



AGENDA
CUYAHOGA COUNTY HUMAN RESOURCES, APPOINTMENTS & EQUITY COMMITTEE
MEETING
FRIDAY, JANUARY 13, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
11:30 AM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE JANUARY 5, 2012 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) O2011-0042: An Ordinance providing for adoption of a policy granting health benefits to domestic partners of County employees, and declaring the necessity that this Ordinance become immediately effective.
 - b) O2012-0001: An Ordinance amending Ordinance No. O2011-0016, as amended, which established the organizational structure of the Department of Law.
- 6. MISCELLANEOUS BUSINESS**
- 7. OTHER PUBLIC COMMENT**
- 8. ADJOURNMENT**

*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 HUMAN RESOURCES, APPOINTMENTS & EQUITY COMMITTEE MEETING

**THURSDAY, JANUARY 5, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
10:00 AM**

1. CALL TO ORDER

Chairwoman Conwell called the meeting to order at 10:03 a.m.

2. ROLL CALL

The Clerk called the roll. Committee members Conwell, Rogers and Gallagher were in attendance and quorum was determined. Councilmember Miller was also in attendance.

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM DECEMBER 15, 2011 MEETING

A motion was made by Ms. Conwell, seconded by Mr. Gallagher and approved by unanimous vote to approve the minutes of the December 15, 2011 meeting.

5. MATTERS REFERRED TO COMMITTEE

- 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

Ms. Elise Hara, Director of Human Resources, addressed the Committee regarding Ordinance No. O2011-0061. Discussion ensued.

Councilmembers asked questions of Ms. Hara pertaining to the item, which she answered accordingly.

On a motion by Ms. Conwell with a second by Mr. Rogers, Ordinance No. O2011-0061 was considered and approved by unanimous vote to be referred to the full Council agenda for a second reading.

6. MISCELLANEOUS BUSINESS

Ms. Hara introduced two new staff members of the Department of Human Resources to the Committee; Ms. Regina Glover, Assessment Specialist and Ms. Nicole R. Thomas, Human Resource Specialist.

Chairwoman Conwell and Mr. James Boyle, Special Assistant to County Executive FitzGerald, discussed pending nominations of the County Executive to come before the Committee. Discussion ensued.

7. OTHER PUBLIC COMMENT

No public comments were given.

8. ADJOURNMENT

With no further business to discuss, the meeting was adjourned by Chairwoman Conwell at 10:36 a.m., without objection.

County Council of Cuyahoga County, Ohio

Ordinance No. O2011-0042

Sponsored by: Councilmembers Simon, Miller, Rogers, Connally, Brady and Conwell	An Ordinance directing the Human Resource Commission to prepare and submit to Council a policy providing for health benefits for domestic partners of County employees; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Section 9.01 of the Charter of Cuyahoga County (the “Charter”) provides that the County’s Human Resources Policies and Systems for County employees shall be established by ordinance 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, Section 12.07 of the Charter provides that all County employees shall be appointed, employed, promoted and compensated without regard to their race, color, religion, sex, national origin, sexual orientation, disability, age or ancestry; and,

WHEREAS, Section 9.02 of the Charter provides that the Human Resource Commission shall have authority to ensure standardization of benefits and such other functions as may be deemed necessary by the Council for the Human Resource Commission to carry out its mission and purpose; and,

WHEREAS, the County’s current health benefits policy specifically restricts family coverage to a legally married spouse of an employee and dependent children; and,

WHEREAS, Adoption of a policy providing health benefits to domestic partners is necessary to create fairness amongst County employees with regard to compensation and to allow the County to be competitive in attracting the “best and brightest” talent to work for Cuyahoga County government; and,

WHEREAS, Offering health benefits to domestic partners is consistent with the County’s commitment to social and economic justice, diversity, and inclusiveness; and,

WHEREAS, It is necessary that this Ordinance become immediately effective in order to provide sufficient time for the Human Resource Commission to meet the deadlines set forth herein.

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

SECTION 1. Pursuant to the authority granted in Section 9.02 of the Charter, and in accordance with the mandate in Section 9.01 of the Charter, the Human Resource Commission, with the assistance of the Department of Human Resources, is hereby directed to prepare and submit to Council a policy providing for health benefits for domestic partners of County employees. This policy shall be submitted to Council no later than March 31, 2012. The policy shall be submitted in the form of an amendment to this Ordinance and shall include, but not be limited to, the following elements:

- (A) A clear and distinct definition of a domestic partnership, including eligibility requirements for domestic partners; and
- (B) A domestic partner registration and documentation process for all County employees and their same-sex or opposite-sex domestic partners to include a method for preventing fraud or misuse of the process; and
- (C) Amendment to all applicable County health benefit policies to include all domestic partners registered under the process developed in accordance with subsection (B) above.

SECTION 2. The Human Resource Commission, with the assistance of the Department of Human Resources, is hereby directed to prepare and submit to Council a report on the estimated financial impact on County funds created by the implementation of extending health benefits for domestic partners of County employees based on the survey of County employees collected by the Department of Human Resources, current County health benefits policies and current examples of comparable health benefits policies of other political subdivisions of the State of Ohio. This report shall be submitted to Council no later than March 31, 2012.

SECTION 3. It is necessary that this Ordinance become immediately effective in order to provide sufficient time for the Human Resource Commission to meet the deadlines set forth herein. 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 4. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, 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: August 23, 2011

Committee(s) Assigned: Human Resources, Appointments & Equity and Justice Affairs

Second Reading/Referred to Committee: October 25, 2011

Committee(s) Assigned: Human Resources, Appointments & Equity and Justice Affairs

Third Reading/Tabled: December 6, 2011

Referred to Committee by Council President Connally: December 13, 2011

Journal _____
_____, 2011

County Council of Cuyahoga County, Ohio

Ordinance No. O2012-0001

Sponsored by: County Executive FitzGerald/Departments of Law and Public Works	An Ordinance amending Ordinance No. O2011-0016, as amended, which established the organizational structure of the Department of Law.
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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;~~

~~Deputy Director, and the Assistant Law Directors.~~ **The Department of Law shall contain the following divisions and sections: (1) Legal Division and (2) Risk Management Division. The specific goals, duties, and activities of the Law Department's Divisions, and any sections therein, shall be further determined by the Director of Law. Due to the fact that all Department of Law employees, including all employees who will work in the newly established Risk Management Division, regularly handle sensitive, often confidential information and materials protected by the attorney-client privilege, all employees in the Department hold fiduciary relations and 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. 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 _____
_____, 2012