

# CITY OF MILWAUKEE

Form CA-43

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February 28, 2003

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

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Assistant City Attorneys

Re: Resolution to authorize settlement of discrimination charges entitled Robert L. Harvey v. City of Milwaukee, ERD Case Nos. CR200200688 and CR20030661, and EEOC Charge Nos. 26GA200938 and 26GA300794

Dear Council Members:

Enclosed please find a resolution authorizing the private settlement between Mr. Robert L. Harvey and the City of Milwaukee of Mr. Harvey's complaints of discrimination and retaliation.

Mr. Harvey has been employed as a staff assistant in the Office of the City Clerk since 1988. In 2002 he filed charges at the Equal Rights Division for the State of Wisconsin, and the Equal Employment Opportunity Commission alleging discrimination based upon race, and retaliation for engaging in protected activity, in connection with his failure to be promoted to the position of lead staff assistant. In 2003, he filed further charges of harassment retaliation.

The parties now desire to enter into a private settlement in order to avoid further litigation, and to promote a positive, continuing working relationship. Under the terms of the settlement, the City would pay \$15,000 toward Mr. Harvey's attorneys fees and costs and Mr. Harvey agrees to waive and release any and all claims for the promotion in question, for back pay or other damages. The settlement also provides that the City would restore some vacation time to Mr. Harvey, and engage in mediation to resolve any personal misunderstandings or differences.

The City Attorney believes settlement is in the best interest of the City and therefore recommends settlement of this lawsuit.

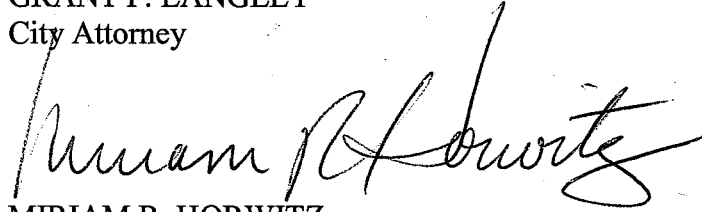
Honorable Common Council  
February 28, 2003  
Page 2

If the Council wishes further discussion of the terms of this settlement, the City Attorney requests that the Judiciary and Legislation Committee convene in closed session for purposes of discuss the settlement, and the underlying litigation.

Very truly yours,



GRANT F. LANGLEY  
City Attorney



MIRIAM R. HORWITZ  
Assistant City Attorney

Enc.

MRH/mrh

1033-2002-803

c: Ronald D. Leonhardt, City Clerk  
Rudolph Konrad, Deputy City Attorney