



Legislation Details (With Text)

File #:	021794	Version:	0
Type:	Resolution	Status:	Passed
File created:	3/25/2003	In control:	JUDICIARY & LEGISLATION COMMITTEE
On agenda:		Final action:	4/15/2003
Effective date:			
Title:	Resolution authorizing settlement of State of Wisconsin, Department of Workforce Development, Equal Rights Division, claim, entitled Steven A. Lemery v. City of Milwaukee, Case 199804172, and United States Equal Opportunity Commission, entitled Steven A. Lemery v. City of Milwaukee, Charge No. 26G990429. (City Attorney)		
Sponsors:	THE CHAIR		
Indexes:	SUITS PAYMENT		
Attachments:	1. City Atty. Cover Letter.pdf, 2. Fiscal Note.PDF, 3. Ald. D'Amato letter.PDF, 4. Letter from Com. of Public Works.PDF		

Date	Ver.	Action By	Action	Result	Tally
3/25/2003	0	COMMON COUNCIL	ASSIGNED TO		
3/31/2003	0	JUDICIARY & LEGISLATION COMMITTEE	HEARING NOTICES SENT		
4/7/2003	0	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
4/15/2003	0	COMMON COUNCIL	ADOPTED	Pass	16:0
4/16/2003	0	MAYOR	SIGNED		
4/2/2014	0	COMMON COUNCIL	HEARING NOTICES SENT		

021794
Original

The Chair

Resolution authorizing settlement of State of Wisconsin, Department of Workforce Development, Equal Rights Division, claim, entitled Steven A. Lemery v. City of Milwaukee, Case 199804172, and United States Equal Opportunity Commission, entitled Steven A. Lemery v. City of Milwaukee, Charge No. 26G990429. (City Attorney)

This resolution authorizes settlement of attorney fees and costs associated with the case entitled Steven A. Lemery v. City of Milwaukee, Case 199804172, and United States Equal Opportunity Commission, entitled Steven A. Lemery v. City of Milwaukee, Charge No. 26G990429

Whereas, The plaintiff caused to be filed a Charge of Discrimination complaint with the State of Wisconsin, Department of Workforce Development, Equal Rights Division, entitled Steven A. Lemery v. City of Milwaukee, Case 199804172, and the United States Equal Opportunity Commission, entitled Steven A. Lemery v. City of Milwaukee with these agencies on November 21, 1998 alleging that he had been discriminated against on the basis of a disability in violation of the Wisconsin Fair Employment Act and the Americans With Disabilities Act; and

Whereas, The parties have agreed to settle this lawsuit and in consideration of a mutual release, the City has agreed to pay plaintiff's attorneys fees and costs in the amount of \$45,000; back pay in the amount of \$145,000; \$100,000 for compensatory damages; and

Whereas, The City Attorney recommends and the Common Council of the City of Milwaukee deems it is expeditious and just to settle this lawsuit; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$190,000, payable to Jeffrey S. Hynes, S.C., which represents attorneys fees and costs and one year of plaintiff's back pay specifically given in consideration for a release of liability under the Wisconsin Workers' Compensation Act, upon receipt of a release of claims, approved as to form and execution by the City Attorney, and that these funds shall be appropriated from the Damages and Claims Fund, Account No. 000114900001 S118006300; and, be it

Further Resolved, By the Common Council, that the proper City officers be and hereby are authorized and directed to issue a City check in the amount of \$100,000, payable to Steven A. Lemery, which represents back pay, upon receipt of a release of claims, approved as to form and execution by the City Attorney, and that these funds shall be appropriated from the DPW-Infrastructure Services- Division-Field Operations - Street & Bridges Fund No 0001 5235 0001 R999 006000.

City Attorney

MNR

98A000267.002/65743

3/26/03