



AGENDA
CUYAHOGA COUNTY HUMAN RESOURCES, APPOINTMENTS & EQUITY COMMITTEE
MEETING
FRIDAY, FEBRUARY 10, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
1:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE JANUARY 19, 2012 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) O2011-0042: An Ordinance providing for adoption of a policy granting health benefits to domestic partners of County employees, and declaring the necessity that this Ordinance become immediately effective.
- 6. MISCELLANEOUS BUSINESS**
- 7. OTHER PUBLIC COMMENT**
- 8. ADJOURNMENT**

*In accordance with Ordinance No. O2011-0020, complimentary parking for the public will be available **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, JANUARY 19, 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 10:29 a.m.

2. ROLL CALL

The Clerk called the roll. Committee members Conwell and Rogers were in attendance and a quorum was determined. Committee member Gallagher was absent from the meeting. Councilmember Miller was also in attendance.

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM THE JANUARY 13, 2012 MEETING

A motion was made by Mr. Rogers, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the January 13, 2012 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) M2012-0002: A Motion confirming the County Executive's appointment of Edna Fuentes-Casiano to serve on the Cuyahoga County Public Library Board of Trustees, and declaring the necessity that this Motion become immediately effective.

Ms. Edna Fuentes-Casiano addressed the Committee regarding her nomination to serve on the Cuyahoga County Public Library Board of Trustees. Discussion ensued.

Committee members asked questions of Ms. Fuentes-Casiano pertaining to her experience, expertise and commitment to serve on the Board, which she answered accordingly.

On a motion by Ms. Conwell with a second by Mr. Rogers, Motion No. M2012-0002 was considered and approved by unanimous vote to be referred to the full Council agenda for consideration under second reading suspension of rules.

- b) M2012-0003: A Motion confirming the County Executive's appointment of Barbara J. Thomas to serve on the Office of Homeless Services Advisory Board, and declaring the necessity that this Motion become immediately effective.

The Honorable Barbara J. Thomas, City of East Cleveland Councilmember, addressed the Committee regarding her nomination to serve on the Office of Homeless Services Advisory Board. Discussion ensued.

Committee members asked questions of Ms. Thomas pertaining to her experience, expertise and commitment to serve on the Board, which she answered accordingly.

On a motion by Ms. Conwell with a second by Mr. Rogers, Motion No. M2012-0003 was considered and approved by unanimous vote to be referred to the full Council agenda for consideration under second reading suspension of rules.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

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 11:07 a.m., without objection.

County Council of Cuyahoga County, Ohio

Ordinance No. O2011-0042

Sponsored by: Councilmembers Simon, Miller, Rogers, Connally, Brady and Conwell	An Ordinance extending health care benefits to domestic partners of County employees; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Section 9.01 of the Charter of Cuyahoga County (the “Charter”) provides that the County’s Human Resources Policies and Systems for County employees shall be established by ordinance 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 12.07 of the Charter provides that all County employees shall be appointed, employed, promoted and compensated without regard to their race, color, religion, sex, national origin, sexual orientation, disability, age or ancestry; and,

WHEREAS, Section 9.02 of the Charter provides that the Human Resource Commission shall have authority to ensure standardization of benefits and such other functions as may be deemed necessary by the Council for the Human Resource Commission to carry out its mission and purpose; and,

WHEREAS, the County’s current health benefits policy does not include coverage of domestic partners; and,

WHEREAS, adoption of a policy providing health benefits to domestic partners is necessary to create fairness amongst County employees with regard to compensation and to allow the County to be competitive in attracting the “best and brightest” talent to work for Cuyahoga County government; and,

WHEREAS, offering health benefits to domestic partners is consistent with the County’s commitment to social and economic justice, diversity, and inclusiveness; and,

WHEREAS, the Human Resource Commission has approved and recommended the adoption of this Ordinance; and,

WHEREAS, it is necessary that this Ordinance become immediately effective in order to provide sufficient time for the Human Resource Commission to meet the deadlines set forth herein.

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

SECTION 1. The Department of Human Resources is hereby directed to amend the County Personnel Policies and Procedures Manual of Cuyahoga County, Ohio, which was approved in Cuyahoga County Ordinance No. O2011-0015, as amended, to extend the County's health benefits to domestic partners of County employees and their children as follows:

The County's health benefits may cover an employee's spouse, dependent children, domestic partner, and the dependent children of the employee's domestic partner. To be covered, children must be under age twenty-three (23), unmarried, and the legal dependents of the employee or the employee's domestic partner.

1. Domestic Partnership: A Domestic Partnership is defined as the exclusive, non-married, intimate, committed relationship of two adults of the same sex who share a common residence and the responsibility for each other's common welfare. An employee's Domestic Partner is eligible for health benefits upon satisfactory proof of the Domestic Partnership through (1) Sworn Affidavit of Domestic Partnership and (2) supporting evidence to the Department of Human Resources.

(a) Mandatory Sworn Affidavit under Penalty of Perjury: To satisfy the Sworn Affidavit requirement, both the employee and his/her Domestic Partner shall submit sworn affidavits, under penalty of perjury, attesting to the following:

1. Each individual is 18 years of age or older;
2. Both individuals are in an exclusive, committed, intimate relationship;
3. Both individuals intend to continue this exclusive, committed, and intimate relationship for life;
4. Both individuals have shared a common residence for at least 60 days and continue to share the common residence without interruption;
5. Both individuals share joint responsibility for each other's common welfare, including providing and/or payment of basic living expenses such as food, shelter, and other necessities of life;
6. Neither individual is married to any other individual;
7. Neither individual is in a civil union or any other similar relationship with any other individual;

8. Neither individual is part of an existing domestic partnership with any third party;
9. The individuals are not related to one another by blood in a way that would prevent them from being married to one another in this State.

(b) Mandatory Supporting Documentation in Addition to Sworn Affidavit: To satisfy the Supporting Evidence requirement, the employee must submit evidence of at least three of the following:

1. Joint ownership of real estate property or joint tenancy on a residential lease;
2. Joint ownership of an automobile;
3. Joint bank or credit account;
4. Joint liabilities (e.g., credit cards or loans);
5. A will designating the domestic partner as primary beneficiary;
6. A retirement plan or life insurance policy beneficiary designation form designating the domestic partner as primary beneficiary;
7. A durable power of attorney signed to the effect that the employee and the domestic partner have granted powers to one another.
8. A certificate of marriage or other evidence of a civil union from another state.

2. Termination of Domestic Partnership and Mandatory Notification: A domestic partnership is terminated if any of the statements sworn to in the Sworn Affidavit is no longer true. If the Domestic Partnership is terminated, the employee must notify the Department of Human Resources within 15 days of the termination. Failure to notify the Department of Human Resources of the termination will subject the employee to discipline, up to and including termination.

SECTION 2. The Department of Human Resources shall make health care benefits available to domestic partners and their children as provided herein at the next open enrollment taking place after this Ordinance goes into effect.

SECTION 3. It is necessary that this Ordinance become immediately effective in order to provide sufficient time for the Human Resource Commission to meet the deadlines set forth herein. 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.

