



AGENDA
CUYAHOGA COUNTY HUMAN RESOURCES, APPOINTMENTS & EQUITY COMMITTEE
MEETING
THURSDAY, MAY 3, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
10:00 AM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE APRIL 5, 2012 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) M2012-0015: A Motion confirming the County Executive's appointment of various Mayors to serve on the Cuyahoga County Planning Commission, and declaring the necessity that this Motion become immediately effective:
 - 1) The Honorable Daniel J. Ursu for the Hillcrest Region
 - 2) The Honorable Susan K. Infeld for the Heights Region
 - 3) The Honorable Michael P. Byrne for the South Central Region
 - 4) The Honorable Kathy U. Mulcahy for the Chagrin/Southeast Region
 - b) M2012-0016: A Motion confirming the County Executive's appointment of Bonita Teeuwen to serve on the Cuyahoga County Justice Center Building Committee, and declaring the necessity that this Motion become immediately effective.

- c) O2012-0005: An Ordinance prohibiting inquiries about or consideration of criminal convictions of applicants for Cuyahoga County employment positions until the applicant has been offered conditional employment; establishing the criterion under which criminal records may be considered, and establishing exceptions.

6. MISCELLANEOUS BUSINESS

7. OTHER PUBLIC COMMENT

8. ADJOURNMENT

*In accordance with Ordinance No. O2011-0020, complimentary parking in the Huntington Park Garage will be available for the public **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, APRIL 5, 2012

CUYAHOGA COUNTY JUSTICE CENTER

COUNCIL CHAMBERS – 1ST FLOOR

10:00 AM

1. CALL TO ORDER

The meeting was called to order by Chairwoman Conwell at 10:13 a.m.

2. ROLL CALL

Deputy Clerk Barnhill called the roll. Committee members Conwell, Rogers and Gallagher were in attendance and a 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 THE MARCH 22, 2012 MEETING

A motion was made by Mr. Gallagher, seconded by Mr. Rogers and approved by unanimous vote to approve the minutes of the March 22, 2012 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2012-0055: A Resolution making an award on RQ20292 to Sun Life Assurance Company of Canada in the amount of \$1,953,538.00 for group healthcare benefits for County employees and their eligible dependents including stop loss insurance for the period 1/1/2012 - 12/31/2012; 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.

Ms. Lisa Durkin, Deputy Director of Human Resource Operations, addressed the Committee regarding Resolution No. R2012-0055. Discussion ensued.

Committee members and Councilmembers asked questions of Ms. Durkin pertaining to the item, which she answered accordingly.

On a motion by Ms. Conwell with a second by Mr. Rogers, Resolution No. R2012-0055 was considered and approved by unanimous vote to be referred to the full Council agenda for consideration with a recommendation for passage under second reading suspension of rules.

6. MISCELLANEOUS BUSINESS

Chairwoman Conwell reported that the next Human Resources, Appointments & Equity Committee meeting will be held on Thursday, May 3, 2012 at 10:00 a.m. The agenda will include Ordinance No. O2012-0005, an Ordinance prohibiting inquiries about or consideration of criminal convictions of applicants for Cuyahoga County employment positions until the applicant has been offered conditional employment; establishing the criterion under which criminal records may be considered, and establishing exceptions.

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 10:33 a.m., without objection.

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2012-0015

Sponsored by: Council President Connally

A Motion confirming the County Executive's appointment of various Mayors to serve on the Cuyahoga County Planning Commission, and declaring the necessity that this Motion become immediately effective.

WHEREAS, 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 Cuyahoga County Planning Commission is authorized by Ohio Revised Code Section 713.22 in which its members serve three year terms; and,

WHEREAS, County Executive Ed FitzGerald has nominated the following Mayors for appointment to the Cuyahoga County Planning Commission:

- 1) Mayor Daniel J. Ursu, Richmond Heights (Hillcrest Region)
- 2) Mayor Susan K. Infeld, University Heights (Heights Region)
- 3) Mayor Michael P. Byrne, Parma Heights (South Central Region)
- 4) Mayor Kathy U. Mulcahy, Orange Village (Chagrin/Southeast Region); 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, Ohio, hereby confirms the appointment of the following Mayors to serve on the Cuyahoga County Planning Commission:

- 1) Mayor Daniel J. Ursu, Richmond Heights (Hillcrest Region)
- 2) Mayor Susan K. Infeld, University Heights (Heights Region)
- 3) Mayor Michael P. Byrne, Parma Heights (South Central Region); and,
- 4) Mayor Kathy U. Mulcahy, Orange Village (Chagrin/Southeast Region).

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: April 10, 2012

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

Journal _____
_____, 2012

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2012-0016

Sponsored by: Council President Connally

A Motion confirming the County Executive's appointment of Bonita Teeuwan to serve on the Cuyahoga County Justice Center Building Committee, and declaring the necessity that this Motion become immediately effective.

WHEREAS, the Justice Center serves as the center of operations for the legal and justice affairs of both the City of Cleveland and Cuyahoga County; and,

WHEREAS, the purpose of the Committee is to coordinate the use, operation and maintenance of the Justice Center; and,

WHEREAS, according to the Cuyahoga County Justice Center Building Committee by-laws, "the Committee shall be comprised of one representative each from the following offices: the County Prosecutor, the Clerk of the Court of Common Pleas, the County Sheriff, a person appointed by the Judges of the Court of Common Pleas, the three County Commissioners, a person appointed by the Municipal Judges, the City Clerk of Courts, the City Prosecutor and the Mayor of the City"; and,

WHEREAS, the individual appointed will be appointed to fill a vacancy as a County Official and shall have a term commencing immediately upon signature of this Motion; 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 Bonita Teeuwan, Cuyahoga County Director of Public Works, to serve on the Cuyahoga County Justice Center Building Committee; 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 Bonita Teeuwan, to serve on the Cuyahoga County Justice Center Building Committee to fill a vacancy, commencing immediately.

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: April 24, 2012

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

Journal _____
_____, 2012

County Council of Cuyahoga County, Ohio

Ordinance No. O2012-0005

Sponsored by: Councilmembers Connally, Rogers, Miller, Jones, Brady and Conwell	An Ordinance prohibiting inquiries about or consideration of criminal convictions of applicants for Cuyahoga County employment positions until the applicant has been offered conditional employment; establishing the criterion under which criminal records may be considered; and establishing exceptions.
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WHEREAS, Cuyahoga County has promoted numerous re-entry initiatives, designed to encourage the successful reintegration of formerly incarcerated persons back into the community; and

WHEREAS, numerous local, state and national studies have indicated that the removal of collateral consequences, including removing barriers to employment are among the most significant factors leading to successful reintegration; and

WHEREAS, the Ohio Department of Rehabilitation and Correction is encouraging employers, including governments, to evaluate and reform hiring practices, with the purpose of ensuring that applicants are considered on the basis of qualifications and abilities, and not eliminated solely on the basis of criminal history; and

WHEREAS, prohibiting inquiries about criminal background on the Cuyahoga County job application, unless otherwise required by law; and prohibiting inquiries about criminal background until the time of final interview, and establishing the criteria under which criminal backgrounds may be considered promotes the fair consideration of all applicants for employment and contributes to the County's reentry efforts; and

WHEREAS, this Ordinance has been submitted to the Human Resource Commission for its review and recommendation.

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

SECTION 1. Removal of Criminal Background Question from Employment Application and During Initial Screening/Interview Process.

- (a) Cuyahoga County may not ask about criminal background on applications for County employment, whether on-line or on paper.
- (b) Cuyahoga County may not inquire into the criminal background of any applicant for employment, until such time as the applicant has been offered conditional employment.

SECTION 2. Conditions Under Which the County May Consider Criminal History When Making Employment Determinations.

- (a) The County may inquire into and consider the criminal history of an applicant for employment:
 - 1. When required by law to use such criteria in making a hiring decision.
 - 2. At the time of or once the applicant has been offered conditional employment.
- (b) When the County inquires into and considers the criminal history of a candidate under Section 2(a)2, the following shall be considered in determining whether such history may be used as a criteria for rejecting the applicant:
 - 1. The age of the applicant at the time of the crime and the length of time that has passed since the offense.
 - 2. The seriousness of the offense.
 - 3. The relationship of the offense to the duties and responsibilities of the position for which the candidate is being considered for employment.

SECTION 3. Exceptions.

The provisions of Section 1 above shall not apply if the inquiries or actions prohibited are specifically required by any other applicable law.

SECTION 4. Instructions to the Department of Human Resources.

The Department of Human Resources shall make whatever changes are necessary to existing human resource policies and practices to ensure compliance with this Ordinance by all departments, agencies, offices, boards and commissions under the direction of the County Executive or County Council.

