

ORDINANCE NO. 2009-110

LATE FILING

SPONSOR Mr. Pry

DATE March 30, 2009

COMMITTEE: Personnel

**An amended Ordinance amending Section 169.04, entitled "Hiring," to provide for a temporary freeze on the hiring of new employees by all County appointing authorities until December 31, 2009, for the Executive, and declaring an emergency.**

WHEREAS, the current economic crisis has negatively impacted many of the revenues received by the County; and

WHEREAS, as a result of decreased revenues, this Council approved a 2009 budget that reduced overall spending by 3.3% and general fund spending by 5.5%; and

WHEREAS, as the economic crisis has worsened in recent months, County revenue outlooks have worsened, thereby threatening to increase the budget deficit in 2009; and

WHEREAS, one method to control, and potentially reduce, the budget deficit without negatively impacting current County employees is to place a freeze on the hiring of new employees by any County appointing authority; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the County to impose a temporary freeze on the hiring of new employees by all County appointing authorities until December 31, 2009.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the County of Summit, State of Ohio, that:

#### SECTION 1

Section 169.04 of the Codified Ordinances of the County of Summit is hereby amended to add subsection (j), as follows:

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

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

In the event any of the aforementioned offices are able to demonstrate that the filling of an existing position by hiring a new employee is necessary for the effective and continued operation of the office, County Council may adopt a Resolution authorizing the hiring of a person to fill said vacancy as an exception to this Section.

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

This ordinance shall expire on December 31, 2009, unless terminated or extended prior to that date by subsequent Ordinance of County Council."

SECTION 2

This Ordinance is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit and for the further purpose to immediately enact the aforementioned hiring freeze to protect and preserve the current County fund balances and control and limit the 2009 budget deficit.

SECTION 3

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

SECTION 4

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this 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.

INTRODUCED March 16, 2009

ADOPTED March 30, 2009

Shawley P. Hoover  
CLERK OF COUNCIL

Niete Kostandaras  
PRESIDENT

APPROVED March 30, 2009

Russell M. P.  
EXECUTIVE

March 30, 2009  
ENACTED EFFECTIVE

Voice Vote: 10-0 YES: Crossland, Schmidt, Komunale, Poda, Prentice  
Smith, Crawford, Feeman, Rodgers, Kostandaras ABSENT: Shapiro