

1 ORDINANCE NO. 2010-567

FIRST READING PASSAGE REQUEST

2
3 SPONSOR Mrs. Rodgers

4 MOTION TO ADOPT FAILS: 1+10 on December 20, 2010

5 DATE December 20, 2010

COMMITTEE: Personnel

6
7 **An Ordinance amending Section 169.04 (j), entitled “Temporary Hiring Freeze,” to extend**
8 **the temporary freeze on the hiring of new employees by all County appointing authorities**
9 **until December 31, 2011, and declaring an emergency.**

10
11 WHEREAS, due to the current economic crisis and related budgetary concerns, this
12 Council previously enacted Ordinance No. 2009-110 and Ordinance No. 2009-481, which
13 instituted a temporary hiring freeze of external employees by offices governed by the Summit
14 County Charter through December 31, 2010; and

15
16 WHEREAS, given the ongoing nature of the economic crisis, and the revenue projections
17 for budget year 2011, this Council desires to extend the current hiring freeze for an additional
18 year, until December 31, 2011; and

19
20 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
21 that it is necessary and in the best interest of the County to extend the temporary freeze on the
22 hiring of new employees by all County appointing authorities until December 31, 2011.

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24 NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit,
25 State of Ohio, that:

26
27 SECTION 1

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29 Section 169.04 (j) of the Codified Ordinances of the County of Summit is hereby
30 amended as follows:

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32 “(j) Temporary Hiring Freeze. Commencing April 1, 2009 and terminating
33 December 31, ~~2010~~ 2011, no person shall be hired for initial employment by the Fiscal
34 Officer, Clerk of the Court of Common Pleas, Engineer, Prosecutor, Sheriff, County
35 Council, County Executive, Department of Internal Auditing, Human Resource
36 Commission or Office of Consumer Affairs, except as set forth herein.

37
38 This section is not intended to limit, and shall not limit, the ability of a current
39 employee of the County to transfer or be promoted to a vacant position in any of the
40 aforementioned offices from within any of the aforementioned offices, between any of
41 the aforementioned offices or from any other Summit County appointing authority,
42 office, agency, board or commission, provided that vacant positions funded in whole or in
43 part with general fund dollars may not be filled except through the transfer or promotion
44 of employees currently funded in whole or in part by the general fund. Furthermore, any
45 position that has been posted for hiring by any of the aforementioned offices prior to
46 April 1, 2009 may be filled, provided that the personnel action form to hire into said
47 position must be completed and executed in full no later than April 15, 2009.

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4 In the event any of the aforementioned offices are able to demonstrate that the
5 filling of an existing position by hiring a new employee is necessary for the effective and
6 continued operation of the office, County Council may adopt a Resolution authorizing the
7 hiring of a person to fill said vacancy as an exception to this Section. Said employee
8 shall be hired at the minimum compensation allowable by the County's Compensation
9 and Classification Plan, Codified Ordinances and Collective Bargaining Agreements,
10 unless established at a higher rate by a two thirds (2/3) vote of the members of Council.

11
12 Seasonal employees may be hired by any office that has historically hired
13 seasonal employees to perform functions and responsibilities of that office, and this
14 Section shall not be construed to prohibit or limit the hiring of said seasonal employees,
15 provided that the employment of those employees shall terminate upon the completion of
16 all seasonal work. Youth employees may be hired by any office as part of a Workforce
17 Investment Act youth employment program, provided that the employment of those
18 employees shall terminate upon the completion of their involvement in the youth
19 employment program.

20
21 Any employee who has been laid off or whose position was abolished, at any
22 point after August 1, 2009, as set forth in Section 169.13 of these ordinances, may apply
23 for and be re-hired into a vacant position in any of the aforementioned offices within one
24 (1) year from the date of layoff or abolishment, provided that either (i) the vacant position
25 is not funded in whole or in part by the general fund, or (ii) if the vacant position is
26 funded in whole or in part by the general fund, no other current employee has applied for
27 said position and/or no other current employee who has applied for said position meets
28 the minimum qualifications for the position as outlined in the job description.”

29
30 SECTION 2

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32 This Ordinance is hereby declared an emergency in the interest of the health, safety and
33 welfare of the citizens of the County of Summit and for the further purpose to immediately enact
34 the aforementioned hiring freeze to protect and preserve the current County fund balances and
35 control and limit the 2011 budget deficit.

36
37 SECTION 3

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39 Provided this Ordinance receives the affirmative vote of eight members, it shall take
40 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
41 effect and be in force at the earliest time provided by law.

42
43 SECTION 4

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45 It is found and determined that all formal actions of this Council concerning and relating
46 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
47 deliberations of this Council and of any of its committees that resulted in such formal action,
48 were in meetings open to the public, in compliance with all legal requirements, including section
49 121.22 of the Ohio Revised Code.

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2 PAGE THREE

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5 INTRODUCED December 13, 2010

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8 ADOPTED Motion to adopt fails 1-10 on 12/20/10

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13 _____
CLERK OF COUNCIL

PRESIDENT

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EXECUTIVE _____

ENACTED EFFECTIVE _____

Defeated

Voice Vote: 1-10

YES: Rodgers

NO: Comunale, Crawford, Crossland, Kostandaras, Feeman
Poda, Prentice, Schmidt, Shapiro, Smith