



Legislation Text

File #: 121344, **Version:** 1

121344
SUBSTITUTE

THE CHAIR

Substitute resolution to approve settlement in the matter of John G. Tranetzki v. City of Milwaukee, Equal Rights Division of the State of Wisconsin Department of Workforce Development, Equal Employment Opportunity Commission.

This substitute resolution authorizes settlement of the litigation pending at the Equal Rights Division for the State of Wisconsin (ERD) and the United States Equal Employment Opportunity Commission in the matter of *John G. Tranetzki v. City of Milwaukee* for all damages of any nature, including compensatory and punitive damages, back pay, front pay, pension loss or other economic damages, attorneys fees and costs, and any other claim for damages that could be brought relating to the subject matter of the litigation. The ERD has issued a preliminary decision finding that the city discriminated against Mr. Tranetzki on the basis of age and awarded him back pay, attorneys' fees, and reinstatement to the position of Network Administrator or an equivalent position.

The amount being paid in this settlement is \$219,413.97, which includes \$106,413.97 in back wages and interest from December 27, 2009 through January 1, 2013, and \$113,000.00 in attorneys' fees and costs; this settlement also authorizes the Health Department to pay Mr. Tranetzki the difference in the salary between that of his current position and the Network Administrator position between January 2, 2013 through February 19, 2013; and also authorizes the supplementation of Mr. Trantezki's transitional vacation account with eighty (80) hours.

Whereas, John G. Tranetzki, an employee of the Milwaukee Health Department, filed complaints with the Equal Rights Division of the State of Wisconsin Department of Workforce Development (ERD Case No. CR200904029) and the United States Equal Employment Opportunity Commission (EEOC Case No. 26G201000452C) alleging discrimination based on age in the terms and conditions of employment and the elimination of the position of Network Administrator; and

Whereas, The parties have agreed to settle this lawsuit with the following: payment of \$219,413.97, representing back pay with interest from December 27, 2009 through January 1, 2013, and attorneys' fees and costs; payment of salary, TVA, vacation, and sick pay from January 2, 2013 through February 19, 2013 at the Network Administrator salary, as set forth in the Settlement Agreement; and supplementing Mr. Tranetzki's transitional vacation account with eighty (80) hours; the foregoing payments are in exchange for a release of all damages, wage loss, front pay, pension loss or other benefits, attorneys' fees, costs, compensatory damages, punitive damages and any other claims for damages of any nature that could have been brought, as set forth in the attached proposed Settlement Agreement and Release; now therefore be it

Resolved, By the Common Council of the City of Milwaukee that the City Attorney, the Health Department, and the Department of Employee Relations are authorized to effectuate the attached Settlement Agreement and Release, and such further documents as the City Attorney may deem necessary and related thereto; and, be it

Further Resolved, that upon execution of the release by John G. Tranetzki, as approved by the City Attorney, the proper city officers are authorized and directed to issue checks as follows: \$106,413.97 to John G. Tranetzki and \$113,000.00 to the Cross Law Firm, and the proper city officers are authorized to make the necessary payroll adjustments and benefit adjustments to effectuate the terms of the Settlement Agreement, and

Further Resolved, That \$106,413.97 of these funds shall be charged to the Health Department, Account No. 0001 3810 R999 634000 and \$113,000.00 of these funds shall be charged to the Damages and Claims Fund, Account No. 0001-1490-S118-006300.

City Attorney
MH:wt
January 22, 2013

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