

March 19, 2001

Honorable Common Council  
Of the City of Milwaukee  
City Hall -- Room 205

**Re:** Resolution authorizing settlement of discrimination litigation entitled Nancy E. Grider v. City of Milwaukee, United States District Court Case Number 00C0156

Dear Council Members:

Enclosed please find a resolution authorizing the private settlement between Ms. Nancy E. Grider and the City of Milwaukee, Department of Public Works, Water Works Division.

Ms. Grider was employed as an operator in charge at the Howard treatment facility. In 1999, Ms. Grider filed a charge of discrimination with the Equal Employment Opportunity Commission (EEOC) alleging hostile work environment, sexual harassment, and sex discrimination concerning conditions over the course of her employment, including alleged events in November 1998. The matter was extensively investigation by both the EEOC and the Water Works Division. The EEOC issued a right to sue letter without a finding of probable cause. Ms. Grider then filed suit in the United States District Court for the Eastern District of Wisconsin, and the matter proceeded through the discovery phase of litigation.

The parties now desire to enter into a private settlement in order to avoid further litigation. The City has valid defenses based upon the facts and the law; however, it is the City Attorney's opinion that settlement is in the City's best interest in view of the expense and burden and uncertainty of future litigation.

Under the terms of the settlement, Ms. Grider would receive the sum of \$5,000 in back pay, less any and all appropriate payroll deductions. Further, her attorney would receive \$28,000 for attorney fees and costs. In addition, the parties have agreed to enter into a separate full and final compromise settlement of Ms. Grider's workers compensation matter, to be separately submitted for approval by the State of Wisconsin, Department of Workforce Development, Workers Compensation Division, in the event the Common Council first approves this resolution.

In addition, Ms. Grider agrees to waive and release any and all claims against the City, its departments, and all persons named by her in the litigation in their individual and official capacities. Further, Ms. Grider agrees to submit her resignation from City employment. The sums paid are in full and final settlement, inclusive of all damages, including pension contributions.

If the Council wishes further discussion of the terms of this settlement and underlying reasons therefore, the City Attorney is also requesting that the Judiciary and Legislation Committee convene in close session for purposes of discussing the terms of this settlement.

Very truly yours,

GRANT F. LANGLEY  
City Attorney

Miriam R. Horwitz  
Assistant City Attorney

MRH/MRH  
00000138  
cc: (w/o encl.)

Thomas E. Hayes