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October 6, 2011

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

Re: Resolution to Approve Settlement Agreement in the
Matter of Barbara Mauhar v. City of Milwaukee,
DWD-ERD Case No. CR200902754, EEOC Case No. 26G200901574C

Dear Council Members:

Enclosed please find a resolution to approve a proposed Settlement Agreement and General Release in the matter of Barbara Mauhar v. City of Milwaukee, which is currently pending before the Wisconsin Department of Workforce Development Equal Rights Division and the federal Equal Employment Opportunity Commission. Also enclosed are a copy of the Settlement Agreement and General Release and a Fiscal Note.

This litigation involves claims of disability and sex discrimination advanced by Ms. Mauhar against the City of Milwaukee. Her claims arise out of a decision by the City not to renew a leave of absence for medical reasons that had kept Ms. Mauhar off work from November 7, 2008 through February 15, 2009. On February 3, 2010, the Equal Rights Division issued an Initial Determination in which it found that there was probable cause to believe that discrimination on the basis of disability and sex occurred. A hearing on the merits of the case was scheduled for September 27, 2011; it has been held in abeyance pending the Common Council's consideration of the proposed settlement.

The settlement calls for payment of a flat sum of \$12,000 to Ms. Mauhar in exchange for her waiver and release of all claims against the City. An exception exists for potential Worker's Compensation claims involving injuries potentially sustained by her during her employment (she has no such claims pending) and claims with respect to any rights she may have under the Employees' Retirement System.

Honorable Common Council

October 6, 2011

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The City requests referral to the Judiciary & Legislation Committee for a meeting 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. We recommend settlement of this matter in the amount indicated and, as noted, have attached an appropriate resolution for your convenience.

Very truly yours,

GRANT F. LANGLEY

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DLS:lmc

Enclosures

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