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Assistant City Attorneys

December 8, 2011

To the Honorable Common Council  
of the City of Milwaukee  
Room 205 – City Hall

Re: Substitute to File No. 111109  
Resolution to approve the settlement agreement in the matter of *Weitz v. City of Milwaukee*, ERD Case Numbers CR201000477, CR201100045, and No. CR201102927, EEOC Case Numbers 26G201000643C, 26G201100651C and 26G201101513C

Dear Council Members:

Enclosed please find a Substitute one to file number 111109, Resolution to approve the settlement agreement in the matter of *Weitz v. City of Milwaukee*, concerning cases that are pending in the Equal Rights Division for the State of Wisconsin. A copy of the settlement agreement and a fiscal impact statement is also enclosed.

Raymond J. Weitz has been the Personnel Officer of the Health Department since May 2008. Mr. Weitz has filed complaints at the Equal Rights Division alleging discrimination based on age, gender and disability, and retaliation. The ERD issued initial determinations finding no probable cause with respect to two complaints (regarding age and gender discrimination and retaliation). Mr. Weitz appealed the first of these determinations, and may still appeal the second determination for a period of time. Mr. Weitz withdrew his complaint regarding disability discrimination.

The settlement calls for payment of \$4,500 in attorney fees and \$15,000 in damages (a total of \$19,500) in exchange for a complete release of all claims that could have been brought, including back pay, compensatory damages, punitive damages, pension loss and other benefits, attorney fees and costs. Further, Mr. Weitz has agreed to resign his employment as part of the settlement agreement. There is no admission of liability.

OFFICE OF THE CITY ATTORNEY

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To the Honorable Common Council

December 8, 2011

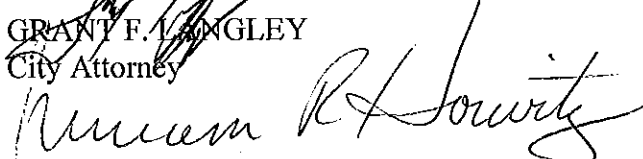
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This matter has been referred to the Judiciary and Legislation Committee, which has set it for consideration in closed session for purposes of conferring with the City Attorney pursuant to §19.85(1)(g), followed by open session for action as part of the regular agenda.

Very truly yours,



GRANT F. LANGLEY  
City Attorney



MIRIAM R. HORWITZ  
Assistant City Attorney

Enc.

MRH/MRH

1084-2010-566:175924

C(w/enc):

Bevan Baker, Commissioner of Health

Maria Monteagudo, Director, Department of Employee Relations

Rachel Filmanowicz, Operations Administrator, Health Department