

**CUYAHOGA COUNTY COUNCIL  
COMMITTEE MINUTES**

**COMMITTEE NAME: HUMAN RESOURCES, APPOINTMENTS AND EQUITY**

**DATE: February 9, 2011**

**SCHEDULED TIME: 10:00 a.m.**

**Called to Order: 10:15 a.m.**

**Adjourned: 11:55 am**

**MEMBERS PRESENT:** Yvonne Conwell, Chair; Vice Chair Julian Rogers; and Michael Gallagher (arrived 10:50 a.m.)

Council Members Pernel Jones and Dale Miller were also present

**MEMBERS ABSENT:** None

**STAFF:** Joanne Gross; Ed Morales, Interim Law Director

**VISITORS:** Elise Hara, Director of Human Resources; Nailah Byrd, Inspector General

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**Human Resources Presentation/Discussion**

Elise Hara noted her obligation to manage a system of consistent policies and procedures. She has reviewed the previous county commissioners' manual, recently revised and distributed sometime in November and December of 2010. Ms. Hara has made a few technical non substantive changes to the manual; e.g., the Human Resource Commission is mentioned along with new positions such as Communications Director.

Ms. Hara believes it critical to be able to distribute the Policy and Procedures Manual to all offices under the Executive's authority. Right now, previously elected officials offices are operating under their own personnel rules, some of which may or may not be consistent with those in the desired manual. Those departments include all under the Fiscal Officer, Sheriff, Medical Examiner (Coroner), Clerk of Courts, and Engineer

Ms. Hara indicated that there were some policies that would be carved out. For example, there are varying sick time and vacation leave policies and those would have to remain in place while the implications of changes are reviewed. And, collective bargaining agreements may also require differences in policy and procedures.

She is asking that Council pass an ordinance adopting the proposed manual for all employees through June 30, 2011. Ms. Hara is asking that the ordinance be voted as an emergency measure at the February 15, 2011 Council meeting.

The June 30 time frame will allow time for the Human Resource Commission (HRC) to get up and running. HRC interviews are currently taking place and the Executive hopes to bring those appointments to Council by March 1. HRC is a 3 person commission that must be approved by Council. HRC is to be compensated per diem. HRC will need to hire hearing officers.

Mr. Miller noted that the carved out exceptions would have to be set out in the proposed ordinance. He also noted that the February 15<sup>th</sup> date is unrealistic given the agenda submission deadlines. Council could consider this at its February 22<sup>nd</sup> meeting at the earliest.

Ms. Hara will email all a copy of the proposed ordinance, the HR policy and procedures and carve outs

Mr. Rogers asked whether HR anticipates problems with reconciling what other departments are operating under and what is being proposed.

Ms. Hara noted that she is working toward consistency throughout the county; there may be offices that come back and say there are reasons why this particular policy should not apply or will not work. Ms. Hara will work with those departments that for operational reasons may need different rules.

Ms. Hara acknowledged that there will be need for a culture change in many offices. She wants to ensure that supervisors know how discipline works, by policy and procedure and under labor agreements.

Responding to Mr. Miller's question, Ms. Hara noted that the policy and procedures manual includes an ethics provision. Mr. Miller noted that because Council will be passing a separate ethics ordinance, we may need to carve out the ethics portion.

Ms. Hara asked that the ordinance give the HR Department authority to make some changes in the manual. Ms. Conwell asked that that be indicated in the ordinance.

Mr. Miller noted that the Charter gives council the power to approve personnel policies and procedures. Council may want to control some things; may want to authorize HR Dept. to make some rule changes

Ms. Conwell asked whether the manual applied to classified and unclassified employees and Mr. Morales stated that it applied to both, although there are some sections that specifically reference classified employees because of some applicable rules.

Ms. Hara noted that HR is working toward looking at approximately 1000 positions that need to be evaluated for actual job classifications. Some positions previously listed as

unclassified are likely classified positions. HR does not have internal capacity to conduct evaluations on this scale. County has used Archer in the past, but the evaluation may need to be RFP'd. County began first step in the process for some of the other previously elected officials' office by asking employees to self report on their actual jobs by completing Comprehensive Position Questionnaires (CPQ). As departments consolidate, the classification process will need to be completed. HRC will be

Mr. Gallagher asked whether there was any plan to look back at personnel moves and payments made under prior officials. Ms. Hara noted her intent to move forward from this point. Once the Inspector General assumes duties, that may be something that is reviewed.

Mr. Gallagher asked about employees being required to swipe in. Mr. Morales noted that some employees; e.g., Central Services and the Sheriff, but other employees have not been required to clock in. There is a computerized self-reporting sign in system on which employees record times in and out. Kiosks are available for employees who do not regularly have access to a computer. A brief discussion followed about the advisability of making all employees clock in. Ms. Hara does not believe all employees should be required to swipe in.

Ms. Hara also noted that she has recommended that Director level employees be permitted to accrue exchange time. Previously, directors were not permitted to do so. Given the number of new hires coming on with no vacation or sick time accumulated, it seemed fair to allow them the time.

Exchange time is unlike overtime or compensatory time. Exchange time allows full-time professional employees who work hours beyond 40 in a week, to accumulate up to 40 hours of time.

Ms. Byrd asked how long does ET last? Ms. Hara said ET time must be used within a six-month period. It is accrued at straight time. Employees are not required to use ET before vacation.

Mr. Jones asked if there was need for whistleblower protection. Ms. Hara indicated that a policy exists in the manual; there is a hotline and other anonymous ways for people to report issues. It was note that the Inspector General may look at some of the whistleblower reports; some may be reviewed by HR; e.g., sexual harassment or discrimination claims.

Mr. Morales reported on his role as chief negotiator on labor issues, noting that he assumed that labor issues will be brought before Council's HRAE Committee. Mr. Morales noted that approximately 60% of the county's workforce is unionized.

Mr. Morales provided brief general updates on the status of various ongoing CBA representation issues in several county departments. If Council wants to reach Mr. Morales, his number is 216-443-6984. He noted that there are 31 different bargaining units in the county, across multiple agencies. In his role as labor negotiator, he has also assisted the public defender's office and the common pleas court with their negotiations with probation officers.

Mr. Morales expects labor negotiations to be moved into the law department. He also expects to brief council on CBA issues in executive session when permitted by law.

Ms. Conwell noted that the next committee meeting will be February 23. Once the Human Resource Commission is up and running, it will be doing much of the work for consideration by the committee and full Council. Ms. Conwell would like to discuss a mission statement for committee.

The meeting adjourned at 11:55 a.m.