



AGENDA
CUYAHOGA COUNTY HUMAN RESOURCES, APPOINTMENTS & EQUITY COMMITTEE
MEETING
THURSDAY, MAY 17, 2012
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
10:00 AM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE MAY 3, 2012 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) M2012-0017: A Motion confirming the County Executive's reappointment of individuals to serve on the Cuyahoga Arts and Culture Board of Trustees, and declaring the necessity that this Motion become immediately effective:
 - 1) Victoria Eaton Johnson
 - 2) Sari Feldman
 - b) M2012-0018: A Motion confirming the County Executive's appointment of individuals to serve on the Cuyahoga County Public Defender Commission, and declaring the necessity that this Motion become immediately effective:
 - 1) Phyllis L. Crocker
 - 2) Gordon Friedman

- c) 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.

6. MISCELLANEOUS BUSINESS

7. OTHER PUBLIC COMMENT

8. 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, MAY 3, 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 10:05 a.m.

2. ROLL CALL

Deputy Clerk Barnhill called the roll. Committee members Conwell and Gallagher were in attendance and a quorum was determined. Committee member Rogers entered the meeting shortly after the roll call had been taken. Councilmembers Connally and Miller were also in attendance.

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM THE APRIL 5, 2012 MEETING

A motion was made by Ms. Conwell, seconded by Mr. Gallagher and approved by unanimous vote to approve the minutes of the April 5, 2012 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) M2012-0015: A Motion confirming the County Executive's appointment of various Mayors to serve on the Cuyahoga County Planning Commission, and declaring the necessity that this Motion become immediately effective:

- 1) The Honorable Daniel J. Ursu for the Hillcrest Region
- 2) The Honorable Susan K. Infeld for the Heights Region
- 3) The Honorable Michael P. Byrne for the South Central Region
- 4) The Honorable Kathy U. Mulcahy for the Chagrin/Southeast Region

The Honorable Daniel J. Ursu addressed the Committee regarding his nomination to serve on the Cuyahoga County Planning Commission. Discussion ensued.

Committee members and Councilmembers asked questions of Mayor Ursu pertaining to his experience, expertise and qualifications for the position, which he answered accordingly.

In lieu of their attendance, The Honorable Susan K. Infeld, The Honorable Michael P. Byrne and The Honorable Kathy U. Mulcahy submitted written statements which were distributed to Committee members.

On a motion by Mr. Gallagher with a second by Mr. Rogers, Motion No. M2012-0015 was considered and approved by unanimous vote to be referred to the full Council agenda for consideration with a recommendation for passage under second reading suspension of rules.

- b) M2012-0016: A Motion confirming the County Executive's appointment of Bonita Teeuwen to serve on the Cuyahoga County Justice Center Building Committee, and declaring the necessity that this Motion become immediately effective.

Ms. Bonita Teeuwen addressed the Committee regarding her nomination to serve on the Cuyahoga County Justice Center Building Committee. Discussion ensued.

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

On a motion by Mr. Rogers with a second by Mr. Gallagher, Motion No. M2012-0016 was considered and approved by unanimous vote to be referred to the full Council agenda for consideration with a recommendation for passage under second reading suspension of rules.

- c) 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.

Ms. Kimberly Harden, Manager of Diversity and Talent Acquisition for the City of Cleveland; Ms. Elisa Hara, Director of Human Resources; and Mr. Illya McGee, Vice President of Correctional Programs, and Ms. Joan Davidson, Employment Coordinator, of Oriana House, addressed the Committee regarding Ordinance No. O2012-0005. Discussion ensued.

Committee members and Councilmembers asked questions of Ms. Harden, Ms. Hara, Mr. McGee and Ms. Davidson pertaining to the item, which they answered accordingly.

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

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 11:42 a.m., without objection.

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2012-0017

Sponsored by: Council President Connally

A Motion confirming the County Executive's reappointment of individuals to serve on the Cuyahoga Arts and Culture Board of Trustees, and declaring the necessity that this Motion become immediately effective.

WHEREAS, pursuant to ORC Chapter 3381.05, the former Cuyahoga County Board of Commissioners created a regional arts and cultural district to provide programs and activities in areas directly concerned with the arts or cultural heritage; and,

WHEREAS, such regional arts and cultural district is governed by a Board of Trustees consisting of 5 members which must have broad knowledge and experience in the arts or cultural heritage and shall have other qualifications outlined in by-laws; and,

WHEREAS, pursuant to ORC 3381.05, the Board of Trustees shall be appointed to a 3 year term; and,

WHEREAS, 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 Victoria Eaton Johnson and Sari Feldman to be reappointed to serve on the Cuyahoga Arts and Culture 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, Ohio, hereby confirms the reappointment of Victoria Eaton Johnson and Sari Feldman to serve on the Cuyahoga Arts and Culture Board of Trustees, 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: May 8, 2012

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

Journal _____
_____, 2012

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2012-0018

Sponsored by: Council President Connally

A Motion confirming the County Executive's appointment of individuals to serve on the Cuyahoga County Public Defender Commission, and declaring the necessity that this Motion become immediately effective.

WHEREAS, the Cuyahoga County Public Defender Commission was created pursuant to the provisions of ORC Section 120.13; and,

WHEREAS, the powers and duties of the Cuyahoga County Public Defender Commission are established pursuant to ORC Section 120.14, which include: recommending an annual operating budget of the office of the County Public Defender, establishing operational standards of the office of the County Public Defender, and determining the qualification and size of the supporting staff of the office in an effort to provide essential legal representation to indigent persons in the County; and,

WHEREAS, pursuant to ORC Section 120.13, the Cuyahoga County Public Defender Commission shall have five members with a term of office of four years; and,

WHEREAS, 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 Phyllis L. Crocker and Gordon Friedman to serve on the Cuyahoga County Public Defender Commission; 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, Ohio, hereby confirms the appointment of Phyllis L. Crocker and Gordon Friedman to serve on the Cuyahoga County Public Defender Commission, 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: May 8, 2012

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

Journal _____
_____, 2012

County Council of Cuyahoga County, Ohio

Ordinance No. O2012-0005

Sponsored by: Councilmembers Connally, Rogers, Miller, Jones, Brady and Conwell	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.
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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.

SECTION 5. Effective Date.

This Ordinance shall take effect thirty (30) days after the signature of the County Executive.

SECTION 6. 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: February 28, 2012

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

Additional Sponsorship Requested on the Floor: February 28, 2012

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_____, 2012