

SRAP - Oct. 15th, 2020

Sponsor: Hudson

ORDINANCE NO. 2020-55

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF WELLSTON AND TEAMSTERS 637 AS REPRESENTATIVE OF WELLSTON POLICE DEPARTMENT PERSONNEL AND DECLARING AN EMERGENCY.

WHEREAS, the City of Wellston and Teamsters 637 as the representative of the members of the Wellston Police Department are parties to a Collective Bargaining Agreement, and

WHEREAS, the Collective Bargaining Agreement allows for the payment of hazard emergency pay for its members when certain conditions are met and if funding is available, and

WHEREAS, there may be COVID cares act money available for the payment of some emergency pay, and

WHEREAS, the City of Wellston, Ohio has negotiated an agreement for the payment of a lumpsum amount as full compensation for any and all claims pursuant to Article 30 of the Collective Bargaining Agreement; and

WHEREAS, a copy of the Memorandum of Understanding is attached hereto and is incorporated herein; and

WHEREAS, the Legislative Authority determines the agreement to be in the best interest of the City,

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WELLSTON, OHIO, AS FOLLOWS:

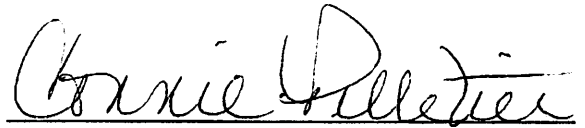
SECTION 1. The Council for the City of Wellston, Ohio hereby authorizes and directs the Mayor to negotiate final terms of and execute a Memorandum of Understanding between the city of Wellston and Teamsters 637 as representative of Wellston Police Department personnel authorizing a lumpsum payment to Bargaining Unit Members as full compensation for any and all money owed pursuant to Article 30 of the Collective bargaining Agreement.

SECTION 2. This Ordinance is hereby declared an emergency measure pursuant to Ohio Revised Code Section 731.30 and its immediate passage is necessary in order to preserve, protect and maintain the health, safety and welfare of the citizens of the City or Wellston, Ohio and as such shall take effect and be in full force immediately upon its passage and approval.

SECTION 3. In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, the this Ordinance shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

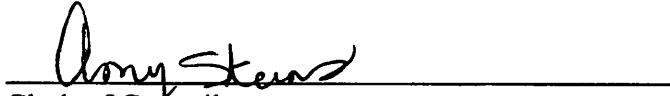
SECTION 4. It is hereby found and determined that all formal acts of this council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this council and the deliberations of this council and any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the legislative authority of the City of Wellston this 15th day of October, 2020.

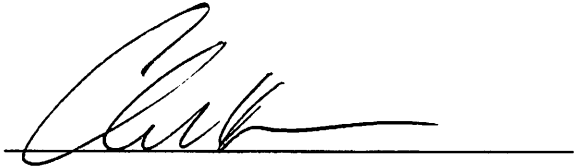


President of Council

ATTEST:


Clerk of Council

Approved this 15th day of October, 2020.



Mayor

Posted 10-16-20 through 10-30-20 at The Store, Wellston City Hall, Wellston Senior Citizens' Center, the Wellston Public Library and the Wellston Post Office.

Prepared by: Randy H. Dupree, Law Director

MEMORANDUM OF UNDERSTANDING
Between
City of Wellston, Ohio and Teamsters Local Union 637

This Memorandum of Understanding (MOU) is entered into this ____ day of October, 2020, by and between the City of Wellston, Ohio (City), and Teamsters Local Union No. 637 (Union).

WHEREAS, the City and the Union are parties to a collective bargaining agreement (CBA) which address the terms and conditions of employment of Union bargaining unit employees in the City's police department; and

WHEREAS, on January 31, 2020 the United States Department of Public Health and Human Services Secretary Alex Azar declared a public health emergency for a novel strain of the corona virus, COVID-19, beginning on January 27, 2020; and

WHEREAS, on March 9, 2020, Ohio Governor Mike DeWine declared a state of emergency for the entire State to protect the well-being of the citizens of Ohio from the dangerous effects of COVID-19, and to assist in protecting the lives, safety, and health of citizens of Ohio; and

WHEREAS, on March 31, 2020, the County of Jackson, Ohio declared a public emergency for COVID-19; and

WHEREAS, on April 2, 2020, the City of Wellston declared a state of emergency necessary for the immediate preservation of the public peace, health or safety of the citizens of the City of Wellston due to the threat of COVID-19; and

WHEREAS, on March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act (the CARES Act) was signed into law by the President of the United States; and

WHEREAS the Ohio General Assembly established a process for distributing funds provided by the CARES Act; and

WHEREAS the City passed a resolution on June 18, 2020 affirming that funds from the County coronavirus relief distribution fund may be expended only to cover costs consistent with the requirements of the CARES Act; and

WHEREAS Article 30 of the CBA contains a provision regarding compensation for bargaining unit employees in the event the work site is declared an emergency by the Mayor and the City is eligible for financial assistance;

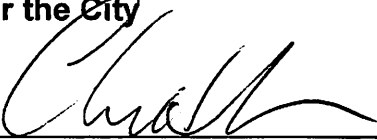
NOW THEREFORE BE IT RESOLVED THAT the City and the Union agree as follows:

1. The City agrees to compensate each bargaining unit employee the sum of \$6,000.00 pursuant to Article 30 of the CBA less any ordinary deductions.

2. The Union agrees the sum of \$6,000.00 fully compensates bargaining unit employees for any and all money owed as of the effective date of this MOU pursuant to Article 30 of the CBA and constitutes a waiver of any future claims for money owed under Article 30 arising from the current COVID related State of Emergency.

3. The Union expressly reserves the right to file a grievance pursuant to the terms of the CBA over violations of Article 30 which arise after the effective date of this MOU and which are not related to COVID-19.

For the City



For the Union

