

MINUTES
Cuyahoga County Human Resource Commission
Wednesday, August 1, 2012
Lakeside Place Building
323 W. Lakeside Avenue, Suite 400
5:00 p.m.

1) CALL TO ORDER

Chairman Wolff called the meeting to order at 5:10 p.m.

Commissioner Palmer made a motion to approve the amended minutes from the July 5, 2012 meeting. Commissioner Simmons seconded the motion. All were in favor; no objections.

Commissioner Palmer made a motion to approve the minutes from the July 18, 2012 meeting. Commissioner Simmons seconded the motion. All were in favor; no objections.

2) ATTENDANCE

Chairman Robert Wolff, Commissioner Kathleen Palmer, Commissioner Angela Simmons, HRC Administrator Rebecca Kopcienski, HRC Coordinator Jessica Vezina, Assistant Prosecutor Barb Marburger, Assistant Law Director Amy Marquit Renwald, Human Resources Director Elise Hara.

3) PUBLIC COMMENT – Nothing Submitted.

4) UNFINISHED BUSINESS

- a) Ordinance No. 02012-0005 – Proposed 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

Commissioner Palmer presented questions and answers that she had discussed with Council Policy Advisor Joanne Gross. Discussion ensued.

5) NEW BUSINESS

a) Appeals

i) May, S. – Report and Recommendation

Commissioner Simmons made a motion to affirm the Report & Recommendation submitted by the Hearing Officer Zeiser; Commissioner Palmer seconded the motion. All were in favor; no objections.

ii) Cale, N. – Motion for Extension of time to file Response to Objection

Commissioner Simmons made a motion to grant the motion filed by the Appellee's counsel; Commissioner Palmer seconded the motion. All were in favor; no objections.

Discussion ensued. Administrator Kopcienski to send a letter to notify parties of motion granted and to provide Appellant's counsel an opportunity to brief issue of the

HRC's jurisdiction in this matter. Ms. Chairman Wolff asked APA Marburger to prepare a legal opinion on the Human Resource Commission's jurisdiction in appeals alleging retaliation for whistleblowing by appellants represented by bargaining units whose contract provides for a final and binding arbitration of grievances. Director Hara stated that the County Law Department and their outside counsel are currently in discussion to determine whether they want to brief the issue as well.

iii) Coleman, J. – Report and Recommendation

Chairman Wolff made a motion to adjourn to deliberate on the J. Coleman case at 5:25 p.m.; Commissioner Palmer seconded the motion. All were in favor; no objections. The Commissioners were back on the record at 5:55 p.m.

Chairman Wolff made a motion to accept and modify the Report & Recommendation submitted by Hearing Officer Szuter; Commissioner Palmer seconded the motion. All were in favor; no objections. Human Resources will communicate with the Appellant regarding details of his anticipated return to his previous position.

b) Proposed HRC Administrative Rules and Hearing Guidelines

Administrator Kopcienski advised that since substantial revisions have been made to the proposed Rules, the latest version will be re-posted on the HRC website in accordance with HRC Administrative Rule 4.06.

c) Revised language re: appeal rights

i) Appeals to HRC: revised language in letter from HR department
Discussion ensued.

ii) Appeals to Court of Common Pleas: revised language in letter from HRC
Discussion ensued.

d) Public awareness campaign update

Administrator Kopcienski updated the Commissioners on the status of the brochures and the creation of the HRC website. Discussion ensued.

6) EXECUTIVE SESSION – Procedural Questions

Chairman Wolff made a motion to go into Executive Session to obtain legal counsel on various matters; seconded by Commissioner Simmons, approved by unanimous vote.

7) PUBLIC COMMENT – Nothing Submitted.

8) OTHER BUSINESS – Nothing Submitted.

9) ADJOURNMENT

Chairman Wolff made a motion to adjourn the meeting at 7:25p.m. Commissioner Palmer seconded the motion. All were in favor; no objections.

Next Human Resource Commission meeting is scheduled for Wednesday, August 15, 2012 at 5:00 p.m. at Lakeside Place (323 W. Lakeside Avenue, Suite 400).