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January 30, 2018

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

Re: Resolution Authorizing Settlement in the matter entitled
David J. Grycowski v. City of Milwaukee

Dear Council Members:

Enclosed please find a proposed resolution to approve a settlement for \$20,000 to settle the claims raised by David Grycowski in the lawsuit entitled *David J. Grycowski v. City of Milwaukee*, Milwaukee County Circuit Court Case No. 16-CV-5348, as well as a fiscal impact statement.

On July 14, 2016, Mr. Grycowski filed a Complaint with the Milwaukee County Circuit Court Case No. 16-CV-5348, claiming the City violated Wis. Stat. § 109.03(1) when it failed to timely compensate him for wages and benefits owed between April 27, 2015 and October 12, 2015. Mr. Grycowski was a police officer for the Milwaukee Police Department who was granted duty disability benefits in 2006. On April 27, 2015, the City of Milwaukee's Employees' Retirement System determined that Mr. Grycowski no longer met the standards for being on duty disability and his duty disability benefits were terminated on that date. It took the Milwaukee Police Department approximately five and a half months to determine Mr. Grycowski's qualifications, before he was returned to limited duty as a police officer. Mr. Grycowski claimed that the City's Charter required him to be immediately restored to service after his duty disability benefits were terminated and that he was entitled to pay and benefits for that time period.



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Based on the review of all the facts and issues in this case, it is the City Attorney's recommendation that the proposed settlement is in the City's best interest. In exchange for the settlement, Mr. Grycowski will execute a settlement agreement and release of all claims arising out of the facts alleged in the Complaint.

We request that this matter be assigned for a hearing in closed session before the Judiciary & Legislation Committee to be followed by an open session in order to take action.

Very truly yours,



GRANT F. LANGLEY
City Attorney



JENNY YUAN
Assistant City Attorney

JY:cdr

Enclosure

1032-2016-1475/246637