

City of Oberlin, Ohio

RESOLUTION NO. R11-07 CMS

A RESOLUTION CALLING FOR THE REPEAL OF SENATE BILL 5 AND DECLARING AN EMERGENCY

WHEREAS, Ohio Senate Bill 5 repeals and revises existing and enacts new provisions of the Ohio Revised Code relating to laws concerning public employees, including collective bargaining, salary schedules and compensation, layoff procedures, and leave, including, but not limited to, the following

Expands the list of subjects that are inappropriate for collective bargaining.

Permits public employers to not bargain on any subject reserved to the management and direction of the governmental unit, even if the subject affects wages, hours, and terms and conditions of employment.

Prohibits a collective bargaining agreement entered into or renewed on or after the bill's effective date from containing provisions limiting a public employer's ability to privatize operations.

Requires the legislative body of the public employer to be the final decision-maker with respect to any dispute that is unresolved during the fact-finding process, and prescribes procedures and requirements for the legislative body to make a determination.

Requires any agreement determined by the legislative body to be in effect for three years.

Requires, if the legislative body fails to select a last best offer, the public employer's last best offer to become the agreement between the parties.

Removes consideration of seniority and length of service, by itself, from decisions regarding a reduction in work force of certain public employees; and

WHEREAS, We Are Ohio a citizen-driven, community-based, bi-partisan coalition led a statewide charge to place a referendum (aka "The Citizens' Veto") repealing SB5 on the November ballot; and

WHEREAS, more than 10,000 volunteers stepped forward to circulate petitions. Their mission: to collect the required 231,149 signatures needed from at least 44 counties by June 30 to put the referendum on the ballot in November; and

WHEREAS, Ohio Secretary of State Jon Husted on Thursday, July 21 certified that petitioners seeking a referendum vote on SB5 collected 915,456 valid signatures; almost four times the 231,149 signatures they needed to place the issue on the ballot; and

WHEREAS, the response to repeal SB5, the unfair attack on employee rights and worker safety, far outpaces any other signature collection drive in Ohio history.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the Council of the City of Oberlin supports the repeal of Senate Bill 5.

SECTION 2. That the Clerk of the City Council is hereby authorized and directed to forward a certified copy of this Resolution to the Clerk of the Ohio House of Representatives and request he forward a copy to each of the duly elected State Representatives and also forward a certified copy of this Resolution to the Clerk of the Ohio Senate and request he forward a copy to each of the duly elected State Senators.


SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or 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.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:

“to authorize a resolution indicating the opinion of Oberlin City Council on a matter of great importance to the citizens of the municipality and the State of Ohio in a timely manner”, and shall take place immediately upon passage.

PASSED: 1st Reading – September 6, 2011(S)(E)
2nd Reading –
3rd Reading –

ATTEST:


BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL


KENNETH SLOANE
CHAIR OF COUNCIL

POSTED: 9/07/2011

EFFECTIVE DATE: 9/06/2011