



Legislation Text

File #: 020421, **Version:** 0

020421
ORIGINAL

THE CHAIR

Resolution to authorize settlement of disability discrimination charge entitled Michael R. Daniels v. City of Milwaukee, et al, EEOC Charge No. 26GA01278, ERD Case No. CR200001917. (City Attorney)

This resolution authorizes settlement of EEOC Charge No. 26GA01278, ERD Case No. CR200001917, Michael R. Daniels v. City of Milwaukee, Department of Public Works, Sanitation Division in the amount of \$28,000.00 which represents reimbursement for attorneys fees and costs, reinstatement to employment, restoration of pension contributions and service credit and reimbursement of disability pension allowance to the Employees' Retirement System.

Whereas, The charging party, Michael R. Daniels, filed a discrimination charge with the Equal Rights Division of the State of Wisconsin, Department of Workforce Development (ERD), and the Equal Employment Opportunity Commission (EEOC), claiming discrimination based upon refusal to provide reasonable accommodation for disability in October, 1999; and

Whereas, The parties have agreed to settle this lawsuit in the amount of \$28,000.00 which represents reimbursement for attorneys fees and costs, reinstatement to employment with the Sanitation Division, Department of Public Works, restoration of pension contributions and pension service credit, and reimbursement of disability pension allowance to the Employees' Retirement System, as set forth in the proposed Settlement Agreement and Release attached to the file; 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 City Attorney be and hereby is authorized to execute the Settlement Agreement; and, be it

Further 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 \$28,000.00, payable to Michael R. Daniels, which represents attorneys fees and costs, upon receipt of a release of claims, approved as to form and execution by the City Attorney, and that these funds shall be charged to the Damages and Claims Fund, Account No. 0001 1490 636506 2631 S118; and, be it

Further Resolved, By the Common Council for the City of Milwaukee that the proper City officers be and hereby are authorized and directed to issue a payment to the Employees' Retirement System in the amount necessary to pay the pension contributions required under the Settlement Agreement, and that these funds shall be charged to the Salary and Wages Account, Sanitation Division, Account No. 0001 5457 602301 0001 R999; and, be it

Further Resolved, By the Common Council for the City of Milwaukee that the proper City officers be

and hereby are authorized and directed to issue a check payable to the Employees' Retirement System in the amount necessary to reimburse the Employees' Retirement System the sums paid to Michael R. Daniels in ordinary disability pension allowance, plus one half of the five percent lump sum payment he received, which total amounts shall not exceed \$55,200.00 plus interest at the legal rate of 5% simple interest, and that these funds shall be charged to the Damages and Claims Fund, Account No. 0001 1490 636506 2631 S118.

City Attorney

MRH:

June 17, 2002

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