



**AGENDA**  
**CUYAHOGA COUNTY HUMAN RESOURCES, APPOINTMENTS & EQUITY COMMITTEE**  
**MEETING**  
**THURSDAY, MARCH 22, 2012**  
**CUYAHOGA COUNTY JUSTICE CENTER**  
**COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR**  
**10:00 AM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE MARCH 1, 2012 MEETING**
- 5. DISCUSSION**
  - a) Discussion regarding Board of Revision matters
- 6. MATTERS REFERRED TO COMMITTEE**
  - a) M2012-0010: A Motion providing for the appointment of Valerie J. Harry to serve as Director of Internal Auditing, and declaring the necessity that this Motion become immediately effective.
  - b) M2012-0011: A Motion confirming the County Executive's appointment of The Honorable Gary A. Norton, Jr., to serve on the Greater Cleveland Regional Transit Authority Board of Trustees, and declaring the necessity that this Motion become immediately effective.
  - c) M2012-0012: A Motion confirming the County Executive's appointment of Megan O'Bryan to serve on the Cuyahoga Community College Board of Trustees, and declaring the necessity that this Motion become immediately effective.

- d) M2012-0013: A Motion confirming the County Executive's appointment of individuals to serve on the Tax Incentive Review Councils, and declaring the necessity that this Motion become immediately effective:
  - 1) Richard Sensenbrenner
  - 2) Jonathan Holody
  - 3) Maggie Keenan
  - 4) Joe Micciulla
  
- e) O2012-0009: An Ordinance providing for adoption of various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Ordinance become immediately effective.
  
- f) 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. MISCELLANEOUS BUSINESS**

**8. OTHER PUBLIC COMMENT**

**9. 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, MARCH 1, 2012  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
10:00 AM

1. CALL TO ORDER

**The meeting was called to order by Chairwoman Conwell at 10:14 a.m.**

2. ROLL CALL

**The Clerk called the roll. Committee member Conwell was present. Committee member Rogers entered the meeting shortly after the roll was taken and a quorum was then determined.**

3. PUBLIC COMMENT RELATED TO THE AGENDA

**No public comments were given.**

4. APPROVAL OF MINUTES FROM THE FEBRUARY 22, 2012 MEETING

**A motion was made by Chairwoman Conwell, seconded by Mr. Rogers and approved by unanimous vote to approve the minutes of the February 22, 2012 meeting.**

5. APPROVAL OF MINUTES FROM THE FEBRUARY 23, 2012 MEETING

**A motion was made by Chairwoman Conwell, seconded by Mr. Rogers and approved by unanimous vote to approve the minutes of the February 23, 2012 meeting.**

6. MATTERS REFERRED TO COMMITTEE

- a) 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.

**Mr. Luis Vasquez, Program Director for the Office of Reentry, and Mr. Vincent Holland, Chief Probation Officer at the Department of Adult Probation, addressed the Committee regarding Ordinance No. O2012-0005. Discussion ensued.**

**Committee members asked questions of Mr. Vasquez and Mr. Holland pertaining to the item, which they answered accordingly.**

**Ordinance No. O2012-0005 was postponed from further consideration at this time.**

7. MISCELLANEOUS BUSINESS

**Chairwoman Conwell stated that there will be a Human Resources, Appointments & Equity Committee meeting on Thursday, March 22, 2012 at 10:00 a.m.**

8. OTHER PUBLIC COMMENT

**No public comments were given.**

9. ADJOURNMENT

**With no further business to discuss and on a motion by Chairwoman Conwell with a second by Mr. Rogers, the meeting was adjourned at 10:44 a.m., without objection.**

# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2012-0010

Sponsored by: Council President Connally

**A Motion providing for the appointment of Valerie J. Harry to serve as Director of Internal Auditing, and declaring the necessity that this Motion become immediately effective.**

WHEREAS, the Director of Internal Auditing was created pursuant to the provisions of Article XI, Section 11.03 of the Cuyahoga County Charter, in which the Director of Internal Auditing shall be a “Certified Internal Auditor or member of the Institute of Internal Auditors or a similar successor organization and shall be subject to, and follow at all times, the Code of Ethics for Certified Internal Auditors or a similarly recognized code of ethics established by the Institute of Internal Auditors or a similar successor organization”; and,

WHEREAS, pursuant to the Cuyahoga County Charter, the County Audit Committee shall recommend to the Council one or more candidates for appointment as the Director of Internal Auditing; and,

WHEREAS, Council shall make the appointment of the Director of Internal Auditing, which shall be for a term of four years, or ending with the end of term of office of the then County Executive, whichever comes first; and,

WHEREAS, the individual appointed will be appointed to fill a vacancy and shall have a term commencing immediately upon signature of this Motion; and,

WHEREAS, the Cuyahoga County Audit Committee has nominated Valerie J. Harry, to serve as the Director of Internal Auditing for Cuyahoga County; and,

WHEREAS, Director of Internal Auditing nominee, Valerie J. Harry, is both a Certified Public Accountant and a Certified Government Finance Manager, and a member of a similar organization of the Institution of Internal Auditors; 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:**



# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2012-0011

Sponsored by: Council President Connally

**A Motion confirming the County Executive's appointment of The Honorable Gary A. Norton, Jr., to serve on the Greater Cleveland Regional Transit Authority Board of Trustees, and declaring the necessity that this Motion become immediately effective.**

WHEREAS, the Greater Cleveland Regional Transit Authority (GCRTA), was created pursuant to the provisions of ORC Section 306; and,

WHEREAS, the primary responsibilities of the Greater Cleveland Regional Transit Authority Board of Trustees are; approving policies governing GCRTA's business activities; approving long-range goals, and annual operating objectives and budgets; overseeing management's activities and implementation of adopted plans, policies and objectives; approving all procurement actions and contracts that exceed \$100,000.00; hiring the Chief Executive Officer; and approving the hiring and personnel actions for the Director of Internal Audit; and,

WHEREAS, the Greater Cleveland Regional Transit Authority Board of Trustees has ten members and the members are appointed by Cuyahoga County; and,

WHEREAS, members of the Greater Cleveland Regional Transit Authority Board of Trustees shall be appointed to serve a three (3) year term; and,

WHEREAS, the individual appointed will be a reappointment and shall have a term commencing April 1, 2012, and the expiration of said term shall be March 31, 2015; 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 Gary A. Norton, Jr., Mayor of East Cleveland, to serve on the Greater Cleveland Regional Transit Authority Board of Trustees; and,





# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2012-0012

**Sponsored by: Council President Connally**

**A Motion confirming the County Executive's appointment of Megan O'Bryan to serve on the Cuyahoga Community College Board of Trustees, and declaring the necessity that this Motion become immediately effective.**

WHEREAS, Ohio Revised Code Section 3354.05 requires that member of the board of trustees of a community college district be appointed by a county board of commissioners; and,

WHEREAS, the Cuyahoga Community College Board of Trustees in collaboration with the College President, are charged with fulfilling the goals set forth in the College Mission Statement; and,

WHEREAS, the Cuyahoga Community College Board of Trustees has nine members and the members are appointed by Cuyahoga County and the Governor; and,

WHEREAS, members of the Cuyahoga Community College Board of Trustees shall be appointed to serve a five (5) year term; and,

WHEREAS, the individual appointed will be appointed to fill a vacancy 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 Megan O'Bryan, MNO, to serve on the Cuyahoga Community College Board of Trustees; 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 Megan O' Bryan, to serve on the Cuyahoga Community College Board of Trustees 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: March 13, 2012

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

Journal \_\_\_\_\_  
\_\_\_\_\_, 2012

# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2012-0013

Sponsored by: Council President Connally

**A Motion confirming the County Executive's appointment of individuals to serve on the Tax Incentive Review Councils, and declaring the necessity that this Motion become immediately effective.**

WHEREAS, ORC 5709.85 calls for the creation of Tax Incentive Review Councils; and,

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, County Executive Ed FitzGerald has nominated the following individuals to serve on Tax Incentive Review Councils:

- 1) Richard Sensenbrenner, Cuyahoga County Treasurer;
- 2) Jonathan Holody, Development Finance Manager, Cuyahoga County Department of Development;
- 3) Maggie Keenan, Budget Analyst, Office of Budget & Management
- 4) Joe Micciulla, Deputy Fiscal Officer, New Construction Division

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

**SECTION 1.** That the Council of Cuyahoga County, Ohio, hereby confirms the appointment of the following individuals to serve on Tax Incentive Review Councils:

- 1) Richard Sensenbrenner
- 2) Jonathan Holody
- 3) Maggie Keenan
- 4) Joe Micciulla

**SECTION 2.** Provided that this Motion receives the affirmative vote of at least eight (8) members of Council, it shall take effect immediately upon adoption by Council. It is hereby determined to be necessary that this Motion become

immediately effective so that the usual and daily operations of county government may continue to function.

**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: March 13, 2012

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

Journal \_\_\_\_\_  
\_\_\_\_\_, 2012

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2012-0009

Sponsored by: <b>County Executive FitzGerald/Department of Human Resources on behalf of Human Resource Commission</b>	<b>An Ordinance</b> providing for adoption of various changes to the Cuyahoga County Non-Bargaining Classification Plan, 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, disability, age or ancestry; and,

WHEREAS, Section 9.03 of the Charter of Cuyahoga County states that the Cuyahoga County Human Resource Commission shall administer a clear, countywide classification and salary administration system for technical, specialist, administrative and clerical functions with a limited number of broad pay ranges within each classification; and,

WHEREAS, Section 2.10 of the Cuyahoga County Personnel Policies and Procedures Manual (Ordinances No. O2011-0015 and O2011-0028) states that the employment of all classified County employees is subject to the provisions of the Ohio Revised Code, the Ohio Administrative Code, the Cuyahoga County Administrative Rules and the Policies and Procedures Manual; and,

WHEREAS, the Director of Human Resources submitted several proposed changes to the Cuyahoga County Non-Bargaining Classification Plan to the Human Resource Commission; and,

WHEREAS, the Human Resource Commission held several public meetings on this matter and has undergone significant review, evaluation and modification of such submitted changes to the Cuyahoga County Non-Bargaining Classification Plan; and,

WHEREAS, on March 7, 2012, the Human Resource Commission met for their final review of the classification changes (attached hereto as Exhibits A through L), 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 agency.

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

**SECTION 1.** That Council hereby adopts the following changes to the Cuyahoga County Non-Bargaining Classification Plan:

Amended Classifications:

From:

Exhibit A1: Class Title: Accountant  
Number: 1055111  
Pay Grade: 6

Exhibit B1: Class Title: Senior Accountant  
Number: 1055112  
Pay Grade: 8

To:

Exhibit A2: Class Title: *Accountant 1*  
Number: 1055111  
Pay Grade: 6

Exhibit B2: Class Title: *Accountant 2*  
Number: 1055112  
Pay Grade: 8

New Classifications:

Exhibit C: Class Title: *Accounting Technician*  
Number: 1013213  
Pay Grade: 5

Exhibit D: Class Title: *Appraisal System Administrator*  
Number: 1057205  
Pay Grade: 16

Exhibit E: Class Title: *Cashier*  
Number: 1013111  
Pay Grade: 3

Exhibit F: Class Title: *Communications Specialist*  
Number: 1053424  
Pay Grade: 11

- Exhibit G:    Class Title: *Development Administrator*  
                  Number:    1055243  
                  Pay Grade:  17
  
- Exhibit H:    Class Title: *Financial Reporting Manager*  
                  Number:    1055115  
                  Pay Grade:  15
  
- Exhibit I:    Class Title: *Fiscal Office Inquiries Assistant*  
                  Number:    1013411  
                  Pay Grade:  4
  
- Exhibit J:    Class Title: *Residential/Agricultural Appraiser Coordinator*  
                  Number:    1057104  
                  Pay Grade:  13
  
- Exhibit K:    Class Title: *Scanning Reviewer*  
                  Number:    1011141  
                  Pay Grade:  1
  
- Exhibit L:    Class Title: *Security Camera Coordinator*  
                  Number:    1024101  
                  Pay Grade:  2

**SECTION 2.** It is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of a County agency. 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 3.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution 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 Resolution was duly adopted.

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: March 13, 2012

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

Journal \_\_\_\_\_  
\_\_\_\_\_, 2012



# County Council of Cuyahoga County, Ohio

## Ordinance No. O2012-0005

Sponsored by: <b>Councilmembers Connally, Rogers, Miller, Jones, Brady and Conwell</b>	<b>An Ordinance</b> 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.

