

CLEVELAND PUBLIC LIBRARY

Board Meeting

October 24, 2019

RESOLUTION IN SUPPORT OF THE CITY OF CLEVELAND'S FANNIE LEWIS LAW

WHEREAS, In September of this year, the Ohio Supreme Court declared unenforceable what is referred to as the "Fannie Lewis Resident Employment Law", an ordinance adopted by Cleveland City Council in 2003 requiring that contractors working on City funded improvement projects employ a certain number or percentage of City residents on the projects; and

WHEREAS, The Fannie Lewis Law was enacted after a study revealed that qualified Cleveland resident construction workers were receiving few of the employment opportunities associated with contracts entered into for City funded public improvement projects. Cleveland City Council determined that "the employment of City residents on construction projects funded...with City assistance will help alleviate unemployment and poverty in the City"; and

WHEREAS, The City of Cleveland demonstrated throughout the litigation before the Ohio Supreme Court that the Fannie Lewis Law has greatly served the welfare of City residents employed; nevertheless, the Supreme Court determined that Ohio Revised Code Section 9.75, a statute enacted by the State Legislature earlier this year prohibiting local governments from imposing hiring preferences that disfavor nonresident employees working in construction trades, supersedes the Fannie Lewis Law; and

WHEREAS, On October 4, 2019, the City of Cleveland filed a Motion for Reconsideration with the Ohio Supreme Court, requesting that it find the enactment of O.R.C. 9.75 to violate the Home-Rule authority granted to local governments under the Ohio Constitution, and allow the City to continue to enforce the Fannie Lewis Law; and

WHEREAS, This Board recognizes the importance of the Fannie Lewis Law in alleviating unemployment and poverty in the City of Cleveland, and desires to express its support of the City of Cleveland's Motion for Reconsideration; now therefore be it

RESOLVED, That the Board of Trustees of the Cleveland Public Library hereby expresses its support of the Fannie Lewis Law and the City of Cleveland's Motion for Reconsideration filed with the Ohio Supreme Court on October 4, 2019.