



June 2, 2023

Via Email: rkopcienski@cuyahogacounty.us

Rebecca Kopcienski, Director
Cuyahoga County Personnel Review Commission
9830 Lorain Avenue
Cleveland OH 44102

Re: Proposed Rule Change to the Policies and Procedures Manual (Employee Handbook)

Dear Director Kopcienski,

Please accept this correspondence as a proposed “rule change” submission/cover sheet for consideration of the Personnel Review Commission (PRC) by the Department of Human Resources in accordance with Rule 5.01 of the PRC’s Administrative Rules. Rule 5.01 provides, in relevant part:

‘Rule’ refers to the PRC Administrative Rules and the Cuyahoga County Personnel Policies and Procedures Manual [Employee Handbook].

A ‘rule change’ means the addition of a new Rule, or rescission or amendment of an existing Rule Proposed rule changes shall be submitted with a cover sheet containing the following information:

- (1) A statement declaring the intention to consider adopting, amending, or rescinding the rule;
- (2) A synopsis of the proposed rule change; and
- (3) A statement of the reason or purpose for the rule change.

Moreover, per the Cuyahoga County Charter, “the [PRC] shall submit a recommendation regarding any ordinance concerning County personnel policies prior to passage by County Council.”

A new federal law, the Pregnant Workers Fairness Act (PWFA), was adopted on December 29, 2022, and is set to go into effect on June 27, 2023. The PWFA is applicable to the County. Accordingly, the Department of Human Resources intends to request that County Council consider an ordinance adding the language below to the Cuyahoga County Policies and Procedures Manual (Employee Handbook) to address the County’s obligations under the PWFA.

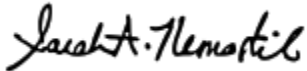
The proposed, additional language will notify employees that the County will grant reasonable accommodations to pregnant employees for known limitations related to pregnancy, childbirth or related medical conditions in accordance with the PWFA and to advise employees that they must submit a written request for such accommodations to the Department of Human Resources. I have enclosed the proposed, additional language to the Employee Handbook.

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I respectfully request that the PRC post the proposed change to the Employee Handbook in accordance with Rule 5.01 and consider the same for submission of a recommendation or a Statement of Non-Endorsement to Cuyahoga County Council.

Thank you in advance for your consideration. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Sarah A. Nemastil". The signature is written in a cursive style with a large initial 'S'.

Sarah A. Nemastil
Director of Human Resources

Enc.

Proposed Rule Change/ Addition to the Employee Handbook:

3.04 Accommodations for Pregnant Workers

In accordance with the Pregnant Workers Fairness Act (PWFA), the County grants reasonable accommodations (accommodations that do not create an undue hardship on the County's business operations) to pregnant employees for known limitations related to pregnancy, childbirth or related medical conditions, as required by law.

Requesting an Accommodation

An employee who seeks an accommodation under the PWFA must submit a written request, including the requested accommodation and the basis for the accommodation, to Human Resources. Human Resources will respond to the employee's request within a reasonable time.