



## Legislation Text

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**File #: 981100, Version: 0**

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981100  
ORIGINAL  
980736  
THE CHAIR

Resolution approving inclusion of Lieutenant James C. Shepard as an eligible party to the settlement in the action entitled Bradley DeBraska, et al. v. City of Milwaukee, U.S. District Court Case No. 96-C-402. (City Attorney)

- Analysis -

This resolution approves the inclusion of Lieutenant James C. Shepard as an eligible party to the settlement in the action entitled Bradley DeBraska, et al. v. City of Milwaukee, U.S. District Court Case No. 96-C-402.

Whereas, The Common Council of the City of Milwaukee, by resolution passed on September 23, 1998 in File No. 980736 approved the terms of settlement of the above-entitled action, which concerned whether the City had violated the Fair Labor Standards Act, 29 U.S.C. § 201, et seq., in the manner in which it administered various aspects of overtime compensation within the Milwaukee Police Department and in the manner in which it compensated police officers in the employ of the City of Milwaukee for overtime work commencing April 8, 1993; and

Whereas, One of the terms of settlement concerned the provision of compensation for certain work-related travel time engaged in by police officers who were members of the Milwaukee Police Department's "Background Investigation Unit" for the period commencing on April 8, 1994 and ending on October 17, 1997; and

Whereas, Lieutenant James C. Shepard of the Milwaukee Police Department, during his tenure of service as Detective, had served as a member of the Milwaukee Police Department's "Background Investigation Unit" for the period commencing on November 28, 1994 and ending on April 5, 1995, thus making him eligible for compensation for certain work-related travel time in which he was engaged during said period pursuant to the terms of settlement of the above-entitled action; and

Whereas, The above-entitled action was dismissed on October 21, 1998 on the basis of the parties' stipulation for settlement of the above-entitled action, which is currently in the process of implementation; and

Whereas, The City Attorney believes that it is in the best interests of the City to provide for payment of the amount of compensation to which Lieutenant Shepard is entitled to receive for work-related travel time in which he engaged while serving as a member of the Milwaukee Police Department's "Background Investigation Unit" in conjunction with the implementation of the overall settlement of this action; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that Lieutenant James C. Shepard be paid the sum total of Three Thousand Six and 10/100ths Dollars (\$3,006.10), representing the amount of compensation for work-related travel time to which he is entitled as a consequence of service as a member of the Milwaukee Police Department's "Background Investigation Unit" for the period commencing on November 28, 1994 and ending on April 5, 1995; and, be it

Further Resolved, That the Common Council approves the expenditure of funds by the proper City officers of the specific amounts necessary to implement the terms of this resolution from the Damages and Claims Fund, Account No. 01-013-8001 and the Police Salary and Wage Account, Account No. 01-331-6000, as provided in Common Council File No. 980736; and, be it

Further Resolved, That the proper City officers be and hereby are authorized and directed to issue two city checks in the aggregate amount of \$3,006.10, one in the amount of \$2,785.15 payable to James C. Shepard, said amount to be charged to the Police Salary and Wage Account, Account No. 01-331-6000, and the other in the amount of \$220.95 payable to Michael T. Leibig and Laurie A. Eggert, said amount to be charged to the Damages and Claims Fund, Account No. 01-013-8001, said checks to be delivered to the City Attorney upon his request; and, be it

Further Resolved, That the appropriate city officials are hereby authorized and directed to execute all instruments and documents and to take any other actions as may be necessary to implement the provisions of this Resolution.  
City Attorney

SSM:lmb  
11/11/98  
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