hundred-fifty (1,250) hours over the twelve (12) month period immediately preceding the commencement of the leave.

An employee returning from National Guard or Reserve military service will be credited with the hours of service that would have been worked, but for the period of military service, towards his or her one-thousand two-hundred-fifty (1,250) hour requirement.

## **8.03      Qualifying Conditions**

Eligible employees shall be entitled to a certain amount of FMLA leave (*see* Section 8.04) under any of the following six circumstances:

- Birth of a *son* or *daughter*, and to care for the newborn child.
- Placement with the employee of a *son* or *daughter* for *adoption* or *foster care*.

**NOTE:** Eligibility for leave for birth or placement for *adoption* or *foster care* expires at the end of the twelve (12) month period beginning on the date of birth or placement.

- Because of a *serious health condition* that makes the employee unable to perform the functions of the employee's job.
- To care fore the employee's *spouse, son, daughter, or parent* with a *serious health condition*.
- Because of any *qualifying exigency* arising out of the fact that the employee's *spouse, son, daughter, or parent* is on *active duty* (or has been notified of an impending call or order to *active duty*) in the Armed Forces in support of a *contingency operation*.
- To care for a *covered servicemember* with a *serious injury or illness* if the employee is the *spouse, son, daughter, parent* or *next of kin* of the *covered servicemember*. The leave described in this paragraph shall only be available during a single twelve (12) month period.



## **8.04      Amount of Leave**

Except in the case of leave to care for a *covered servicemember* with a *serious injury or illness*, an eligible employee is limited to a total of twelve (12) workweeks of FMLA leave during any *forward rolling twelve (12) month period*.

An eligible employee who is the *spouse, son, daughter, parent, or next of kin* of a *covered servicemember* shall be entitled to a total of twenty six (26) workweeks of leave during a single twelve (12) month period to care for the *covered servicemember*. If an employee uses *covered servicemember* family leave in combination with another form of FMLA leave (e.g., pregnancy leave), the maximum amount of combined FMLA leave that an employee can take in a single twelve (12) month period is twenty six (26) workweeks. In this scenario, though, the other form of FMLA leave can only account for a maximum of twelve (12) workweeks of the combined twenty six (26) workweeks of leave.

**NOTE:** When both spouses are employed by the County, FMLA leave is limited to a combined twelve (12) work weeks during any rolling twelve (12) month period if leave is taken for birth, *adoption*, or placement in *foster care*. This limitation does not apply to leave taken by either spouse to care for the other or for a child if the spouse or child has a *serious health condition*.

In addition, the aggregate number of leave to which both spouses are entitled to is limited to twenty six (26) workweeks during a single twelve (12) month period for *covered servicemember* leave, if the leave is leave for the *covered servicemember* or a combination of leave for the *covered servicemember* and the other forms of FMLA leave.



## **8.05      Coordination With Other Leaves of Absence**

Employers are mandated by law to grant up to twelve (12) weeks of unpaid leave to eligible employees under the FMLA. If an employee qualifies for FMLA leave, any paid leave accrued by the employee shall be applied concurrently to the FMLA leave in the following order:

<b>TYPE OF PAID LEAVE</b>	<b>ASSOCIATED POLICY MANUAL SECTION</b>
Sick	<u>9.03</u>
Vacation	<u>9.02</u>
Compensatory Time	<u>9.04</u>
Exchange Time	<u>9.05</u>

If the medical condition does not qualify under the FMLA, then sick time shall apply in accordance with Section 9.03 of this Manual.

In addition, FMLA will automatically be applied to all employees who meet the FMLA qualifying criteria and utilize the following types of leave:

- Unpaid medical leaves of absence provided to employees by County policy or by any of the collective bargaining agreements;
- Leaves of absence using sick leave that is provided through the Leave Donation Program (Section 9.08); or
- Workers' Compensation leave of absence.

**NOTE:** As is the case with all unpaid leaves, an employee is not entitled to accrue sick or vacation benefits during any unpaid portion of FMLA leave.

*Section 8.05*



## **8.06**      **FMLA Application Procedure**

An employee that would like to request the use of FMLA leave should contact Human Resources. At least thirty (30) days advance notice must be provided before FMLA leave is to begin if the need for leave is foreseeable. In case of emergency, notice must be given as soon as practicable. If an employee fails to give thirty (30) days notice for foreseeable leave with no reasonable excuse for the delay, the County may delay the taking of FMLA leave until thirty (30) days after the date that the employee actually provided notice of the need for FMLA leave.

Completion of an FMLA Medical Certification Form is required whenever an employee requests FMLA leave due to the *serious health condition* of the employee or their *spouse, son, daughter, or parent*. Employees must return the FMLA Medical Certification Form to Human Resources within fifteen (15) calendar days of the employee's receipt of the form. If the certification is incomplete or insufficient, the employee may be required to provide additional information within seven (7) calendar days. Failure to cure the deficiencies identified by the County may result in a denial of FMLA leave. After the FMLA Medical Certification Form has been returned to Human Resources, employees will be notified in writing whether their FMLA request is approved or denied.

For *adoption* or *foster care* placement, legal documentation should be submitted from a court or social service agency.

In any case in which the necessity for leave under the *qualifying exigency* condition is foreseeable, whether because the *spouse, or a son, daughter, or parent* of the employee is on *active duty*, or because of notification of an impending call or order to *active duty* in support of a *contingency operation*, the employee shall provide such notice to the employer as is reasonable and practicable. In addition the request for leave under the *qualifying exigency* condition must be supported by certification deemed sufficient by the Department of Labor.

The County reserves the right to require employees to recertify their conditions periodically upon request. Failure to submit a certification of health care provider form for the re-certification within fifteen (15) calendar days will result in delay or discontinuation of approved FMLA leave until the completed form is submitted.

If an employee needs an extension of FMLA leave, the employee must provide Human Resources notice as soon as practicable of the changed circumstances. Employees shall not be granted an extension beyond the applicable maximum amount of FMLA entitlement.

**NOTE:** Only persons who are authorized by the County may contact the health care provider of an employee to clarify the information in a FMLA Medical Certification Form or to verify its authenticity. **Supervisors and other management representatives may not contact an employee's health care provider.**



## **8.07      Continuation of Benefits**

The County will continue to pay its portion of medical and supplemental benefits (vision & dental) when an employee is on FMLA leave. **Employees on FMLA leave are still responsible to pay the employee's contribution for these benefits.** Employees who take paid leave will continue to have their usual payroll deduction for health insurance benefits. **Employees on unpaid FMLA leave will be billed for their usual contribution for medical and supplemental benefits.** The amount billed will be the monthly amount that the employee would normally have paid for health insurance benefits through payroll deduction. Any new or additional coverage or changes in health benefits will be made available to employees on FMLA leave.

Employees on unpaid FMLA leave will also be billed for their life insurance deductions. If a death occurs and life insurance deductions have not been paid while on unpaid leave, death benefits will not be payable to the beneficiary.

## **8.08      Intermittent Leave and Reduced Leave Schedules**

*Intermittent leave* or a *reduced leave schedule* may only be granted if:

- There is a medical necessity that can be accommodated by such leave; or
- Because of any *qualifying exigency* arising out of the fact that the *spouse, son, daughter, or parent* of the employee is on *active duty* (or has been notified of an impending call or order to *active duty*) in the Armed Forces in support of a *contingency operation*.

Eligible employees are required to make every reasonable effort to schedule leave so as not to disrupt the operations of their Department. Accordingly, the County may temporarily assign an employee to an alternate position with equivalent pay and benefits if the employee is qualified and the County determines that the alternative position will better accommodate the employee's intermittent leave or reduced leave schedule.

The actual amount of leave taken under an *intermittent* or *reduced leave schedule* shall be counted towards the twelve (12) weeks of FMLA entitlement. For example, a full-time employee who reduces from an eight (8) hour work day to a four (4) hour work day will use (20) hours of FMLA leave each week.

Employees on *intermittent* FMLA leave may be required to periodically provide an updated medical certification form.



## **8.09      Return to Work**

Upon return from FMLA leave, an employee is entitled to be returned to the same position held when leave commenced, or to an equivalent position with equivalent pay, benefits and other terms and conditions of employment. Failure to return to work upon the expiration of the approved leave, without reasonable explanation, may subject the employee to discipline, up to and including removal, under Sections 13 and/or 14 of this Manual.

An employee who has been on FMLA leave because of his or her own *serious health condition* may be required to present medical documentation of his or her ability to return to work. The County may require that an employee obtain a second medical opinion from a physician selected by the County and at the County's expense. If the second medical opinion disagrees with the employee's health care provider, the County's health care provider and the employee's health care provider will select a third health care provider whose opinion shall be final. The County shall pay the cost of the third opinion.

Benefit deductions through payroll resume the first pay period of the month after an employee returns from leave. Benefits requires documentation of the return through use of either a Personnel Action Form (PAN) or Benefits Office Change Form (BOC).



## Section 9: EMPLOYEE LEAVE (General)

### 9.01      General

All leaves described in this section are subject to prior approval, unless otherwise noted. Depending on the practice of an employee's respective Department, the employee may be required to complete an Employee Request for Leave Form.

Every request for leave will be given fair consideration in accordance with the following policies and procedures and the staffing needs of the departmental unit. Any leave approved upon a false statement is invalid and any approved leave shall terminate if the reason for granting the leave is no longer applicable. Moreover, employees providing false statements or documentation are subject to discipline, up to and including removal, under Section 13 of this Manual.

Employees are solely responsible to ensure that they have adequate vacation leave, sick leave and/or compensatory/exchange time when taking paid leave.

**NOTE:** Bargaining unit employees should refer to their collective bargaining agreement for information on paid leave.



## **9.02      Vacation Leave**

Timesheet Code: **V**

Each full-time permanent employee, after service of one (1) year with the county or any political subdivision of the State of Ohio, is eligible for vacation leave. Employees accrue vacation leave based on years of service. Vacation accrual for eligible employees is pro-rated based on the number of hours paid in a pay period. One year of service shall be computed on the basis of twenty six (26) bi-weekly pay periods. Overtime hours are not included in the accrual of vacation leave.

Vacation leave is earned during the time the employee is in active pay status. Time spent on unpaid leaves of absence count toward service credit, but employees in unpaid status do not accrue vacation leave.

Employees may carry their vacation leave from year to year, up to a maximum of three years. Once an employee accumulates the maximum allowable vacation balance for the employee's current accrual rate, the employee has a period of one (1) year from the date on which the maximum balance was attained to use the accrued time in excess of the maximum allowable balance. Upon the end of the year period, any time over the maximum amount will be forfeited.

Vacation accrual is computed as follows:

<b>Length of Ohio Public Service Completed</b>	<b>Accrual Rate (hours earned per 80 hours in active status)</b>	<b>Annual Amount (hours earned per 2080 hours in active pay status)</b>	<b>Maximum Accrual Balance (total hours)</b>
Less than 1 year	3.1	80 hours (not awarded until completion of one year of Ohio public service)	N/A
1 year -- less than 5 years	3.1	80	240
5 years -- less than 15 years	4.6	120	360
15 years -- less than 25 years	6.2	160	480
25 years or more	7.7	200	600



**NOTE:** An individual who is appointed by the County as a non-bargaining employee and provides proper documentation of prior service (*See Section 2.04*) is entitled, immediately upon submission of the appropriate documentation, to begin accruing vacation benefits at the rate set forth in this Manual that reflects their prior service level. The employee is also entitled to use such vacation leave at any time during the year in which it is accrued, upon approval from their supervisor.

However, an employee who has retired in accordance with the provisions of any retirement plan offered by the State of Ohio and who is employed by the County on or after June 24, 1987, shall not have prior service for the purpose of computing vacation leave. All employees currently receiving credit for service time prior to June 24, 1987, though, shall continue to receive service credit for such time.

Upon separation from County service, an employee is entitled to compensation for any earned and unused vacation leave to his or her credit at the time of separation.



## 9.03      Sick Leave

Timesheet Code: S

Sick leave may only be used for the purposes set forth in this Section. The use of sick leave is not an entitlement. Sick leave is not another form of vacation or personal leave. Supervisors and management should ensure that sick leave is properly used.

All County full-time, part-time, permanent and temporary employees accrue paid sick leave at the rate of .0575 hours for each hour of service in active pay status. For purposes of this Section, "active pay status" includes vacation, sick, overtime, compensatory time, and holidays. Employees in an unpaid leave status do not accrue sick leave.

**NOTE:** An individual who is appointed by the County as a non-bargaining employee who has a balance of sick leave earned while employed by a political subdivision of the State of Ohio within the past ten years may have the unused sick leave balance credited to their current sick leave balance. See Section 2.04 for more information on the proper procedure for submitting documentation of prior service.

Sick leave is charged in minimum units of one minute. Sick leave payment shall not exceed the normal, scheduled workday earnings, or a maximum of forty (40) hours per week. Employees may not use sick leave that was accrued in the same pay period. In addition, sick leave may not be used to cover absences that occurred prior to the accrual of the leave.

### Permissible Uses

Sick leave shall be granted for absences due to the following reasons and must be approved by management:

- Illness, injury, or pregnancy-related condition of the employee;
- Exposure of an employee to a contagious disease which could be communicated to and jeopardize the health of other employees;
- Death of a member of the employee's immediate family\* (*see Section 9.06*);
- Examination of the employee, including medical, psychological, dental or optical examination by an appropriate practitioner;
- Illness, injury or pregnancy-related condition of a member of the employee's immediate family\*; or
- Examination including medical, psychological, dental, or optical examination for a member of the employee's immediate family\* by an appropriate practitioner where the employee's presence is reasonably necessary.

[\* For purposes of this Section, Section 3.01 and Section 9.06, immediate family includes spouse, domestic partner, mother, father, sister, brother, son, daughter, grandmother, grandfather, grandson, granddaughter, mother-in-law, father-in-law, brother-in-law, sister-in-law, a legal guardian or other person who has an "in loco parentis" relationship with the employee, or any other relative residing with the employee.]



### Procedure

An employee who is ill and unable to report to work shall notify their supervisor or designee on the first day of absence and each day thereafter, unless emergency conditions prevent such notification or unless the employee submits medical evidence of a planned extended medical-related absence. An employee working in a seven day continuous operation must report their absence two hours prior to their scheduled starting time except when emergency conditions prevent such notification. Other employees must give notice within one half-hour **before** the time the employee is scheduled to report for work unless emergency conditions prevent such notification.

**NOTE:** Upon being put on notice that an employee has been out on sick leave for three or more consecutive days, the employee's supervisor should immediately contact Human Resources so that they may send out FMLA information to the employee's home address. Employees should refer to Section 8 for more information on FMLA leave.

Upon return to work, the employee shall follow their Department's guidelines with regard to completion of the Employee Request for Leave Form. If the need for leave is foreseeable, sick leave should be requested in writing prior to the date or dates that an employee will be scheduled off from work. The County reserves the right to require documentation to support the employee's sick leave request (i.e., a doctor's statement) for all absences of three (3) or more days.

An employee's sick leave balance is provided bi-weekly. The employee is solely responsible for knowing his or her balance. Taking time off without sufficient leave to cover the absence may lead to the accrual of AWOL time (*See Attendance Control Policy, Section 14*).

### Prohibited Use

The use of sick leave for any purpose other than its intended purposes is considered abuse of sick leave. Examples of abuse of sick leave include, but are not limited to the following:

- Calling in sick when one of the above cited reasons for using sick leave does not exist;
- Reporting illness in the immediate family when such illness does not exist;
- Reporting off sick to participate in some other activity or to take care of personal business;
- Establishing a pattern of reporting off sick, reporting tardy, or leaving early on certain days of the week, on days following regular days off (e.g., weekends), or on the day before or after a holiday or previously scheduled vacation; or
- Failure to follow the rules and regulations regarding the use of sick leave and reporting procedures.



**If a supervisor or management official has a reasonable suspicion that sick time is being abused, either on an individual case or by virtue of a demonstrated pattern, he or she should immediately consult with Human Resources.** Human Resources may then require an employee to provide a physician's statement or other appropriate documentation to support the use of sick leave. If it is determined that the employee abused his or her sick leave, Human Resources may charge the employee with AWOL and may pursue disciplinary action against the employee, up to and including removal.

Unused Sick Leave

Employees will not be paid for unused sick leave upon termination of employment with the exception that upon retirement, an employee with ten (10) or more years of service will receive cash payment for one-fourth (1/4) of the accrued, unused sick leave balance up to a maximum of two-hundred forty (240) hours.



## **9.04      Compensatory Time**

Timesheet Code: **CT**

**NOTE:** See Section 6.08 for information regarding accrual of compensatory time.

As stated in Section 6.08, compensatory time is granted to non-exempt (i.e., overtime eligible) employees. An employee who has requested the use of compensatory time from their direct supervisor shall be permitted to use it within a reasonable time after the request, so long as it does not unduly disrupt the operations of the agency.

Compensatory time not used within one hundred eighty (180) days after it is earned shall be paid to the employee. Upon termination all unused compensatory time is paid out to the employee.

Employees moving from a non-exempt position to an exempt position will receive payment for their accrued compensatory time at the time of the move.

## **9.05      Exchange Time**

Timesheet Code: **ET**

**NOTE:** See Section 6.08 for information regarding accrual of exchange time.

As stated in Section 6.08, exchange time is granted to exempt (i.e., not overtime eligible) employees. Use of accrued exchange time may be granted to the employee by the employee's immediate supervisor at a time mutually convenient to the operation of the County and the employee. Exchange time may not be used in the same pay period in which it was earned.

Exchange time not used within six (6) months of accrual shall expire. At no time shall exchange time be paid out to the employee.



## **9.06      Funeral/Bereavement Leave**

Timesheet Codes: **S/V/CT/ET/ALX**

Sick leave shall be granted for absences due to the death of a member of an employee's immediate family\*. In the event of the death of a member of his or her immediate family\*, an employee shall be granted time off with pay, to be charged against his or her accumulated and unused sick leave, not to exceed five (5) days.

**NOTE:** In the event the employee has no sick time available, the employee may use vacation, compensatory or exchange time. If the employee has no vacation, compensatory or exchange time, the employee may request an unpaid Personal Leave of Absence.

In the event of the death of a relative other than a member of their immediate family\*, an employee shall be granted a leave of absence with pay, to be charged against their accumulated and unused sick leave, for one (1) day to attend the funeral if within the State of Ohio or two (2) days when the funeral is outside the State of Ohio. Any additional time off requested by the employee is subject to the approval of his or her supervisor, manager and/or Department Director.

To be eligible for the above described funeral leave, an employee must attend the funeral, or other obligations related to the death and/or estate, etc. The failure to do so, or a misrepresentation of facts related to funeral leave shall be proper cause for disciplinary action, up to and including removal, as well as forfeiture of pay for the time away from work. The County reserves the right to request documentation of the family member's death and/or documentation establishing the familial relationship between the employee and the deceased family member.

[\* See Section 9.03 for definition of "immediate family".]



## 9.07

## Court Leave/HRC Hearings/Jury Duty

Timesheet Code: CL

### General Provisions

- Any compensation or reimbursement for jury duty or for court attendance compelled by subpoena, when such duty is performed during an employee's normal working hours, shall be remitted by the employee to their Department Director or supervisor for transmittal to the County Treasurer.
- In order to be approved for court leave under this Section, the employee shall furnish a copy of the court/HRC notification or jury summons to their supervisor prior to their appearance date(s).
- Unless there will be less than one (1) hour left in the employee's regularly scheduled work day upon reporting to work, an employee out on approved court leave is required to immediately report to work after the court appearance is completed. (e.g., an employee on an 8:30 – 4:30 schedule who is released from jury duty at 1 p.m. is required to immediately report to work.)

### Court Leave

An employee may be granted court leave with full pay if all of the following conditions are met:

- The legal matter is work related;
- The employee is not a party to the legal matter; **and**
- The employee is requested by the County to appear or is subpoenaed to appear before any court, commission, board or other legally constituted body authorized by law to compel the attendance of witnesses.

If any of these conditions are not met, the employee is not entitled to court leave. An employee not entitled to court leave, however, may use vacation leave, compensatory/exchange leave for purposes of appearing before a court or other legally constituted body in a matter in which he or she is a party or witness. Such instances would include, but not be limited to, criminal or civil cases, traffic court, divorce proceedings, custody, or appearing as directed as parent or guardian of juveniles.

### HRC Hearings

An employee who is the appellant or is requested to appear in any action before the HRC and is in active pay status at the time of the scheduled hearing before the Commission, shall be granted court leave with full pay for purposes of attending the hearing. The employee, however, shall not be granted any mileage, travel or other related expenses for the hearing.

### Jury Duty

Court leave with full pay shall be granted to any employee who is summoned for jury duty by a court of competent jurisdiction.

**NOTE:** For information regarding appearance at Industrial Commission (i.e., workers' compensation) hearings, please see Section 12.02.



## **9.08      Leave Donation Program**

Timesheet Code: **SLD**

County employees may donate accrued sick or vacation leave to a fellow County employee who has a serious health condition as defined under the FMLA and are in critical need of time off due to the condition. FMLA leave will run concurrently with the donated leave time.

An employee may receive donated leave provided that:

- The employee is first approved for FMLA leave that removes them from the workplace for fifteen (15) consecutive work days for their *own* serious health condition. Employees on intermittent FMLA leave do not qualify to participate in the program;
- Has exhausted all sick leave, vacation leave and compensatory/exchange time; and
- Has not had any discipline for attendance within the previous year.

An employee may donate accrued sick or vacation leave provided the donating employee:

- Voluntarily elects to donate leave to a designated recipient, who has qualified for the donation program, and does so with the understanding that donated leave which is used by the designated recipient will not be returned;
- Retains a sick balance of at least one hundred twenty (120) hours **after their donation**; and
- Is in active pay status at the time their sick time is to be used;

Employees interested in receiving donated time should contact Human Resources. Employees who qualify may receive leave through the Leave Donation Program for up to twelve (12) weeks. An employee's supervisor or representative may, with the written permission of the employee who is in need of leave or a member of the employee's immediate family, inform an employee's co-workers of such need for leave. When an employee has exhausted all donated time they will be placed on an unpaid extended sick/medical leave or may be separated in accordance with this Manual or their collective bargaining agreement.

**Donation of leave time is strictly voluntary. Any employee who feels that they are being pressured to donate leave time should file a General Employee Complaint (See Section 17.03).**

**NOTE:** Employees that are denied participation in the Leave Donation Program may file an appeal in writing to the Director of Human Resources.



## **9.09      Unpaid Leaves of Absence**

The County offers employees three types of unpaid leave: (1) New-Hire Administrative Leave of Absence; (2) Personal Leave of Absence; and (3) Extended Unpaid Sick/Medical Leave. Depending on the practice of an employee's respective Department, the employee may be required to complete an Employee Request for Leave Form to request an unpaid leave of absence.

Any leave approved upon a false statement is invalid and any approved leave shall terminate if the reason for granting the leave is no longer applicable. Moreover, employees providing false statements or documentation are subject to discipline, up to and including removal, under Section 13 of this Manual.

An employee on an unpaid leave of absence does not accrue sick or vacation leave. In addition, time spent on an unpaid leave of absence does not count towards an employee's new hire or promotional probationary period. However, the time spent on an unpaid leave of absence is counted in determining length of service for purposes of vacation eligibility, annual step increases and layoff purposes, provided the employee is properly returned to service and is not serving a probationary period.

**NOTE:** With the exception of Extended Unpaid Sick/Medical Leave taken concurrently with FMLA leave, an employee in an unpaid status on the first day of a month will not receive health care coverage and related benefits unless he or she elect to pay the entire expense. The employee may be required to pay up to one-hundred and two percent (102%) of the entire health insurance and related benefits premium costs to retain his or her benefits status.

**The total amount of time for all leaves under this section shall not exceed six (6) months in any forward rolling twelve month period.** Employees are responsible to ensure that they have received proper approval when taking unpaid leave.

Failure to return to work upon the expiration of the approved leave, without reasonable explanation, may subject the employee to discipline, up to and including removal.

**NOTE:** An employee who fails to return to service from an unpaid leave of absence and who is subsequently removed or voluntarily resigns from service shall not receive service credit for the time spent on such leave and is deemed to have a termination date corresponding to the starting date of the unpaid leave of absence.

An employee may be permitted to return to work prior to the originally scheduled expiration of the leave if such earlier return is agreed to by both the employee and Human Resources. Upon completion of an unpaid leave of absence, the employee shall be returned to the same or similar position within the employee's former classification. If the employee's former classification no longer exists, the employee shall be placed in a classification similar to that formerly occupied.



New-Hire Administrative Leave of Absence

Timesheet Code: **ALX**

An administrative leave may be granted to a newly-appointed employee if they need to take time off from the job due to extenuating circumstances, subject to the following limitations:

- New-hire administrative leave is unpaid;
- New-hire administrative leave may only be granted during a newly-appointed employee's first year of employment with the County;
- Prior approval must be received from the newly-appointed employee's Department Director;
- New-hire administrative leave may only be granted when all appropriate accumulated paid leave time (e.g., sick leave, vacation, and compensatory/exchange time) leave has been exhausted; and
- An employee is limited to a total of 80 hours of new-hire administrative leave.

Personal Leave of Absence

Timesheet Code: **LOA**

A personal leave of absence involves a temporary separation from active pay status, authorized by the County. Such leave must be for a minimum of ten (10) working days, but may not exceed a maximum period of six (6) months, with no extension or renewal allowed.

A personal leave of absence may only be granted when all appropriate accumulated leave (vacation leave and compensatory/exchange time leave) has been exhausted.

A personal leave of absence must be requested by the employee in writing and must be approved by the employee's Department Director. The request shall state reasons for taking the leave and the dates for which such leave is being requested and shall be accompanied by any necessary supporting documentation. Every request for leave will be given fair consideration in accordance with the following policies and procedures and the staffing needs of the departmental unit.

Extended Unpaid Sick/Medical Leave

Timesheet Code: **LOA**

An employee who is unable to perform any of the essential functions of his or her position due to disabling illness, injury or condition, and the disability continues after the employee has exhausted his or her accumulated sick leave benefits, may be granted a leave of absence without pay for a period of up to six (6) months upon presentation of evidence as to the probable date for return to active work status.

The following additional criteria must be met in order to be granted leave under this section:

- The employee's absence will be at least five (5) consecutive workdays;
- The employee must demonstrate that the probable length of absence will not exceed six (6) months; and
- The employee must present to Human Resources, at the time the request is made, a licensed physician's report stating diagnosis, prognosis, and probable period for which the employee will be unable to perform the essential job duties of their position.



FMLA leave for eligible employees shall run concurrently with leave taken under this Section if the reason for leave qualifies under the FMLA.

If the employee is unable to return to work after expiration of the six-month period, the employee may be given a disability separation in accordance with Section 5.19 of this Manual or may apply for OPERS disability retirement, if qualified (*See Section 11.06* for contact information for OPERS).



## Section 10: **MILITARY LEAVE**

**NOTE:** County Employees who are related to members of the Armed Forces, including members of the National Guard or Reserves, should be aware that they may be eligible for military-related FMLA leave. Please see Section 8. for more information regarding military-related FMLA leave.

### **10.01      Military Leave With Pay (Military Reserve Leave)**

Timesheet Code: ML

Permanent County employees who are members of the Ohio National Guard, the Ohio defense corps, the Ohio naval militia, or any other reserve component of the United States armed forces, are entitled to a leave of absence from their duties without loss of pay for a period or periods not to exceed twenty-two (22) working days (176 hours) in any one calendar year, provided they are called for field training or active duty. This service does not need to be in one continuous period. The maximum number of hours for which payment under this provision will be made in any calendar year is one-hundred seventy-six (176).

Any military pay received for this twenty-two (22) or less day period of military service shall have no effect on pay from the County. This twenty-two (22) day period of military leave will not affect accrual of sick leave or vacation credits. The employee will continue to accrue sick leave and vacation credits at the normal rate.

An employee who is entitled to leave provided under this Section, and who is called or ordered to the uniformed services for longer than a month, for each calendar year in which the employee performed service in the uniformed services, because of an executive order issued by the governor pursuant to the Revised Code is entitled, during the period designated in the order or act, to a leave of absence and to be paid, during each monthly pay period of that leave of absence, the lesser of the following:

- The difference between the employee's regular gross monthly wage or salary and the sum of the employee's gross uniformed pay and allowances received that month; or
- Five hundred dollars (\$500).

No employee, however, shall receive payments pursuant to the above paragraph if the sum of the employee's gross uniformed pay and allowances received in a pay period exceeds the employee's regular gross wage or salary. In order to obtain any paid leave under this Section, the employee must submit to Human Resources a copy of military orders or other statement in writing from the appropriate military authority as evidence of a call to training or duty.



## **10.02      Unpaid Military Leave**

Timesheet Code: **MLX**

Pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), an eligible County employee shall be granted, upon giving notice to his or her Department and Human Resources, a leave of absence to serve in the uniformed service, as defined in the Revised Code. This leave shall be without pay and shall be considered as a leave of absence from service with reinstatement rights. No single leave of absence or combination of uniformed service leaves of absence may exceed five (5) years or a single, longer period required to complete an initial period of obligated service.

Employees on military leave without pay for up to thirty (30) days must be given the option of making direct payments of the employee's share of the health insurance premium. Employees with longer periods of service will be given the option of continuing health care coverage and related benefits for up to twenty-four (24) months. Such continuation shall be at the employee's expense.

**NOTE:** the employee may be required to pay up to one-hundred and two percent (102%) of the entire health insurance and related benefits premium costs.

Employees on military leave who are reinstated to employment with the County pursuant to this Section are entitled to immediate reinstatement of health insurance for the employee and any other individual who is covered by such plan by reason of the reinstatement of the coverage for the employee, with no waiting period and no exclusion of preexisting conditions, except for service-connected illness or injury. Even if the employee does not elect to continue health coverage during his or her military service, he or she will have the same right to immediate reinstatement of health insurance.

Employees returning from military service will be reinstated in the job that they would have attained had they not been absent for military service and with the same seniority, job status and pay, as well as other rights and benefits determined by seniority. The County will make all reasonable efforts to enable returning employees to refresh or upgrade their skills to enable them to qualify for reemployment. If refresher training is not successful, the County will reinstate the employee in a position that most nearly approximates that position originally held.

An employee returning from military leave must apply for reinstatement to their Department or Human Resources within the following time frames:

- Leave of less than thirty (30) days – the employee must report back to work at the next regularly scheduled shift on the day following release from the military, safe travel home, and eight (8) hours of rest.
- Leave of thirty-one (31) to one hundred eighty (180) days – the employee must apply for reinstatement within fourteen (14) days following release.
- Leave of one hundred eighty-one (181) days or more – the employee must apply for reinstatement within ninety (90) days after release.



Failure to return to work or apply for reinstatement in accordance with these time limits does not necessarily forfeit the employee's reinstatement rights, however, the employee will be subject to the County Attendance Control Policy (Section 14).

Following a period of service of thirty-one (31) days or more, employees will be required to provide documentation to the County which establishes the following:

- The timeliness of the employee's application for reinstatement;
- That the employee has not exceeded their cumulative 5-year limit of military leave; and
- That the character of their discharge or separation from uniformed service does not meet one of the types set forth in 20 CFR 1002.135.

If the documentation is not readily available, or does not exist, the County will not deny reinstatement, however, if the documentation later becomes available and it shows that the employee did not qualify for reinstatement, the employee will be immediately removed from employment.

For employees who were disabled while on military duty, or if a pre-existing disability is aggravated by military service, the County will make reasonable efforts to accommodate the disability (*See Section 4.07* for more information on disability accommodations.)

If the employee's service was one-hundred eighty-one (181) days or more, they are protected from discharge, except for cause, for one (1) year. If the employee's service was for thirty-one (31) to one-hundred eighty (180) days, the period of protection from discharge, except for cause, is one-hundred eighty (180) days.

Employees may elect to use any vacation leave they have accrued for a period of unpaid military leave. Use of vacation is strictly optional. Employees on unpaid military leave do not accrue sick or vacation leave.



# Section 11: BENEFITS

## 11.01      Health Care Benefits

The County's comprehensive benefits program, consists of group medical, prescription, dental, vision, life insurance and flexible spending accounts.

**NOTE:** Part-time employees hired on or after January 1, 2008 are not eligible for County provided health care benefits. Part-time employees who were receiving County health care benefits prior to January 1, 2008 will continue to remain eligible to receive health care benefits.

New employees have thirty (30) days from their hire date to make their benefit elections and to submit documentation regarding dependents. Under most circumstances, if an employee fails to make benefit elections within that time period, the employee will have to wait until open enrollment to elect benefits.

New employees shall be eligible to receive health care benefits on the first day of the month following their date of hire. The costs of the employee's selected benefits plans are shared between the employee and the County. The County will make its first contribution on the first payroll deduction for the first month following the employee's hire date. Employees, at their own expense, can elect to begin medical, dental, vision and flexible spending account coverage on the first day of hire. Employees who choose this option are responsible for 100% of the cost of their benefits.

Employees who take a leave of absence during any benefits waiting period may incur a delay in the effective date of County paid benefits. The new effective date will be calculated from the day the waiting period is completed.

The County's health benefits may cover an employee's spouse and dependent children. To be covered, children must be under age twenty-three (23), unmarried, and legal dependents of the employee. Health benefits may also cover certain other dependent children if the employee has legal guardianship, as outlined in each of the County's group insurance carrier contracts. No dependent can be covered by more than one County sponsored benefit plan. Documentation is required before dependents can be added.

**NOTE:** Effective January 1, 2011, employees may be able to add dependents whose age is greater than 23 to their benefits coverage. Federal rules will allow employees to add dependents who will be covered through the month of their 26th birthday (with proper documentation). The



State of Ohio allows dependents to be added following the month of their 26th birthday through the month of their 28th birthday if they meet all the State of Ohio criteria.

If an employee is covered by medical coverage elsewhere, the employee may be entitled to waive County coverage and receive a taxable wage incentive for maintaining non-County coverage. Employees should contact the County Benefits Department at (216) 443-3539 or [benefits@cuyahogacounty.us](mailto:benefits@cuyahogacounty.us) for more information on this incentive.

Employee contributions for health benefits are paid through a pre-tax payroll deduction, both during and after the waiting period.

**Fraud Warning:** Any person who, with intent to defraud or knowing that he or she is facilitating a fraud, submits an application or files a claim containing a false or deceptive statement may be guilty of insurance fraud. Any employee found making false or deceptive statements may be subject to disciplinary action, up to and including removal.

By enrolling in a County benefit plan, an employee agrees to comply with eligibility rules for themselves and for all of their dependents in these plans. The enrolling of ineligible dependents may be considered fraud. An employee may be subject to an eligibility audit during the benefit year. An employee selected for an eligibility audit may be required to submit copies of documentation such as certified birth certificate(s), marriage certificate(s), income tax return(s) and/or other related documentation including affidavits.



## **11.02      Open Enrollment**

Open enrollment generally occurs between October and December. Employees must go on line annually to make their elections. Employees who do not make elections on line by the open enrollment deadline will default to the medical plan that the County designates. Once an employee is defaulted to this designated plan, he or she cannot appeal or change this plan unless a qualifying event occurs. Employees are also bound by the deadlines to submit documentation during open enrollment for addition and/or deletion of dependents.

## **11.03      Benefits During Unpaid Leaves of Absence**

If an employee is on an unpaid leave of absence, benefits may be maintained. To continue benefits, employees must make required monthly contribution payments which may be greater than those paid by employees in active pay status. Employees should contact the County Benefits Department at (216) 443-3539 or [benefits@cuyahogacounty.us](mailto:benefits@cuyahogacounty.us) for more information on continuation of benefits during a leave of absence.



## **11.04      Changes in Medical Benefits Coverage**

Under most circumstances, employees can only make changes to benefit elections during the annual open enrollment period. After enrollment, revision to an employee's elections is only permitted due to an eligible change in status. Employees must notify Human Resources and complete a Benefits Office Change Form, including attachment of required documentation, within thirty (30) days of an eligible change of status.

Examples of changes of status include:

- Marriage;
- Divorce, legal separation, or annulment;
- Birth, adoption, placement for adoption, or legal guardianship;
- Change of status in child custody;
- Death of dependent;
- A child who is no longer a legal dependent or a dependent reaching age twenty- three (23) (please see note box in Section 11.01 regarding changes to this requirement on or after January 1, 2011);
- Loss of alternate coverage; and/or
- Certain reductions/increases in work hours and or work status (i.e., from part-time to full-time).

**NOTE:** Employees are responsible for notifying the Benefits Division if their legal guardianship ends or if their dependent children get married, leave home with their own job and/or are no longer shown by the employee as a dependent on their income tax returns.

Changes in status can affect the employee's single/family coverage entitlement for medical, prescription drugs, dental and vision, as well as impacting flexible spending accounts and life insurance. In the case of divorce, legal separation and annulment, employees must adjust their covered dependents by removing former spouses within thirty (30) days of divorce, legal separation or annulment. Copies of the first and last pages of the court document must be included. Failure to adhere to this requirement may subject the employee to discipline, up to and including removal.

**NOTE:** Divorced employees who are required by court order to pay benefits for their ex-spouse cannot cover the ex-spouse under County benefits. A separate policy must be purchased outside of County benefits. It is illegal to cover an ex-spouse under County benefits.



## **11.05**      **Continuation of Coverage**

In compliance with Federal COBRA laws, all new employees receive a comprehensive letter concerning their rights with respect to continuing group health care benefits. Generally, a former employee can continue benefits for up to eighteen (18) months, providing that they pay the monthly group rate in addition to a small administrative fee. Some unique situations, as defined by law, may warrant a longer period of up to twenty-nine (29) months. Upon severing employment with the County, eligible employees will receive notification of their COBRA entitlement, duration and payment instruction.

In addition, Federal HIPAA laws require that the County (or its designated agent) provide eligible employees a certificate of group health care coverage. This document may be used as evidence of their insurability to another employer or organization whose group health carrier may otherwise impose an exclusion for certain pre-existing conditions. Employees needing a copy of their certificate of group health care coverage should contact the County Benefits Department at (216) 443-3539 or [benefits@cuyahogacounty.us](mailto:benefits@cuyahogacounty.us).

The County's group term life insurance has two features allowing employees to take a portion or all of their life insurance with them under an individual arrangement with the County's insurance carrier:

- The "conversion provision" allows an employee to convert the basic insured amount, if applicable to their group, and the supplemental coverage into a whole life policy.
- The "portability provision" allows an employee to take the insured amount that is in excess of the basic coverage and create an individual term life policy at the same prevailing group premium. Changes in premium still occur at the same five-year (5) age intervals as when employed.

**NOTE:** The "conversion" and "portability" provisions both involve direct payment to the insurance carrier.

There are deadlines associated with both the "conversion" and "portability" provisions of the County's sponsored life insurance program. The County routinely sends an informative notification concerning preservation of life insurance when employment ends. However, employees should contact the County Benefits Department at (216) 443-3539 or [benefits@cuyahogacounty.us](mailto:benefits@cuyahogacounty.us) prior to separation from employment with the County.



## **11.06      Retirement – Ohio Public Employee Retirement System (OPERS)**

All County employees are required by state law to participate in OPERS through payroll deduction.

Information regarding OPERS is available by contacting Human Resources or by directly contacting OPERS:

**Ohio Public Employee Retirement System**  
277 East Town Street  
Columbus, Ohio 43215-4642  
1-800-222-PERS (7377)  
[www.opers.org](http://www.opers.org)

## **11.07      Death Benefit**

Employees who elect life insurance coverage must complete a Beneficiary Form. Upon the death of an employee or their covered dependents, death benefits will be payable. Contact the County Benefits Department at (216) 443-3539 or [benefits@cuyahogacounty.us](mailto:benefits@cuyahogacounty.us) for more information regarding death benefits.

## **11.08      Optional Additional Employee Benefits**

At the sole discretion of the County, certain additional optional employee benefits may be offered to County employees, including:

- Voluntary benefits, such as accident insurance, whole life insurance with long term care rider, and/or short term disability;
- Discounted RTA bus/transit passes and parking;
- Health and wellness programs; and
- Tuition reimbursement.

County employees will be notified of these offers as they become available.



## **11.09      Flexible Spending Accounts (FSAs)**

Flexible Spending Accounts are offered by the County as an additional benefit. The County offers two types of FSAs: (1) Medical Payment Accounts; and (2) Dependent Care Payment Accounts. More information on both of these plans can be found in the open enrollment material distributed by the Benefits Division or by contacting the Benefits Division at (216) 443-3539 or [benefits@cuyahogacounty.us](mailto:benefits@cuyahogacounty.us).

### **Medical Payment Account (MPA)**

The MPA allows employees to use pretax deductions to pay medical, prescription drug and dental expenses that are not covered by the employee's medical plan (e.g., co-pays, deductibles, orthodontia, etc.). Employees deposit these payroll deductions in a separate account with the County's third party provider. To draw on the account, employees must submit receipts for eligible expenses to the third party provider through use of reimbursement form. The employee will then be reimbursed by the third party provider.

### **Dependent Care Payment Account (DCPA)**

The DCPA allows employees to use pretax deductions to pay childcare expenses. The DCPA works in the same manner as the MPA with regard to submission of receipts and reimbursement form. Childcare services can be provided in or out of the employee's home as long as the sitter is not a dependent that you claim on your income tax. The DCPA covers childcare for children less than thirteen (13) years of age, but also may be used to pay for an incapacitated adult who is dependent on the employee for 50% of their support and who needs care while the employee is at work.

**NOTE:** Employees should be aware that there are strict deadlines associated with the submittal of claims for withdrawal of funds from flexible spending accounts. Employees that fail to submit claims prior to the deadline will forfeit any remaining balances in their flexible spending accounts. More information regarding specific deadlines can be obtained by contacting Human Resources.



## Section 12:

# WORKERS' COMPENSATION

### 12.01      Workers' Compensation Policy

The State of Ohio Workers' Compensation Laws cover County employees. A County employee who sustains a job-related injury or occupational disease may be eligible to receive benefits from the Bureau of Workers' Compensation (BWC).

### 12.02      Employee Procedure

A County employee who is involved in a work-related accident/injury or is diagnosed with an occupational disease must adhere to the following procedure:

1. The employee must immediately notify their supervisor of the work-related accident/injury or occupational disease diagnosis. If the employee is incapacitated, the employee must notify their supervisor as soon as practicable.
2. The employee must complete a Cuyahoga County Accident Investigation Report within 24 hours of the occurrence, unless confined to the hospital. If confined to the hospital, the employee must complete the accident report within 24 hours of release from the hospital.
3. The employee may seek treatment at the medical provider of their choice so long as the provider is BWC certified. If medical care is needed, the employee should obtain a Managed Care Organization (MCO) card from Human Resources for submittal to their provider. If immediate medical care is needed, the employee does not need to obtain a MCO card. Rather, the employee should inform their provider that they have a work-related injury and refer them to the County's MCO, **1-888-OHIOCOMP**.

**NOTE:** An employee who is involved in a work-related accident/injury may be required to submit to a drug and/or alcohol test pursuant to Revised Code Section 4123.54. The results of the drug and/or alcohol test, or the employee's refusal to submit to the test may affect the employee's eligibility for compensation and benefits pursuant to Revised Code Section 4123.54 and Chapter 4121 of the Revised Code and will subject the employee to the provisions of the County's Fitness for Duty Program (Section 7.04).



Employees who are off work due to a work-related accident/injury or occupational disease are responsible to keep their supervisors notified of their work status and to provide appropriate documentation from their physician. Appropriate documentation includes certification of total disability (BWC Form - C-84) and physician's reports of work ability (BWC Form - Medco-14).

If the employee is released to light or full duty, the employee must provide appropriate documentation from their physician to Human Resources and the County Workers' Compensation Office.

If an employee is required to attend an Industrial Commission hearing, he or she will be given up to two (2) hours of paid leave. The employee must present the Hearing Notice from the Industrial Commission to their supervisor prior to the hearing date in order to be granted the paid leave.

If an employee is required to attend a County or BWC mandated medical examination, he or she will be given up to four (4) hours of paid leave time to attend. The employee must present their supervisor with the written letter from the BWC, MCO or TPA in order to be granted the paid leave.

**NOTE:** Time off for attendance at any medical appointment not mandated by the County or BWC must be covered by the employee's own leave time.



## **12.03      Supervisor Procedure**

Immediately upon receipt of notification from an employee of a job-related accident/injury or occupational disease diagnosis, the supervisor shall:

1. Provide the employee with a “Workers’ Compensation Injury Reporting Packet.” Reporting packets can be obtained from Human Resources. The reporting packets contain the Accident Investigation Report that must be filled out by the employee; and
2. Contact Human Resources to notify them of the incident.

**NOTE:** If the incident in question involves a vehicle accident, the supervisor is also required to contact Fitness for Duty and Protective Services in accordance with Section 16.04 of this Manual.

Upon receipt of the completed Accident Report from the employee, the supervisor shall immediately give the form to Human Resources.



## 12.04      Relationship to Leave Time

Employees who are off work for more than seven (7) calendar days due to a job-related accident/injury or occupational disease may be entitled to disability benefits through the BWC. It may be several weeks, however, before the BWC determines eligibility and issues the first disability check to an injured employee. County employees who are off work due to a job-related accident/injury or occupational disease have the following options while waiting for the BWC to determine eligibility and issue disability payments:

- **Sick Leave** – An employee may elect to use their accrued sick leave. The employee will continue to receive their full wages and benefits while using sick leave. The BWC, however, will not reimburse an employee for the usage of their sick time (i.e., the BWC will not issue retroactive payment of disability payments to cover the period of time where sick leave was used). In addition, the County will not reimburse or re-credit the employee for the sick time used.
- **Vacation/Compensatory/Exchange/Personal Leave** – An employee may elect to use their accrued vacation, compensatory, exchange or personal leave. The employee will continue to receive their full wages and benefits while using vacation, compensatory, exchange or personal leave. Should the BWC determine that the employee is eligible for disability payments, the BWC will issue retroactive disability payments to cover eligible periods where vacation, compensatory, exchange or personal leave were used. The County, however, will not reimburse or re-credit the employee for the vacation, compensatory, exchange or personal leave time used.
- **Unpaid Workers' Compensation Leave** Timesheet Code: WCX - Injured employees also have the option of not receiving a paycheck from the county and waiting on BWC wage benefits. However, the decision to go into a no-pay status may affect health care benefits. Should the BWC determine that the employee is eligible for disability payments, the BWC will issue retroactive disability payments to cover eligible periods where unpaid workers' compensation leave was used. Should the BWC determine that the employee is ineligible to receive disability, the employee will not receive any retroactive payment or reimbursement from the BWC or the County.

**In addition, in the event that an FMLA eligible employee suffers lost time of three (3) days or more, the employee will be required to use their available FMLA time to cover up to the first twelve (12) weeks of lost time.**



## **12.05      Alternative Work Program**

### *Policy*

On July 1, 2003, the County passed a Resolution adopting the Cuyahoga County Alternative Work Policy. The passage of this Resolution indicates that the County fully supports the provision of alternative work opportunities for employees who have been injured at work and are eligible for Workers' Compensation Benefits. Employees who have been injured may be able to work for a specific period of time in a modified form of their present job or at a different job assignment.

This policy only pertains to employees with County work related injuries who have been released by their physician for alternative work/light duty. The policy may also be limited based on individual departmental work needs at a particular time.

### *Procedure*

- When an employee is injured, the County's MCO, 1-888-OHIOCOMP, will review the employee's medical records and discuss restrictions with the employee's physician (or review Medco-14 form from physician). The MCO will also make available Functional Job Analyses for certain positions for review by the physician. The MCO will then make recommendations on appropriate candidates. A Department may also make recommendations for appropriate candidates. Appropriate candidates will likely miss more than 7 calendar days of work.
- The employee must file a workers' compensation claim with the BWC and complete the County's accident report before being considered for alternative work. However, the County's initial allowance order does not have to be issued prior to participation in the program.
- The County Workers' Compensation Office will work in conjunction with Department management to determine whether there is an appropriate alternative position within the employee's department.
- The Department may object to the assignment if there are already two employees from the Department participating in this program.
- If a bargaining employee is involved, the union will be notified of the assignment. The employee will be notified of their right to union representation regarding the assignment.
- The employee will maintain their current rate of pay and their bargaining status will remain in force. Where possible, all efforts will be made to assign the employee to their regular shift.



- The County Workers' Compensation Office will inform the employee by certified mail in writing of the new assignment, reporting time and work hours. A copy of this letter will be sent to the union (if applicable), Human Resources, Department Director(s) and supervisor(s).
- An employee will be eligible for alternative work for up to sixty (60) calendar days. This initial sixty-day period may be extended by agreement between the Department and employee (or union if a bargaining employee). At no time may an alternative work assignment exceed one hundred twenty (120) days.
- For an employee to be allowed to return to their prior position, the employee must provide a full release from their physician, indicating that the employee can perform the essential functions of the position, with or without accommodation, or have been granted a reasonable accommodation under the ADA. (*See Section 4.07* of this Manual for more information on making a request for an ADA Accommodation.)



## **12.06      Wage Continuation Program**

The County Wage Continuation Program is an optional program available for employees who are injured at work and meet specific eligibility requirements. Under the Program, the employee will continue to receive their regular County wages as opposed to receiving workers' compensation disability benefits for up to sixty (60) calendar days while they are recovering from their injuries. The employee will also continue to receive their applicable benefits, including accrual of sick, vacation and retirement credit.

The program is entirely voluntary and the employee may opt out of the program at any time. The employee must meet all eligibility requirements and follow all mandated procedures to participate in the program. **The County reserves the right to make determinations on eligibility on a case by case basis.**

### **Eligibility**

- Injury or occupational disease must be compensable under Workers' Compensation Laws of the State of Ohio;
- Employee must miss more than seven (7) calendar days of work;
- Employee must fill out a county accident report in accordance with Section 12.02 of this Manual;
- Employee must use a medical provider from either MetroHealth or OccuCenters facilities.
- Employee must fill out a Wage Continuation Form (available from Human Resources), and return it to the County Workers' Compensation Office within 72 hours of the injury/diagnosis. If employee is hospitalized, the employee must return the form within 72 hours of their discharge from the hospital. There will be no retroactive application to this program;
- Employee must submit FMLA paperwork to Human Resources and are required to use their FMLA leave. Employees who are not eligible for FMLA leave are not eligible to participate in this program; **and**
- Employee must agree to participate in alternative work if eligible. The employee's participation in the alternative work program shall be governed by the rules set forth in Section 12.05 of this Manual.

### **Procedure**

- Upon receipt of the required forms, the Workers' Compensation Office will consult with the employee's supervisor and make a decision to either certify or reject the injury/occupational disease claim.
  - **Rejected** - the employee will not be eligible to participate in the program.
  - **Certified** - the Workers' Compensation Office will enroll the employee in the program.
  - **Certified, but later disallowed by the BWC** - the employee's participation in the program will be suspended until a final decision is issued on the claim. The employee will be required to use accumulated paid leave or FMLA leave during



this period of time if the employee has not been released by their doctor. If the employee does not have sufficient leave time to cover the absence, the employee may be placed on an extended unpaid sick/medical leave.

- If, after the appeals are exhausted, the claim is allowed, leave time used will be refunded.
- The employee's physician will be required to submit both a C-84 and Medco-14 along with an estimated return to work date to the Workers' Compensation Office. The Workers' Compensation Office will use these forms to determine the appropriateness of an alternative work assignment.
- Wage continuation may continue for a maximum of **sixty (60) calendar days** or until the employee's physician releases the employee to either full duty or alternative work, whichever is earlier.
  - The sixty-day limit applies to each injury (i.e., if an employee returns to work after forty-five (45) days of wage continuation, but later needs to be off work again for the same injury – the employee will only be authorized for fifteen (15) additional days of wage continuation. After a total of sixty (60) calendar days of wage continuation, the employee will not be eligible to participate in wage continuation for the same injury for the duration of the participant's service with the County.)
- If the employee is unable to return to work at the end of the sixty-day time period, he or she will be directed to seek benefits from the BWC. The employee will be required to continue on FMLA leave until exhausted.
- An employee may discontinue the program at any time. If the employee decides to opt out of the program, the employee may use his or her accumulated leave time and apply to use the standard Workers' Compensation Program. An employee who has opted out of the program may not opt back in at a later date.

### Medical Treatment

- Employees in the program must use a medical provider from either MetroHealth or OccuCenters facilities. It is recommended that employees with less serious injuries use OccuCenter, and employees with more serious injuries use MetroHealth.
- Any employee who fails to fully comply with his or her treating physicians recommendations, including treatment, medication, therapy, vocational rehabilitation, and/or alternative/transitional work assignment, will be immediately removed from the program and will forfeit any future claim to program benefits. Missing appointments will be considered non-cooperation.
- Employees in the program who are working in an alternative work position will be granted paid leave time for medical or physical therapy appointments with their approved physician. The employee will be required to submit documentation of the appointment to their supervisor, including the time he or she arrived and left the appointment. Failure to submit appropriate documentation will result in the employee being charged with sick leave for the time away from work
- Employees in the wage continuation program who have returned to full duty will be granted up to two (2) hours of leave time per day for medical appointments related to



their work-related injury for up to one (1) year following their date of injury. The appointment must be with their approved physician under this program and the employee will be required to submit documentation in the manner described in the prior paragraph.

Prohibitions

- An employee is not eligible to use leave donation while participating in this program.
- Employees in the program shall only be paid for their regularly scheduled hours during the period of disability.
- Employees may not maintain any other employment while collecting wage continuation.
- In the event that the County finds that an employee who has received wage continuation has filed a fraudulent claim, the County reserves the right to discipline the employee pursuant to Section 13 of this Manual, up to and including removal, and to recoup the full worth of all wage and benefit payments rendered to the employee.

**NOTE:** The County reserves the right to modify the wage continuation program at any time.



## Section 13:

# EMPLOYEE CONDUCT POLICY

### **13.01      Guidelines for Appropriate Conduct**

All County Employees are responsible for performing their jobs in a competent, professional manner and for conducting themselves, at all times, in a way that advances the goals of the County and increases public confidence in Cuyahoga County government. This requires County employees to exercise due care and regard for the safety and security of persons and property, and to refrain from behavior which might be harmful to the county's interests, or which violates or conflicts with the county policies and procedures.



## **13.02      Employee Dress/Appearance**

County employees are required to dress in a manner appropriate for their position. Unless otherwise required by their position, employees are generally required to dress in a manner that is “business appropriate.”

Although it is not possible to compile a complete list of acceptable and unacceptable attire, employees should always strive to dress in a way that maintains a business appearance and promotes a positive image and level of professionalism.

Employees should be aware that their respective Departments may have additional rules and regulations or more specific guidelines regarding employee dress/appearance. In determining the appropriate dress standards for individual units, Department management should consider the following factors:

- The nature of the work performed by the unit;
- The likelihood of interaction with the public; and
- Consistency amongst similarly situated units.

Department management has the right to take corrective action when an employee is improperly dressed. An employee who is dressed inappropriately may be sent home to change his or her clothes and may be subject to further discipline under this Section. An employee who is sent home shall be required to use his or her own accumulated vacation, compensatory or exchange leave to cover the time that he or she is away from the worksite to change clothes. In the event the employee has no vacation, compensatory or exchange time, the employee will be placed in AWOL status for the time that he or she is away from the worksite.

Nothing in this policy is intended to abridge an employee’s rights relating to non-discrimination or to hinder the advancement of diversity at the County. The County will reasonably accommodate those employees whose bona fide religious belief or disability requires special attire (*see Section 4.08* for information regarding requests for religious accommodation; *see Section 4.07* for information regarding disability accommodation requests).



### **13.03      Employee Responsibility for County Property**

Employees shall not abuse, neglect, waste or misappropriate County property. All employees are responsible for the proper care of any tools, materials, equipment or vehicles assigned for the performance of their jobs. No County tools, equipment, materials or vehicles shall be used for any purpose other than authorized work-related activities. No County tools, equipment or materials shall be taken from the worksite for any purpose unless specifically authorized by the employee's supervisor and/or management. Any violation of these requirements may subject an employee to discipline, up to and including removal.

Upon separation from County employment, employees must return to their Department Management all County-issued cell phones, pagers, computers, keys, uniforms, and other such equipment. In addition, employees must return their ID badges to Human Resources.



## **13.04      Recording of Conversations**

The County has established the following guidelines for the recording of telephone conversations, office meetings and office conversations concerning County business. Any violation of this Section could result in disciplinary action, up to and including removal.

### **Telephone Conversations**

County employees shall not record any telephone conversation involving the discussion of County business unless at least one of the following applies:

1. All parties first consent either verbally or in writing;
2. The party intending to record the conversation notified the other party – both at the beginning and at the end of the conversation – that the call is being recorded;
3. The Law Director or designee authorizes in writing an employee to record a telephone conversation without the other party's consent (e.g., in furtherance of a sexual harassment investigation); or
4. County management authorizes the recording of a telephone conversation as a standard course of business (e.g., all telephone calls to the 696-KIDS hotline are recorded).

### **Office Meetings and Conversations**

County employees shall not record any internal office meetings, conversations, and/or any oral communication involving the discussion of matters pertaining to County business unless at least one of the following applies:

1. All parties first consent either verbally or in writing; or
2. The Law Director or designee authorizes in writing an employee to record a meeting/conversation without the other party's consent (e.g., in furtherance of a sexual harassment investigation).

An internal office meeting is defined as an assembly of two or more County employees for the purpose of discussing matters relating to the conduct of County business.

**NOTE:** This policy shall not apply to public meetings or any other meeting or forum involving the discussion of County business that is open to members of the general public, including, but not limited to, public hearings.



## **13.05      Workplace Search/Privacy Policy**

**NOTE:** See Section 15.02 for information regarding the County's electronic equipment/e-mail privacy policies.

County management may question employees and/or inspect any personal property or any area from which the County conducts business, including any spaces, facilities and/or vehicles leased by the county, when there are **reasonable grounds** for suspecting that the search will reveal evidence of work-related misconduct, including, but not limited to:

- When management has a reasonable suspicion that a search/questioning is necessary to safeguard another employee's safety or property;
- When management has a reasonable suspicion that a search/questioning is necessary to safeguard a County customer or their property;
- To protect County property from destruction and/or theft;
- To investigate possible violations of County policy; or
- In furtherance of an internal workplace harassment/discrimination investigation.

**County management will obtain authorization from either Human Resources or the Protective Services Division prior to conducting a workplace search.**

**NOTE:** Employees who are without their County issued ID Badge may be required to submit to a search through the use of a metal detector. In addition, all County employees may periodically be required to submit to a search through the use of a metal detector.



## **13.06      Professional Licenses**

Any County employee who is required as a condition of his or her employment to possess and maintain in good standing, a professional license (e.g., social worker license, license to practice law, etc.), shall immediately report any change in his or her licensure status to their Department Management (i.e., license revoked due to bad behavior or failure to renew). An employee who fails to promptly report any change in their licensure status may be subject to disciplinary action, up to and including removal.

## **13.07      Criminal Conviction**

Pursuant to Section 5.05 of this Manual, all applicants for appointment to positions under the County are required to declare whether they have been previously convicted of certain crimes. Any employee that fails to disclose a previous criminal conviction or current arrest for one of the listed crimes on their application is subject to disciplinary action, up to and including removal for falsification of their application.

**Any current County employee that is arrested for one of the following crimes must immediately report said arrest to Human Resources:**

- Felonies (or under arrest for crime punishable as a felony);
- A crime involving dishonesty, fraud, or theft (e.g., forgery, burglary, robbery, credit card fraud, perjury, bribery, tax evasion);
- Crimes of moral turpitude (e.g., sex offenses, pandering, prostitution, importuning, public indecency);
- Crimes involving physical violence (e.g., assault, patient abuse or neglect); and
- Drug-related crimes (e.g., trafficking offenses, drug possession).

**Any employee who fails to disclose the fact that he or she has been arrested for one of the above-described crimes is subject to disciplinary action, up to and including removal.**

Conviction of a crime or a history of criminal convictions may constitute cause for disciplinary action. Determination of such action will be based on an analysis of the responsibilities of the position and the nature and time frame of the conviction.



## **13.08 Inappropriate Conduct / Grounds for Discipline**

### Inappropriate Conduct

In accordance with Ohio civil service laws, the County considers the following conduct to be inappropriate and grounds for disciplinary action:

Incompetency	Violation of County Policy and/or Procedure
Inefficiency	Violation of any Ohio Civil Service Law
Dishonesty	Failure of Good Behavior
Drunkenness / Substance Abuse	Misfeasance
Immoral Conduct	Malfeasance
Insubordination	Nonfeasance
Discourteous Treatment of the Public	Felony Conviction
Neglect of Duty	

### Examples of Inappropriate Conduct

The following examples of inappropriate conduct are provided to assist County management with administration of the Progressive Discipline Program. **The examples, however, are provided solely for illustration, and are NOT intended to be exhaustive or exclusive.**

#### **MINOR INFRACTIONS:**

**The following is a non-exclusive list of examples of minor infractions:**

<b>Type of Conduct</b>	<b>Examples:</b>
<i>Neglect of Duty / Inefficiency / Incompetency</i>	<ul style="list-style-type: none"> <li>• Failing to follow call-in procedures for a single day of absence without approved leave.</li> <li>• Taking unauthorized or extended lunch or other breaks.</li> <li>• Being away from the worksite without permission or leaving work prior to the end of the shift without authorization.</li> <li>• Loafing, loitering, or failing to perform work in a prompt and efficient manner.</li> <li>• Reading material during regular work hours that is not job-related or authorized by management.</li> <li>• Conducting non-work related business while on County time.</li> </ul>
<i>Violation of County Policy and/or Procedure</i>	<ul style="list-style-type: none"> <li>• Abuse of County telephones for personal, local calls.</li> <li>• Using County equipment or property for other than its intended purpose (including, but not limited to, e-mail and Internet).</li> <li>• Failing to sign time sheets, properly register time or to punch time card.</li> <li>• Smoking on County owned or leased properties.</li> </ul>
<i>Insubordination</i>	<ul style="list-style-type: none"> <li>• Failing to follow supervisor's instructions or Departmental procedures.</li> </ul>



**MAJOR INFRACTIONS:**

**The following is a non-exclusive list of examples of major infractions:**

<b>Type of Conduct</b>	<b>Examples:</b>
<i>Neglect of Duty / Inefficiency / Incompetency</i>	<ul style="list-style-type: none"> <li>• Sleeping while on duty.</li> <li>• Leaving a post of continuous operation without authorization prior to the end of the shift or prior to proper relief.</li> <li>• Failing to follow call-in procedures for two consecutive days of absence without approved leave.</li> <li>• Failing to report for overtime after being scheduled to work overtime or refusing to work mandated (mandatory) overtime when assigned.</li> <li>• Failure to complete a legitimate job assignment.</li> </ul>
<i>Violation of County Policy and/or Procedure</i>	<ul style="list-style-type: none"> <li>• Abuse of County telephone for personal long distance calls.</li> </ul>
<i>Discourteous Treatment of the Public</i>	<ul style="list-style-type: none"> <li>• Failure to provide prompt, courteous service to the public.</li> </ul>
<i>Failure of Good Behavior</i>	<ul style="list-style-type: none"> <li>• Verbal abuse or profanity directed at a co-worker, supervisor, or the public.</li> <li>• Unauthorized sharing of confidential information about clients and/or employees.</li> <li>• Using another employee's confidential computer identification code without authorization or giving another's code to anyone to use.</li> </ul>
<i>Insubordination</i>	<ul style="list-style-type: none"> <li>• Refusing a legitimate job assignment or failing to perform a directive from a supervisor or management representative.</li> </ul>

**REMOVABLE INFRACTIONS:**

**The following is a non-exclusive list of examples of removable infractions:**

<b>Type of Conduct</b>	<b>Examples:</b>
<i>Neglect of Duty / Inefficiency / Incompetency</i>	<ul style="list-style-type: none"> <li>• Egregious, flagrant or willful neglect in the performance of assigned duties.</li> <li>• Disregarding safety or security regulations that results or would likely in serious physical harm or major property loss or damage.</li> <li>• Failing to follow call-in procedures for three consecutive days of absence without approved leave.</li> </ul>
<i>Violation of County Policy and/or Procedure</i>	<ul style="list-style-type: none"> <li>• Intentionally destroying County property or records without prior authorization.</li> </ul>
<i>Dishonesty</i>	<ul style="list-style-type: none"> <li>• Falsification of employment records or other County records in manual or automated systems, including falsification of stated reason for use of leave (e.g., abuse of sick leave or using sick leave for unauthorized purposes.)</li> </ul>



	<ul style="list-style-type: none"> <li>• Unauthorized punching, signing or altering other employee's time cards or timesheets</li> <li>• Unauthorized altering of one's own time card or sheet.</li> <li>• Making false claims or providing false information in investigations of workplace misconduct or accidents.</li> <li>• Making false claims or misrepresentations in an attempt to obtain any County benefit (e.g., health benefits, promotion, paid leave of absence, etc.).</li> </ul>
<i>Felony Conviction</i>	<ul style="list-style-type: none"> <li>• Conviction of a felony.</li> </ul>
<i>Failure of Good Behavior</i>	<ul style="list-style-type: none"> <li>• Soliciting or accepting a gratuity or bribe from anyone conducting business with the County or seeking to do business with the County.</li> <li>• Using obscene, abusive, or threatening language or gestures, or performing an act with intent to cause injury to another.</li> <li>• Striking or physically assaulting another person.</li> <li>• Fighting, except for self-defense.</li> <li>• Theft of property from co-workers, the County or others.</li> <li>• Unauthorized possession of a firearm, explosives, or other dangerous weapons on County property or while engaged in County business.</li> <li>• Performing an act which constitutes a felony under the laws of the United States, the State of Ohio or the jurisdiction in which the act was committed.</li> <li>• Making an unwelcome, uninvited sexual advance or request for a sexual favor, especially of a subordinate, a vendor or a customer, and/or touching someone else if it is unwelcome and uninvited.</li> <li>• Engaging in a pattern of behavior which creates a hostile, intimidating, or offensive work environment based on a protected characteristic.</li> </ul>
<i>Drunkenness / Substance Abuse</i>	<ul style="list-style-type: none"> <li>• Using alcoholic beverages on County property, or using alcoholic beverages while engaged in County business.</li> <li>• Possessing an open container of alcohol on County property or while engaged in County business.</li> <li>• Manufacturing, using, selling, or distributing alcohol or illicit drugs on County time or County property.</li> <li>• Refusal or failure to submit to a drug test as required.</li> <li>• Failing an alcohol or drug test in violation of the County's Fitness for Duty Policy.</li> </ul>



Evaluation of Inappropriate Conduct

All inappropriate conduct shall be evaluated on a case by case basis, considering the following factors:

- 1) Level of disruption to County business.
- 2) Level of harm to the County's interests.
- 3) Level of damage to the public's trust and confidence in Cuyahoga County government.
- 4) The employee's position and the degree of responsibility inherent in that position (i.e., supervisory vs. non-supervisory positions). **Employees who occupy a supervisory or management position are held to a higher standard of conduct commensurate with the level of leadership required of them.**
- 5) Whether the employee's conduct is part of a continuing problem.
- 6) Whether the employee's conduct put a co-worker, vendor or customer's safety and/or security at risk.
- 7) Whether the employee's honesty and veracity is brought into question because of his or her conduct.
- 8) Whether there are extenuating or mitigating circumstances.
- 9) Whether the inappropriate factor involves a violation of the County's Code of Ethics (See Section 3.).



## **13.09      Progressive Discipline Program**

### *Purpose*

The County subscribes to a policy of progressive discipline. Progressive discipline is not intended to be punitive. Rather, the goal of this policy is to help the employee recognize and correct certain unacceptable behavior before it becomes serious enough, or frequent enough, to warrant termination of employment.

### *Application*

The Progressive Discipline Program applies to:

- Regular full-time and part-time employees (bargaining and non-bargaining); and
- Promotion or transfer probationary employees.

The Progressive Discipline Program may not apply to:

- New-hire probationary employees;
- Interns; and
- Temporary or seasonal employees
- Any employee who commits an offense deemed to be “removable” pursuant to Section 13.08.

In the event of a conflict, Federal, State and Local laws, rules, and regulations take precedence over Progressive Discipline policies and procedures. In addition, in the event of a conflict, collective bargaining agreements take precedence over Progressive Discipline policies and procedures.

### *Relationship to Attendance Control Program*

All attendance related discipline shall be administered in accordance with the Attendance Control Program (Section 14). Attendance related discipline, however, may be relevant under this Section as evidence of a continuing performance problem. In addition, failure to follow call in procedures is considered a Progressive Discipline offense and may be addressed separately from the related attendance control issue.

### *Procedure*

When a management representative determines that an employee has conducted himself or herself in a manner that is deemed “inappropriate” under Section 13.08 of the Policies and Procedures Manual, the management representative shall consult with Human Resources to determine the appropriate action to take. If an investigation is necessary, Human Resources will work with the management representative to gather the necessary information regarding the inappropriate conduct.

If Human Resources determines that the facts of the case may justify the imposition of a suspension, demotion, or removal, Human Resources will have the management representative complete a request for Pre-Disciplinary Conference in accordance with Section 13.11 of this Manual.



Depending on the nature of the discipline that is ultimately issued, the employee will either be notified of the discipline by his or her supervisor or Human Resources.

**NOTE:** All finalized disciplinary actions are permanently placed in the employee's personnel file. **The disciplinary action, however, will only remain active for two (2) years for purposes of progressive discipline.** The two-year period shall be measured backward from the date of the subsequent offense to the date the prior discipline was imposed.

Types of Disciplinary Action

- **Written Reprimand** – The purpose of a written reprimand is to give an employee formal written notice that his or her conduct has been deemed to be inappropriate and of any action that may be necessary to correct said conduct. The written reprimand should also specify consequences if the employee does not correct his or her inappropriate conduct. If Human Resources determines that a written reprimand is appropriate pursuant to the Progressive Discipline Program, the supervisor or management representative shall prepare the written reprimand and submit it to Human Resources for review. Once approved by Human Resources, the supervisor or management representative will give the written reprimand to the employee. The written reprimand shall be signed by the supervisor or management representative, the employee and any third-party who witnessed the issuance of the written reprimand. The employee's signature is an acknowledgement of receipt of the form, not agreement with its contents. The original written reprimand shall be sent to Human Resources to be placed in the employee's personnel file, with copies to the employee and the employee's direct supervisor.
  
- **Suspension** - A suspension is a forced unpaid leave of absence from employment with the County. The County may require an employee who is suspended to report to work to serve the suspension. An employee serving a suspension in this manner shall continue to be compensated at the employee's regular rate of pay for hours worked. The disciplinary action shall be recorded in the employee's personnel file and has the same effect as a suspension without pay for the purpose of recording disciplinary actions.
  
- **Reduction** - See Section 5.15.
  
- **Demotion** - See Section 5.14.
  
- **Removal** – See Section 5.17.



**NOTE:** At the sole discretion of the Director of Human Resources or designee, an employee may be temporarily placed on paid administrative leave when the employee's inappropriate behavior is so serious that immediate removal from the workplace is necessary. This may be necessary because the employee's actions indicate that remaining on the job or returning to the job may be detrimental to the employee, co-workers, customers or the County. The employee will be required to leave County property pending an investigation into the employee's behavior. Examples of behavior that may require a placement on paid administrative leave include, but are not limited to, the "Removable Offenses" set forth in Section 13.08 of this Manual. Employees who are placed on paid administrative leave shall be prepared to return to work each day on leave and are required to call Human Resources prior to their regular starting time each day to determine whether they should return to work that day.



## **13.10      Conduct/Performance Improvement Measures**

The utilization of the measures described below can oftentimes help an employee improve his or her performance or conduct without having to initiate formal disciplinary procedures. Their purpose is to establish an understanding of the issues, exchange information, and establish job expectations. If the employee's performance or conduct does not improve, however, the supervisor shall initiate disciplinary proceedings in accordance with Section 13.09 of this Manual.

Management is strongly encouraged to consult with Human Resources prior to making use of the following measures:

**NOTE:** The following measures are NOT considered disciplinary action for purposes of the Progressive Discipline Program. These measures, however, may be mandated in conjunction with disciplinary action under the Progressive Discipline Program. An employee's failure to fulfill a mandate pursuant to this section constitutes insubordination and may subject the employee to disciplinary action. For example, an employee that is being suspended for inappropriate conduct may also receive a mandatory referral to the Employee Assistance Program as part of the disciplinary order. The employee's failure to fulfill the mandated referral would subject them to further disciplinary action for insubordination.

### *Verbal Counseling*

Verbal counseling involves a private meeting between supervisor and employee, whereby the employee is informed in detail of his or her conduct that the supervisor has deemed inappropriate and of any action that may be necessary to correct said conduct. The supervisor shall create a document detailing the reasons for and outcomes of the counseling. The supervisor and the employee shall sign the document. The supervisor shall retain the original and the employee shall receive a copy of the document. The employee's signature is an acknowledgement of receipt of the form, not agreement with its contents.

**NOTE:** "Verbal counseling" may also be referred to as "oral counseling" or "coaching".

### *Performance Improvement Plan ("PIP")*

A performance improvement plan is a formal process used by supervisors to help employees improve performance or modify behavior. The performance improvement plan, or PIP, as it is often called, identifies performance and/or behavioral issues that need to be corrected and creates a written plan of action to guide the improvement and/or corrective action. A PIP may be used in conjunction with a verbal counseling, a disciplinary action or a poor performance review.

Fundamentally, a PIP is a structured communication tool designed to facilitate constructive discussion between the employee and the supervisor. An effective PIP will:



- Consider the employee's input;
- Specifically identify the performance to be improved or behavior to be corrected;
- Provide **reasonable and clear expectations** about the work to be performed or behavior that must change;
- Identify the support and resources available to help the employee make the required improvements;
- Establish a plan for reviewing the employee's progress and providing feedback to the employee for the duration of the PIP; and
- Specify consequences if performance standards as identified in the PIP are not met.

**NOTE:** A "performance improvement plan" may also be referred to as a "corrective action plan or "CAP".

### Training

In an effort to further the professional development of its employees, the County will frequently offer a wide variety of training opportunities for its employees. Examples of the types of training that may be offered includes:

- Computer skills;
- Management/leadership training;
- Professionalism and business etiquette;
- Conflict management/resolution;
- Problem solving;
- Effective communication; and
- Project management.

**Attendance at training sessions can be mandated by County management. An employee that fails to attend a mandated training session will be subject to disciplinary action, up to and including termination of employment.**

Please contact Human Resources or refer to the County Intranet for more information regarding training opportunities.

### Management Referral to Employee Assistance Program

Under certain circumstances, the County may deem it necessary to request that an employee seek assistance through the County's Employee Assistance Program (EAP) (*See Section 7.03*). An employee who receives a management EAP referral will be treated in the same manner as an employee who voluntarily seeks assistance through the EAP except that the employee's attendance, motivation level, and willingness to follow recommendations will be reported back to County management by the EAP administrator.



## **13.11      Pre-Disciplinary Conference (PDC)**

If Human Resources determines that the severity of the employee's conduct may justify imposition of a suspension, demotion or removal, Human Resources will prepare a Notice of Pre-Disciplinary Conference for issuance to the employee.

At any point prior to the PDC, the employee may choose to waive his or her opportunity to have a PDC. Attendance at the PDC is mandatory unless waived. Upon written request, the presiding Human Resources' official may grant the employee a reasonable continuance, if necessary.

The following rules of procedure shall apply to the PDC:

- a) The employee may present oral and/or written statements, testimony, documents etc., in response to each allegation of inappropriate conduct.
- b) The employee may choose to have one additional person (other than a subordinate employee) accompany them to the PDC as an observer. The observer shall not be permitted to speak on the employee's behalf. It is the employee's responsibility to notify their chosen observer that their attendance is desired.
- c) If the employee is a member of a union, he or she may be accompanied by a union representative in accordance with the applicable collective bargaining agreement. It is the employee's responsibility to notify the union representative that their attendance is desired.
- d) The County reserves the right to record the PDC. The employee has no right to record the PDC, unless otherwise authorized in their collective bargaining agreement.

## **13.12      Appeals**

The Cuyahoga County Charter provides non-bargaining employees an appeals process for certain disciplinary action through the HRC. Revised Code Section 124.34 sets forth the specific types of discipline that may be appealed and outlines the procedures for filing an appeal with the HRC.

NOTE: Certain progressive discipline decisions may be appealed in accordance with the complaint process set forth in Section 17.03.



## Section 14:

# ATTENDANCE CONTROL PLAN

### **14.01      Purpose**

Absenteeism and tardiness represent two of the most serious problems in county government. Absenteeism and tardiness disrupt work schedules, cause unnecessary overtime, and place an unfair burden on responsible employees and supervisors. The purpose of the Attendance Control Plan is to increase productivity and employee morale through the systematic reduction of employee absenteeism and tardiness.

### **14.02      AWOL (Absent Without Official Leave)**

AWOL occurs when an employee is away from his or her scheduled place of work or is tardy for reasons other than authorized leave. AWOL and tardiness are work rule violations.

The mere procurement of a physician's statement will not prevent the accumulation of AWOL hours, unless the absence is covered by approved leave.



## 14.03      Attendance Control Plan

Attendance control is administered separately from the Progressive Discipline Program in Section 13.09. **Failure to follow departmental call-in procedures, however, is considered a separate offense which may be addressed under the Progressive Discipline Program in Section 13.09.**

**NOTE:** An employee may receive separate disciplinary action for a failure to follow call-in procedures and for AWOL arising out of the same incident. For example, if an employee fails to follow call in procedures for a single day of absence without approved leave, the employee would be subject to discipline for a "minor infraction" under Section 13.08 and would also receive eight (8) hours of AWOL time pursuant to the Attendance Control Plan.

The Attendance Control Plan shall be administered as follows:

### Stage 1

If the employee accumulates ten (10) or more hours of AWOL in a two-year period, the employee shall receive an **AWOL Written Reprimand**. The supervisor and employee shall sign the AWOL Written Reprimand and the original shall be sent to Human Resources to be placed in the employee's personnel file, with a copy to the employee.

### Stage 2

If the employee accumulates ten (10) or more hours of AWOL in the two-year period after the date of the issuance of their Stage 1 AWOL Written Reprimand, the employee shall be subject to a **three-day suspension**.

### Stage 3

If the employee accumulates sixteen (16) or more hours of AWOL in the two-year period after the third day of their Stage 2 three-day suspension, the employee shall be subject to **removal**.

**Attendance Control Plan Summary Chart**

	<b>AWOL ACCUMULATION</b>	<b>DISCIPLINE</b>
<b>STAGE 1</b>	10 hours in a 2-year period	Written Reprimand
<b>STAGE 2</b>	10 additional hours in the two-year period after the date of the issuance of their Stage 1 AWOL Written Reprimand	3-day Suspension
<b>STAGE 3</b>	16 additional hours in the two-year period after the third day of their Stage 2 three-day suspension	Removal



## **14.04      Appeals**

The Cuyahoga County Charter provides non-bargaining employees an appeals process for certain disciplinary action through the HRC. Revised Code Section 124.34 sets forth the specific types of discipline that may be appealed.

NOTE: Certain progressive discipline decisions may be appealed in accordance with the complaint process set forth in Section 17.03.



**Section 15:**  
**ELECTRONIC EQUIPMENT AND  
COMMUNICATIONS**

**15.01      Electronic Equipment and Communications Policy**

Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, World Wide Web browsing, FTP, cellular telephones, and “smart phones” are the property of Cuyahoga County. These systems are to be used for business purposes in serving the interests of the County, the public and agency customers in the course of normal operations. Access and use of County provided communication equipment and services are provided at the discretion of the County and may be revoked at will.

Effective security is a team effort involving the participation and support of every Cuyahoga County employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer user to know these guidelines, and to conduct their activities accordingly.

The purpose of this policy is to outline the acceptable use of electronic equipment at Cuyahoga County. These rules are in place to protect the employee and Cuyahoga County. Inappropriate use exposes Cuyahoga County to risks including virus attacks, compromise of network systems, data, services, and legal liability issues.

This policy applies to employees, contractors, consultants, temporaries, and other workers at Cuyahoga County, including all personnel affiliated with third parties. This policy applies to all equipment that is owned or leased by Cuyahoga County.



## **15.02      Privacy Expectations**

County employees do not have a right, nor should they have an expectation, of privacy while using any County electronic equipment at any time, including accessing the Internet and/or using County owned/provided e-mail. By using County electronic equipment, County employees make express agreement to consent to disclose the contents of any type of information maintained on or passed through County electronic equipment. **In addition, any record created by an employee when using County electronic equipment (e.g., e-mail record, internet usage history), is generally considered a public record subject to disclosure upon request.**

By using County electronic equipment, consent to monitoring and recording is implied with or without cause, including, but not limited to, accessing the Internet and using County owned/provided e-mail. Any use of County communication resources is made with the understanding that such use is generally not secure, is not private, and is not anonymous.

**All County provided electronic equipment, and its contents, may be monitored and inspected at any time without prior notice.** Electronic communications may be disclosed within a Department to those who have a need to know in the performance of their duties. Department Directors, system managers, and supervisors may access any electronic communications at any time.



## **15.03      Security and Proprietary Information**

The following guidelines are designed to protect County employees, partners and the public from illegal or damaging actions by individuals, either knowingly or unknowingly:

1. Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts. System level passwords should be changed quarterly, user level passwords should be changed every six months.
2. All PCs, laptops and workstations should be secured with a password-protected screensaver with the automatic activation feature set at 10 minutes or less, or by logging-off (control-alt-delete for Win2K users) when the host will be unattended.
3. Use encryption of information in compliance with Information Services Center's Acceptable Encryption Use policy. This policy may be found at: [http://10.4.1.23/ccisc/pdf/policies/ISCSecurityPolicyProcedures\\_0309.pdf](http://10.4.1.23/ccisc/pdf/policies/ISCSecurityPolicyProcedures_0309.pdf)
4. Because information contained on portable computers is especially vulnerable, special care should be exercised. Protect laptops in accordance with good judgment and best practices in protecting county owned equipment.
5. Postings by employees from a Cuyahoga County email address to newsgroups should contain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of Cuyahoga County, unless posting is in the course of business duties.
6. All hosts used by the employee that are connected to the Cuyahoga County Internet/Intranet/Extranet, whether owned by the employee or Cuyahoga County, shall be continually executing approved virus-scanning software with a current virus database unless overridden by departmental or group policy.
7. Employees must use extreme caution when opening e-mail attachments received from unknown senders, which may contain viruses, e-mail bombs, or Trojan horse code.



## **15.04 Prohibited Uses of Electronic Equipment and Communications**

Prohibited use of County equipment and/or electronic communications may subject the violator to disciplinary action, up to and including removal. Prohibited usage may also expose the violator to criminal prosecution. Examples of prohibited uses of electronic equipment and communication are:

**NOTE:** Employees may be exempted from these restrictions during the course of their legitimate job responsibilities (e.g., systems administration staff may have a need to disable the network access of a host if that host is disrupting production services.)

### System and Network Activities

The following activities are strictly prohibited, with no exceptions:

1. Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by Cuyahoga County.
2. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which Cuyahoga County or the end user does not have an active license is strictly prohibited.
3. Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal. The appropriate management should be consulted prior to export of any material that is in question.
4. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).
5. Sharing or revealing your account password to others or allowing use of your account by others. This includes friends, family and other household members when work is being done at home.
6. Using a Cuyahoga County computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws in the user's local jurisdiction.
7. Making fraudulent offers of products, items, or services originating from any Cuyahoga County account.
8. Making statements about warranty, expressly or implied, unless it is a part of normal job duties.
9. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.



10. Port scanning or security scanning is expressly prohibited unless prior notification to the Research and Security Department is completed.
11. Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.
12. Circumventing user authentication or security of any host, network or account.
13. Interfering with or denying service to any user other than the employee's host (for example, denial of service attack).
14. Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet.
15. Providing information about, or lists of, Cuyahoga County employees to parties outside Cuyahoga County.
16. Accessing inappropriate websites (e.g., pornography, gambling, etc.).

#### Email and Communications Activities

1. Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).
2. Any form of harassment via email, telephone or paging, whether through language, frequency, or size of messages.
3. Unauthorized use, or forging, of email header information.
4. Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.
5. Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.
6. Use of unsolicited email originating from within Cuyahoga County's networks of other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by Cuyahoga County or connected via Cuyahoga County's network.
7. Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam).

#### Weblogs ("Blogging")

1. Blogging by employees using Cuyahoga County's equipment or systems is subject to the terms and restrictions set forth in this Policy. Use of Cuyahoga County's systems to engage in blogging is acceptable, provided that it is done in a professional and responsible manner, does not otherwise violate Cuyahoga County's policy, is not detrimental to Cuyahoga County's best interests, and does not interfere with an employee's regular work duties. Blogging from Cuyahoga County's systems is subject to monitoring.
2. Cuyahoga County's Information Sensitivity policy also applies to blogging. As such, employees are prohibited from revealing any Cuyahoga County confidential or proprietary information, trade secrets or any other material covered by Cuyahoga County's Information Sensitivity policy when engaged in blogging.
3. Employees are prohibited from making any discriminatory, disparaging, defamatory or harassing comments when blogging or otherwise engaging in any conduct prohibited by Cuyahoga County's Non-Discrimination and Anti-Harassment policy.



4. Employees may also not attribute personal statements, opinions or beliefs to Cuyahoga County when engaged in blogging from Cuyahoga County systems. If an employee is expressing his or her beliefs and/or opinions in blogs, the employee may not, expressly or implicitly, represent themselves as an employee or representative of Cuyahoga County. Employees assume any and all risk associated with blogging, to include legal liability. Employees may blog freely from their home personal computers or other access outlets assuming legal liability at their own risk.
5. Apart from following all laws pertaining to the handling and disclosure of copyrighted or export controlled materials, Cuyahoga County's trademarks, logos and any other Cuyahoga County intellectual property may not be used in connection with any blogging activity



## Section 16: **TRAVEL / DRIVING ON COUNTY BUSINESS**

### **16.01      Traveling on County Business**

Employees may be required to travel on County business in conjunction with their normal job assignments or in order to fulfill a special departmental need. Any decision to travel must be made in accordance with the policies and procedures set forth in the Cuyahoga County Travel Policy. An employee may be denied reimbursement for their travel expenses and may be subject to discipline, up to and including removal, if they fail to follow the policies and procedures set forth in the Cuyahoga County Travel Policy. **A copy of the Cuyahoga County Travel Policy is available on the County intranet. A copy may also be obtained by contacting Human Resources.**

County employees who are required to travel are responsible for conducting themselves, at all times, in a manner that advances the goals of the County and increases public confidence in County government. This requires County employees to refrain from behavior that might be harmful to the County's interests, or which violates or conflicts with County policies, practices and/or procedures. County employees shall exercise good judgment while traveling on County business and shall observe all of the County's rules while traveling, including, but not limited to rules regarding:

- Personal appearance ([Section 13.02](#));
- Alcohol and drug use ([Section 7.01](#)); and
- Sexual or other workplace harassment ([Section 4.03](#)).

Any failure to adhere to these requirements constitutes an infraction of the County Discipline Policy ([Section 13](#)), which may result in disciplinary action, up to and including removal from County employment.



## **16.02      Safety Belt Usage**

The County recognizes that safety belts are an important item of personal protective equipment and that safety belts save lives and reduce the severity of injuries to those who wear them. It is the County's commitment to do everything reasonable to prevent injuries to employees and damage to property and to protect the County, its employees and the general public from the results of vehicle accidents.

This policy applies to all County employees and to all occupants of vehicles driven by employees on County business. Occupants shall use safety belts in all vehicles driven on County business (whether County owned or privately owned vehicles). It is especially important that all employees demonstrate their commitment to and support of this policy by their strict adherence to it.

Any employee who is cited by a law enforcement agency for not wearing a safety belt will be responsible for any fines or other actions that may result as part of the citation. Employees who violate this policy may be subject to disciplinary action, up to and including removal.



## **16.03      Driving on County Business / Use of County Fleet Vehicles**

Every employee who drives or operates a County fleet vehicle at any time, or who operates any motor vehicle (i.e., employee's personal vehicle, rental vehicle) on, or in the course of County business must strictly adhere to the following requirements:

- The employee must have and maintain at all times, without interruption, a **valid driver's license** and the minimum **automobile insurance coverage** required by Ohio law. Employees are solely responsible to make sure that their licenses and automobile insurance are properly renewed/maintained.
- Employees are responsible to make sure that the **Ohio Bureau of Motor Vehicles (BMV) has the employee's correct mailing address**. Employees can notify the BMV of an address change by visiting the BMV website (<http://www.ohiobmv.com/>). If the BMV sends notification of a license suspension or other mailing to the address in its records, the employee is deemed to be properly notified and held responsible for having knowledge of the suspension or other matter.
- If the employee's **driver's license and/or insurance is expired, suspended, revoked, or otherwise invalid**, the employee shall **immediately report** this fact to their immediate supervisor, and **immediately stop driving** on, or in the course of County business. The employee's Department Director, with the concurrence of the Director of Human Resources, may allow the employee to resume driving on, or in the course of County business upon the employee providing acceptable proof of insurance coverage and driver's license (or appropriate occupational driving privileges granted by a court of competent jurisdiction). Other conditions may be imposed as appropriate in light of the circumstances of each individual case.

**NOTE:** Driving records are public information. County management has the authority and does conduct **routine inspections** of the driving records of its employees. Employees who are required to drive on, or in the course of County business are encouraged to periodically visit the Ohio BMV website (<http://www.ohiobmv.com/>) to monitor the status of their license.

- All occupants (including non-employees) of any motor vehicle being used on, or in the course of County business are required to wear a **safety belt** at all times.
- Employees who are required to transport children on, or in the course of County business must follow all applicable Ohio laws regarding the use of **car seats** or other restraints.
- Employees must follow all **traffic laws and parking regulations**. Employees are solely responsible for the cost of any driving/moving infraction/violation, parking



tickets, impound charges, towing charges, and/or storage charges incurred while driving a County fleet vehicle or any vehicle on, or in the course of County business.

- The use of **alcohol** and/or other **controlled substances** – including a prescription or over the counter medication, which may temporarily render an employee unable to operate a vehicle safely – is strictly prohibited.
- An employee involved in a **motor vehicle accident** must strictly adhere to the vehicle accident reporting requirements set forth in Section 16.04 of this Manual.

**NOTE:** It is strongly recommended that an employee operating a vehicle pull to a safe location and park the vehicle **before** using a cell phone. It should also be noted that several municipalities strictly prohibit the use of a cell phone while driving.

#### Use of County Fleet Vehicle

Immediately upon becoming aware of the need for the use of a County fleet vehicle, a County employee should contact the Fleet Services Department at (216) 443-8952 to determine if a vehicle is available on their travel date. If a vehicle is available, the employee should submit a Vehicle Request Form to the Fleet Services Garage via facsimile at (216) 443-7806.

A County employee that operates a County fleet vehicle must adhere to the following additional requirements:

- **Personal use** of a fleet/pool vehicle is strictly prohibited.
- Fleet/pool vehicles may only be used during the **employee's regular working hours** or as approved by the employee's department management.
- Fleet/pool vehicles shall only be **operated by County employees**.
- **Non-County employees** shall not travel in a fleet/pool vehicle unless specifically authorized by the employee's department management.
- **Smoking** is strictly prohibited inside a fleet/pool vehicle.
- Employees must comply with the Cuyahoga County **Vehicle Idling** Policy. A copy of the Idling Policy can be obtained by contacting the Fleet Services Department or by logging onto the County intranet.
- Fleet/pool vehicles may not be driven **out-of-state** without prior approval by the County.
- Fleet/pool vehicles may never be driven **out of the country**.
- Fleet/pool vehicles and keys must be **returned** by the specific date and time given and in the condition that they were received.



### Use of Personal Vehicle

A County employee who is required to drive or operate their personal vehicle on, or in the course of County business must adhere to the following additional requirements:

- The employee's personal vehicle's **automobile registration** must be current. If the employee's personal vehicle's automobile registration expires or is otherwise invalid, the employee must immediately notify his or her supervisor and immediately stop driving in the course of County business. The employee's Department Director, with the concurrence of the Director of Human Resources, may allow the employee to resume driving their personal vehicle on, or in the course of County business upon the employee providing acceptable proof of valid automobile registration.
- An employee on, or in the course of County business **may not be transported by a non-County employee unless approved by the employee's supervisor.**
- Every employee who submits a **Travel Expense Report** for operating a personal vehicle on, or in the course of County business, certifies that he or she has a valid driver's license, vehicle registration, financial responsibility (insurance), and personally operated the vehicle for which the travel expense is claimed.
- The employee must maintain the vehicle in a **good and safe operating condition.**

Employees who are required to drive their personal vehicle on, or in the course of County business should refer to the policies and procedures set forth in the Cuyahoga County Travel Policy for information regarding mileage and parking reimbursement. A copy of the Cuyahoga County Travel Policy is available on the County intranet. A copy may also be obtained by contacting Human Resources. **Any failure to conform to the requirement set forth in this Section constitutes an infraction of the County Discipline Policy (Section 13), which may result in disciplinary action, up to and including removal from County employment.**



## **16.04      Vehicle Accident Reporting Procedure**

For purposes of this Section, a “vehicle accident” is an accident that results in property damage and/or physical injuries to any parties involved in the accident.

### *Employee Duties*

An employee involved in a vehicle accident either, (1) occurring in the course of County business in a private/rental vehicle, or (2) occurring in a County vehicle at any time, **must** follow the following steps:

- 1) Remain at the accident site unless it is necessary to immediately go to hospital.**
- 2) Contact the appropriate authorities (i.e., dial 911).**
- 3) Contact County Protective Services at 216-443-2141 or 1-888-814-3578.**
- 4) Contact their immediate supervisor.**

After such accidents, the County employee may be required to submit to an alcohol and drug test depending on the circumstances. (*See Section 7.04* for more information on County drug/alcohol testing policies and procedures.) Therefore, the employee shall remain at the accident site until they receive further instruction from either their supervisor, Protective Services or the Fitness for Duty Coordinator.

**NOTE:** An employee who is incapacitated and/or transported by EMS to the hospital as a result of a vehicle accident shall contact their immediate supervisor as soon as practicable.

### *Supervisor Duties*

Upon receipt of notification of a vehicle accident involving a County employee, the supervisor shall immediately notify County Protective Services (216-443-2141).

**Any failure to conform to the requirement set forth in this Section constitutes an infraction of the County Discipline Policy (Section 13), which may result in disciplinary action, up to and including removal from County employment.**



## Section 17:

# EMPLOYEE COMPLAINT PROCEDURES

### **17.01      Equal Employment Opportunity Complaints**

See Section 4.05 for information regarding the Equal Employment Opportunity Complaint procedure.

### **17.02      Fair Labor Standards Act (FLSA) Complaints**

Non-bargaining employees shall use the following complaint procedure for disputes regarding alleged violations of the FLSA (*see* Section 6.01). Employees covered by a collective bargaining agreement shall use the grievance procedure outlined in their agreement.

An employee who has been designated by the County as being exempt from receiving overtime and/or compensatory time may file a written complaint if he or she believe that:

- He or she has been improperly designated as an exempt employee; **or**
- His or her paycheck has been improperly docked.

The written complaint should outline why the employee should not be considered exempt or the specific dates, amounts and circumstance regarding when the alleged improper docking occurred. This written complaint should be submitted to the County Human Resources Director for review.

Upon receipt of the complaint, the Human Resources Director or designee will investigate the allegation. After review, if the employee has been improperly designated or docked, the County will re-designate, reimburse and/or correct the wages of the employee. The decision issued pursuant to this section will be the final decision of the County.



## **17.03      General Complaints**

### *Policy*

For all complaints not involving equal employment or FLSA issues, County employees are encouraged to make every reasonable effort to resolve such complaints with his or her immediate supervisor. If the complaint cannot be resolved informally, employees may file a County General Complaint pursuant to the procedure outlined in this Section.

### *Limitations*

Certain issues are not subject to the County General Complaint Procedure. Examples include, but are not limited to:

- Administration of disciplinary action that entitles the employee to a right of appeal to the HRC;
- Removals, reductions or demotions during the new-hire probationary period;
- Collective bargaining issues (bargaining unit employees should refer to the grievance process set forth in their collective bargaining agreement);
- Position audit results;
- Temporary transfers of thirty (30) days or less;
- Layoffs;
- Disability separation decisions
- Performance evaluations; and
- Decisions based on fitness for duty examinations.

### *Procedure*

#### STEP 1: WRITTEN COMPLAINT TO DIRECTOR

- Employees wishing to file a complaint under this Section shall document his or her complaint in writing and submit it to his or her Department Director within ten (10) working days of the event upon which the complaint is based. **The complaint must specifically state the remedy the employee is seeking.**
- The Department Director and/or designee will investigate the complaint and/or discuss the issue with the employee.
- The Department Director will issue a written response within a reasonable period of time, generally not to exceed thirty (30) calendar days.

#### STEP 2: APPEAL TO DIRECTOR OF HUMAN RESOURCES

- If the employee is not satisfied with his or her Department Director's response, the employee may request review by the Director of Human Resources.
- The employee shall send his or her original complaint and the Department Director's response to the Director of Human Resources within ten (10) working days of receipt of the Department Director's response.
- The Director of Human Resources and/or designee will investigate the complaint and/or discuss the issue with the employee.



- The Director of Human Resources and/or designee will issue a written response to the complaint within a reasonable period of time, generally not to exceed thirty (30) calendar days.

### STEP 3: APPEAL TO THE COUNTY EXECUTIVE/DESIGNEE

- If the employee is not satisfied with the response submitted by the Director of Human Resources, the employee may request review by the County Executive/Designee.
- The employee shall send their original complaint and both prior responses to the County Administrator within ten (10) working days of receipt of the Director of Human Resources' response.
- The County Executive and/or designee will investigate the complaint and/or discuss the issue with the employee.
- The County Executive or designee will render a final decision on the appeal within a reasonable period of time, generally not to exceed forty-five (45) calendar days.



## **Section 18:**

# **RECORDS MANAGEMENT**

### **18.01      Confidential Information**

The County prohibits the release of confidential information, which consists of any information that is required by state or federal law or state or federal administrative rule to be kept confidential.

In addition, some information is specifically exempt from public inspection and copying under state public records law but is not required to be kept confidential. Release of such information is permitted only by any of the County's designated public records managers, and release of such information by anyone else is a violation of this section.

An employee who violates this section may be subject to disciplinary action, up to and including removal.

### **18.02      Compliance with Records Retention Schedule**

Each Department has established a policy to ensure that all County records are retained in compliance with all known local, state, and federal laws and regulations, all Ohio Historical Society requirements, and the internal operating needs of the County. Before disposing of any County records, employees must determine whether the disposal is in accordance with the applicable Records Retention Policy adopted by the employee's Department.

An employee should contact his or her Department's designated public records manager with any questions regarding records retention.



## **18.03      Personnel Records**

A personnel file on each employee is kept in the Human Resources Department's office. It contains information regarding training, experience, and employment as well as the work history of the employee with the County. An employee shall have the right to inspect his or her personnel file provided reasonable notification is given to the Human Resources Department.

It is the responsibility of the employee to immediately notify the Human Resources Department of any changes in address, telephone number, emergency information, name change and marital status. Employees are required to have a current permanent residence address and contact number on file at all times with the Human Resources Department. Post Office boxes are not sufficient for this purpose. Name and marital status changes require legal documentation (e.g., marriage certificate, divorce decree, etc.), which will also be provided to the Personnel and Benefits Divisions.

## **18.04      Electronic Mail Records**

Employees using electronic mail in the normal course of the County's business are responsible for adhering to the rules established for electronic mail (see Section 15). Electronic mail is to be used judiciously as such for conducting the business of the County. The use of e-mail for improper purposes, such as intimidation, harassment, non-County business, etc., may subject the employee to disciplinary action, up to and including removal.

**There is no expectation of privacy for County owned/provided e-mail accounts. The County, without notice to employees, reserves the right to routinely and randomly monitor and/or access any employee's County owned/provided e-mail account. In addition, any record created or received by an employee when using County owned/provided e-mail accounts is generally considered a public record subject to disclosure upon request.**

**NOTE:** See Section 15 for more information on the County's Electronic Equipment and Communications Policy.

All e-mail sent or received through County owned/provided e-mail accounts is the property of Cuyahoga County.

The County has established a policy that electronic mail messages are records of the County and that they are subject to all established rules concerning records retention and management. The deletion of e-mail messages shall be done in accordance with the applicable Records Retention Policy adopted by the County.



## **18.05      Complying with Requests to Inspect and Copy County Records**

In cooperation with the County's designated public records managers, all County employees shall maintain public records so that they are readily available for inspection and copying and shall make public records available for inspection and provide copies of public records in accordance with the County's Public Records Policy, which is as follows:

### **Public Records Policy of Cuyahoga County, Ohio**

#### **Chapter 1: Rationale**

Believing that open government leads to a better-informed citizenry, greater public participation in government, better government, better public policy, and more effective use of public resources, the County Council establishes this Public Records Policy to insure the preservation and public accessibility of records relating to all functions of Cuyahoga County government. Cuyahoga County's policy in all of its functions is to strictly adhere to all of its obligations under Ohio's Public Records Law and to exceed those obligations whenever it is practical and makes sense to do so.

#### **Chapter 2: Definitions**

*Section 2.1:* "Committee" shall include subcommittees.

*Section 2.2:* "Public office" includes the following:

- (A) the office of the County Executive
- (B) the Cuyahoga County Council, including all of its committees
- (C) all departments, divisions, offices, or other organized bodies operating under the administration of the County Executive,
- (D) the Cuyahoga County Prosecuting Attorney,
- (E) all Boards, Commissions, and Advisory Councils to which the County Executive and/or the County Council appoint at least a majority of its members,
- (F) all Boards, Commissions, Advisory Councils and any similar body created by the Cuyahoga County Charter, the County Council, and/or the County Executive.

*Section 2.3:* As used in Section 2.2, a "similar body" must be formally organized, be on-going, and be involved in making or advising on public policy decisions.

*Section 2.4:* "Public record" includes any document, device, or item, regardless of physical form or characteristic, including electronic records, created or received by or coming under the jurisdiction of any public office, which serves to document the organization, functions, policies,



decisions, procedures, operation, or other activities of the office. All records which meet this definition are public records, unless exempted under section 149.43 of the Ohio Revised Code.

*Section 2.5:* "Electronic record" includes prepared documents such as word processing documents, spreadsheets, and graphic presentations as well as written electronic communications, including but not limited to electronic mail and text messages.

### Chapter 3: Scope of Ordinance

#### *Section 3.1: Applicability*

This ordinance is hereby adopted as the public records policy, required under Section 149.43 of the Ohio Revised Code, for every public office in Cuyahoga County government, as public office is defined in Section 2.2 of this ordinance, over which the Cuyahoga County Council has legislative authority.

### Chapter 4: County Records Commission

#### *Section 4.1: Creation of County Records Commission*

There is hereby created, the County Records Commission, which shall succeed and replace the current County Records Commission. The County Records Commission shall consist of the County Executive, who shall serve as chairperson, the President of County Council, the Prosecuting Attorney, the Fiscal Officer, and the Clerk of Court of Common Pleas.

#### *Section 4.2: Appointment of Designees*

Each member of the County Records Commission shall appoint one designee, an employee of his/her office who is knowledgeable about the maintenance of public records, who shall attend meetings of the County Records Commission whenever the member is unable to do so.

#### *Section 4.3: Powers and Duties of County Records Commission*

The County Records Commission shall have all the powers and perform all the duties of County Records Commissions provided for in Section 149.38 of the Ohio Revised Code, including, but not limited to, the power to recommend applications for one-time disposal of records or proposed records retention schedules to the Ohio Historical Society.

#### *Section 4.4: Rules and Procedures of the County Records Commission*

The County Records Commission shall adopt its own rules and procedures, which shall be consistent with Section 149.38 of the Ohio Revised Code. Until such time as the County Records Commission adopts such rules, it shall operate under the rules of the prior County Records Commission that existed prior to the enactment of this ordinance.

#### *Section 4.5: Meetings of the County Records Commission*

The County Records Commission shall meet at the call of the chair as often as needed to respond to proposed records retention schedules and proposed one-time disposals of records, but shall meet a minimum of once every six (6) months.



*Section 4.6:* Within sixty (60) days after receiving a request for one-time disposal of records or a proposed records retention schedule from any office, the County Records Commission shall either approve the request and send it to the Ohio Historical Society for its consideration or return the request disapproved to the office that submitted it with a letter stating the reasons for disapproval.

## Chapter 5: Public Records

### *Section 5.1: Maintenance of Public Records*

All public offices within the scope of this ordinance shall organize and maintain all their public records so that they are readily available for inspection and copying in accordance with the Ohio Public Records Law and the Public Records Policy of Cuyahoga County.

### *Section 5.2: Maintenance of Electronic Mail*

All electronic mail sent or received through the Cuyahoga County Information Services Center shall be the property of Cuyahoga County. The necessity to maintain electronic mail as public records shall depend on the content of the records, not on the medium in which it is kept. It shall be the responsibility of the public records managers and each individual user to insure that electronic mail is maintained in accordance with the records retention schedule for each office, and that records which must be kept for an extended length of time will not be placed in files where they will be automatically deleted.

Each person covered by this ordinance shall also insure that all public record electronic mail sent or received outside of the County Information Service Center system are maintained so that they are readily available for inspection and copying in accordance with the records retention schedule for each office.

### *Section 5.3: Designation of Countywide Public Records Manager*

The County Archivist is hereby designated as the Countywide Public Records Manager and shall do the following:

- (A) Manage the public records of Cuyahoga County to insure that they are organized so as to be readily available to the public for inspection and copying and are maintained and disposed of in accordance with the records retention schedules of the various offices within Cuyahoga County government.
- (B) Assist the public records managers of the various public offices in Cuyahoga County in implementing a sound and consistent countywide public records process in accordance with this ordinance.
- (C) Assist the public offices within the scope of this ordinance in preparing and updating public records retention schedules.

### *Section 5.4: Designation of Deputy Countywide Public Records Manager*

The County Executive shall designate one employee of the executive office staff as Deputy County Public Records Manager, who shall do the following:

- (A) Assist the Countywide Public Records Manager in the performance of his/her duties;
- (B) Maintain the public records request log provided for in Section 6.5 of this ordinance;



- (C) Work with each public office to determine what kinds of public records requests are received by that office that relate to personal or business matters, rather than governmental operations, and are not required to be included in the public records request log;
- (D) Provide a copy of Cuyahoga County's Public Records policy to each public records manager and obtain a written acknowledgement from each records manager that the policy was received; and
- (E) Serve as the public records manager for the County Executive's office.

Section 5.5: Designation of Public Records Managers

(A) Each public office shall designate a public records manager who shall be responsible for the maintenance of the public records for that office and for handling public records requests directed to that office.

(B) For the following offices, the person designated as public records manager shall be an employee of the office who works at the principal place at which that office does business:

- (1) the County Executive, including all executive office staff
- (2) the County Council
- (3) the Law Department
- (4) the Sheriff
- (5) the Medical Examiner
- (6) the Clerk of Courts
- (7) the Department of Economic Development, which shall include the Office of Regional Collaboration
- (8) the Information Officer
- (9) the Department of Public Works
- (10) the Department of Purchasing
- (11) the Department of Human Resources
- (12) the Fiscal Office
- (13) the Child Support Enforcement Agency
- (14) the Division of Children and Family Services
- (15) the Division of Employment and Family Services
- (16) the Division of Senior and Adult Services
- (17) the Director of Human Services, which shall include the Director's Office and all other offices in the Department of Human Services not covered by items twelve (12) through fifteen (15) above.
- (18) the Inspector General

(C) Each office not listed in Subsection B of this section shall designate a public records manager who shall be one of the following:

- (1) an employee of that office or an officer of a Board, Commission, or Advisory Council,
- (2) the Deputy County Public Records Manager, or
- (3) an employee of Cuyahoga County, approved by the Deputy County Public Records Manager, who is the public records manager for another office with responsibilities related to those of the designating office.



*Section 5.6: Public Records Manager for County Council*

The Clerk of Council is hereby designated as public records manager for Cuyahoga County Council.

*Section 5.7: Records Retention Schedules*

Each public office shall have a records retention schedule in place, which shall specify, consistent with state law, the methods by which and the length of time that records shall be kept. For any office that has a records retention schedule in place at the time that this ordinance becomes effective, that records retention schedule shall remain in effect until it is amended according to the procedure set forth in Section 149.38 of the Ohio Revised Code. Each public office that does not have a records retention schedule in place at the time that this ordinance becomes effective shall propose a public records retention schedule to the County Records Commission, in accordance with the procedure set forth in Section 149.38 of the Ohio Revised Code, not later than June 30, 2011.

*Section 5.8: Interim Transient Records Retention Schedule*

Except to the extent that a different records retention schedule on transient communications is required for an office by state law, each public office that does not have a records retention schedule on transient communications in place at the time that this ordinance becomes effective shall use the transient records retention policy and schedule adopted by the County Commissioners on January 12, 2009, until such time as the office's records retention schedule on transient communications is updated, according to the procedure set forth in Section 149.38 of the Ohio Revised Code.

*Section 5.9: Publication of Public Records Policy*

(A) Each public office having public office space shall prepare a poster which shall describe the public records policy of that office, explain how to obtain public records, and name the public records manager for that office. The poster shall be displayed in a conspicuous place at the office and at any branch office where the office conducts business. Each office shall post the same information and its public records retention schedule on its web-page on the county's website.

(B) The County Executive and the Clerk of Council shall each post on their respective web-pages the full Public Records Policy of Cuyahoga County, a summary of that policy, instructions on how to obtain public records, and a list of all of the public records managers for Cuyahoga County government and their contact information, and the public records retention schedule for each office.

(C) The manual of general policies and procedures issued to all employees shall include the county's public records policy.

*Section 5.10: County Website*

The County shall maintain a readily accessible website, which shall include separate pages for the County Executive, the County Council, and each department in County government. The County Executive and the Clerk of County Council shall insure that the website is regularly updated to provide current information, including the notice, agenda, minutes, and reports of all



public meetings conducted by offices within the scope of this ordinance and instructions on how to obtain public records.

## Chapter 6: Public Records Requests

### *Section 6.1: Form of Records Request*

Any person requesting public records shall identify the records requested with sufficient clarity to allow the public office to identify, retrieve, and review the records requested. No specific language or form is required to make the request. If the records request is not sufficiently clear, the public records manager must contact the requestor for clarification, and should assist the requestor by providing information about the manner in which the office keeps its records.

### *Section 6.2: Identity of Requestor Not Required*

The requestor is not required to put a public records request in writing and does not need to provide his/her identity or the intended use of the records requested. The public office may request this information, particularly to aid in complying with the request, but must clearly state that providing this information is voluntary.

### *Section 6.3: Availability of Records*

Records shall be made available promptly for inspection or copying. Public records requests shall be given priority attention in any office receiving them, but reasonable time shall be allowed to comply with requests that are large, involve records stored other than at the site where the request was made, or involving records that must be inspected for possible redaction of information exempt from the public records law. Whenever a request is received that cannot be complied with immediately, the public office shall provide the requestor a receipt acknowledging and describing the public records request and may provide an estimate as to when a response can be provided.

### *Section 6.4: Denial of Request and Redaction of Records*

Any denial of records requested must include a written explanation, including legal authority. If part of a record requested is exempt from public records law, that part shall be redacted, and the remainder provided. Each redaction shall be accompanied by a written explanation, including legal authority.

### *Section 6.5: Public Records Request Log*

Each office shall maintain a log of all public records requests received that relate to governmental operations and shall forward a copy of the log at the end of each week to the Deputy Countywide Records Manager, who shall maintain a countywide public records log. Each office shall, with the approval of the Deputy Countywide Public Records Manager, determine what kinds of public records requests received by that office relate to personal or business matters, rather than governmental operations; and these requests shall not be required to be included in the log. For each public records request required to be included in the public records request log, the following information shall be provided:

- (A) the office that received the request
- (B) the date that the request was received,



- (C) the name of the requestor, if known
- (D) a brief description of what records were requested,
- (E) the date that response to the request was completed,
- (F) a brief description of any denials or redactions required.

Chapter 7: Costs of Public Records

*Section 7.1:* Persons requesting copies of public records shall be required to pay for the cost of making copies, at a rate not to exceed the actual cost of making copies. Payment in advance may be required.

Starting in calendar year 2011, the County Council shall biannually determine and establish the copying costs for public records.

*Section 7.2:* Except as otherwise provided by court order, the following copying costs shall apply until the County Council first determines and establishes copying costs for public records:

(A) The charge for paper copies shall be three cents (\$.03) per page. The charge shall be waived when less than one dollar (\$1.00).

(B) The charge for computer files downloaded to a compact disc shall be the actual cost, not to exceed \$1.26 per disc. The charge shall be waived when only one (1) disc is required to fulfill the request.

(C) There shall be no charge for copies provided by email.

(D) Each public office shall have the discretion to waive copying costs of ten dollars (\$10.00) or less when it determines that it is practical and cost-effective to do so, provided that the public office follows a consistent policy on waiver of copying fees for all requestors.



# County Council of Cuyahoga County, Ohio

## Ordinance No. O2011-0049

Sponsored by: <b>County Executive FitzGerald/Department of Development</b>	<b>An Ordinance</b> authorizing the County Executive to establish an Economic Development Fund for the purpose of investing in job growth and economic development in Cuyahoga County; and declaring the necessity that this Ordinance become immediately effective.
--	--

WHEREAS, Article VII, Section 7.01 of the Cuyahoga County Charter mandates that “the County shall develop and implement policies, programs and activities for the expansion and enhancement of economic activity in the County so as to create and preserve jobs and employment opportunities for and available to residents of the County;” and,

WHEREAS, the Cuyahoga County Economic Development Commission has proposed, and this Council has adopted, the Cuyahoga County Economic Development Plan in Ordinance No. O2011-0026; and,

WHEREAS, the County Executive/ Department of Development has proposed the establishment of a \$100,000,000.00 Economic Development Fund to invest in job growth and economic development in Cuyahoga County under the Economic Development Plan; and,

WHEREAS, the Economic Development Fund shall strive to meet the principal objectives of expanding the economic base in the county, including outcomes consistent with economic growth including job creation and improved quality of life; and,

WHEREAS, the County Executive/Department of Development has proposed that the Economic Development Fund should invest in specific programs for Workforce Development, Property Reutilization, Small Business Growth, and Large Scale Business Growth and Attraction; and,

WHEREAS, the Executive has proposed, and this Council concurs, that the Department of Development shall administer the Economic Development Fund in a manner that promotes inclusion of economically isolated populations, transparency for public accountability, and collaboration with existing economic development organizations as priorities for the department’s approach; 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 agency.

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

**SECTION 1.** There is hereby created the Cuyahoga County Economic Development Fund, which shall be administered by the County Executive through the Department of Development.

**SECTION 2.** Council hereby approves and adopts the County Executive's plan for the administration of the Economic Development Fund attached hereto as Exhibit A.

**SECTION 3.** The Economic Development Fund shall undertake and administer the following three priorities with the listed programs:

- a) Innovation development
  - 1) Micro Enterprise
  - 2) Pre-Seed Funding
  - 3) Next Stage Funding
  - 4) Innovation Match
  
- b) Commercial Property Reutilization
  - 1) Redevelopment and Modernization
  - 2) Site Expansion
  - 3) Redevelopment Ready
  
- c) Business Growth, Commercialization and Attraction
  - 1) Small Business Growth
  - 2) Incumbent Worker Training
  - 3) Accelerated Growth
  - 4) Large Scale Attraction

**SECTION 4.** The Department of Development shall make a report to the County Council detailing the operations, performance measures and changes to the Fund annually in concert with updates to the County's Five Year Economic Development Plan as required by the County Charter.

**SECTION 5.** It is necessary that this Ordinance become immediately effective in order to retain secured financing and project completion. Provided that this Ordinance receives the affirmative vote of eight members of Council, this Ordinance shall become immediately effective upon the signature of the County Executive.

**SECTION 6.** 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 \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: October 25, 2011  
Committee(s) Assigned: Economic Development & Planning

Second Reading/Referred to Committee: December 6, 2011  
Committee(s) Assigned: Economic Development & Planning

Journal CC005  
January 24, 2011