



AGENDA
CUYAHOGA COUNTY HUMAN RESOURCES, APPOINTMENTS & EQUITY
COMMITTEE MEETING
TUESDAY, NOVEMBER 30, 2021
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
10:00 AM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**
- 4. APPROVAL OF MINUTES FROM THE NOVEMBER 16, 2021 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) O2021-0018: An Ordinance amending Sections 306.01, 306.02, and 306.03 of the County Code to make any exceptions consistent with state law, and to streamline the hiring process; and declaring the necessity that this Ordinance become immediately effective.
 - b) O2021-0019: An Ordinance providing for adoption of modifications of Cuyahoga County Non-Bargaining Salary Schedule B; and declaring the necessity that this Ordinance become immediately effective.
- 6. MISCELLANEOUS BUSINESS**
- 7. ADJOURNMENT**

**Complimentary parking for the public is available in the attached garage at 900 Prospect. A skywalk extends from the garage to provide additional entry to the Council Chambers from the 5th floor parking level of the garage. Please see the Clerk to obtain a complimentary parking pass.*

***Council Chambers is equipped with a hearing assistance system. If needed, please see the Clerk to obtain a receiver.*



MINUTES

CUYAHOGA COUNTY HUMAN RESOURCES, APPOINTMENTS & EQUITY COMMITTEE MEETING

TUESDAY, NOVEMBER 16, 2021

CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS

C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR

10:00 AM

1. CALL TO ORDER

Chairwoman Baker called the meeting to order at 10:11 a.m.

2. ROLL CALL

Ms. Baker asked Assistant Deputy Clerk Johnson to call the roll. Committee members Baker, Gallagher, Miller and Sweeney were in attendance and a quorum was determined. Committee member Conwell was absent from the meeting. Councilmember Turner was also in attendance.

3. PUBLIC COMMENT

There were no public comments given.

4. APPROVAL OF MINUTES FROM THE OCTOBER 19, 2021 MEETING

A motion was made by Mr. Miller, seconded by Mr. Sweeney, and approved by unanimous vote to approve the minutes from the October 19, 2021 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2021-0239: A Resolution adopting various changes to the Cuyahoga County Non-bargaining Classification Plan; and declaring the necessity that this Resolution become immediately effective.

Mr. Albert Bouchahine, Manager of Classification and Compensation for the Personnel Review Commission, addressed the Committee regarding Resolution No. R2021-0239. Discussion ensued.

Committee members and Councilmembers asked questions of Mr. Bouchahine, pertaining to the item, which he answered accordingly.

A motion was made by Ms. Baker, seconded by Mr. Sweeney and subsequently withdrawn to refer Resolution No. R2021-0239 to the full Council for second reading.

On a motion by Mr. Miller with a second by Mr. Gallagher, Resolution No. R2021-0239 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- b) R2021-0242: A Resolution confirming the County Executive's appointment of the Honorable Mayor Annette Blackwell to serve on the Cuyahoga County Citizens' Advisory Council on Equity for an unexpired term ending 7/14/2022; and declaring the necessity that this Resolution become immediately effective.

Ms. Michele Pomerantz, Director of Regional Collaboration, addressed the Committee regarding Resolution No. R2021-0242. Discussion ensued.

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

The Honorable Mayor Annette Blackwell addressed the Committee regarding her nomination to serve on the Cuyahoga County Citizens' Advisory Council on Equity. Discussion ensued.

Committee members and Councilmembers asked questions of Mayor Blackwell pertaining to her experience, expertise and qualifications, which she answered accordingly.

On a motion by Mr. Miller with a second by Mr. Sweeney, Resolution No. R2021-0242 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- c) R2021-0250: A Resolution confirming the County Executive's reappointment of various individuals to serve on the Cuyahoga County Board of Developmental Disabilities for the term 1/27/2022 –

1/22/2026; and declaring the necessity that this Resolution become immediately effective:

- 1) Lisa M. Hunt
- 2) Mozelle Jackson

Ms. Pomerantz and Ms. Kelly Petty, Superintendent and CEO of the Board of Developmental Disabilities, addressed the Committee regarding Resolution No. R2021-0250. Discussion ensued.

Committee members and Councilmembers asked questions of Ms. Pomerantz and Ms. Petty pertaining to the item, which they answered accordingly.

Ms. Lisa M. hunt addressed the Committee regarding her nomination to serve on the Cuyahoga County Board of Developmental Disabilities. Discussion ensued.

Committee members and Councilmembers asked questions of Ms. Hunt pertaining to her experience, expertise and qualifications, which she answered accordingly.

A motion was then made by Ms. Baker, seconded by Mr. Sweeney and approved by unanimous vote to amend Resolution No. R2021-0250 to delete “*Mozelle Jackson*” throughout the Resolution.

On a motion by Ms. Baker with a second by Mr. Sweeney, Resolution No. R2021-0250 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules, as amended.

- d) R2021-0251: A Resolution confirming the County Executive’s appointment of Karolyn Isenhart to serve on the Cuyahoga Arts and Culture Board of Trustees for an unexpired term ending 3/31/2024; and declaring the necessity that this Resolution become immediately effective.

Ms. Pomerantz addressed the Committee regarding Resolution No. R2021-0251. Discussion ensued.

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

Ms. Karolyn Isenhart addressed the Committee regarding her nomination to serve on the Cuyahoga Arts and Culture Board of Trustees. Discussion ensued.

Committee members and Councilmembers asked questions of Ms. Isenhart pertaining to her experience, expertise and qualifications, which she answered accordingly.

Ms. Jill Paulsen, Executive Director of Cuyahoga Arts & Culture, addressed the Committee regarding Resolution No. R2021-0251. Discussion ensued.

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

On a motion by Mr. Miller with a second by Mr. Sweeney, Resolution No. R2021-0251 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

6. MISCELLANEOUS BUSINESS

Ms. Baker expressed her gratitude for becoming the Chairperson of the Human Resources, Appointments & Equity Committee and Mr. Miller congratulated her on becoming the Chairperson.

7. ADJOURNMENT

With no further business to discuss, Chairwoman Baker adjourned the meeting at 10:41 a.m., without objection.

County Council of Cuyahoga County, Ohio

Ordinance No. O2021-0018

Sponsored by: County Executive Budish/Department of Human Resources/Sheriff's Department	An Ordinance amending Sections 306.01, 306.02, and 306.03 of the County Code to make any exceptions consistent with state law, and to streamline the hiring process; and declaring the necessity that this Ordinance become immediately effective.
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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, prohibiting inquiries about criminal background until the time of conditional offer of employment, and establishing the criteria under which criminal backgrounds may be considered promotes the fair consideration of all applicants for employment, contributes to the County's reentry efforts, and will create efficiencies in the County hiring process generally.

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

SECTION 1. Sections 306.01, 306.02, and 306.03 of the County Code are hereby amended as follows (deletions are stricken, additions are bold and underlined):

Section 306.01: 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.
- C. Cuyahoga County will include a disclaimer on all job applications indicating that:
 - 1. conviction of some misdemeanors and felonies may preclude applicants from serving in some county positions;
 - 2. **aside from circumstances set forth in Section 306.02(A)(1), all job openings will require a background check at the time of conditional offers of employment; and**
 - 3. **conditional offers of employment become permanent only upon successful completion of the background check process.**

Section 306.02: 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. ~~W~~**Anytime in the hiring process when the County is required by law to use such criteria in making a hiring decision for certain positions or job duties, in which case the provisions of Section 306.01 shall not apply; or.**
 - 2. ~~A~~**When not required by law to use such criteria in making a hiring decision, 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 306.02(A)2, the County will apply the nexus test for each position as required by law, including, but not limited to, considering the following criteria:
 - 1. The nature of the offense for which the applicant was convicted
 - 2. The length of time that has passed since the conviction occurred.
 - 3. The relationship of the conviction to the duties and responsibilities of the position for which the candidate is being considered for employment.

4. Any positive changes demonstrated since the conviction.

Section 306.03 **Reserved**

~~The provisions of Section 1 above shall not apply if the inquiries or actions are specifically related to the consideration of applicants for positions as Deputy Sheriffs and Regional Enterprise Data Sharing System (REDSS) Staff.~~

SECTION 2. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County; the preservation of public peace, health or safety in the County; and any additional reasons set forth in this preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 3. 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: November 23, 2021
Committee(s) Assigned: Human Resources, Appointments & Equity

Journal _____
_____, 20 _____

County Council of Cuyahoga County, Ohio
Ordinance No. O2021-0019

Sponsored by: County Executive Budish on behalf of Personnel Review Commission	An Ordinance providing for adoption of modifications of Cuyahoga County Non-Bargaining Salary Schedule B; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Section 9.01 of the Charter of Cuyahoga County states that the County’s human resources policies and systems 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, gender identity/expression, disability, age, or ancestry; and,

WHEREAS, Section 9.03 of the Charter of Cuyahoga County sets forth that the Cuyahoga County Personnel Review Commission shall administer a clear, countywide classification and salary administration system for classified employees of the charter government, and pay ranges for each classification that are adopted by Council ordinance; and,

WHEREAS, Section 9 of the County’s Employee Handbook states that the County takes a holistic approach to employee compensation and administer a fair and equitable compensation program that includes both direct and indirect compensation; and,

WHEREAS, the County’s Non-Bargaining Salary Schedule B includes pay grades that govern pay for the County’s Information Technology classifications; and,

WHEREAS, the Information Technology department is facing unique challenges in the labor market associated with recruitment and retention of Information Technology employees; and,

WHEREAS, the Personnel Review Commission has undertaken significant review and analysis of the County’s pay rates in comparison with the labor market and determined that the minimum, midpoint, and maximum rates on Salary Schedule B should be increased to be more closely aligned with the market; and,

WHEREAS, the Personnel Review Commission met for a public meeting on November 12, 2021, for their final review of the proposed increase to Salary Schedule B (attached hereto as Proposed Non-Bargaining Salary Schedule B) and recommend to County Council the formal adoption and implementation of the attached changes; 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 department.

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

SECTION 1. Council hereby adopts the changes in the Proposed Non-Bargaining Salary Schedule B (attached hereto).

SECTION 2. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 3. 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: November 23, 2021
Committee(s) Assigned: Human Resources, Appointments & Equity

Journal _____
_____, 20____