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### INTEROFFICE COMMUNICATION COUNTY OF MILWAUKEE

DATE: May 30, 2012

TO: Ms. Marina Dimitrijevic, Chairwoman  
Milwaukee County Board of Supervisors

FROM: Roy L. Williams, Principal Assistant Corporation Counsel

SUBJECT: Yvonne Sanders v. Milwaukee County  
ERD No. CR201101535 / EEOC No. 26G201101065C

Please refer this proposed settlement to the Committee on Judiciary, Safety and General Services for approval of payment of \$4,000 to Yvonne Sanders as full settlement of this matter.

This case involves a discrimination complaint filed by Yvonne Sanders, who was a seasonal employee with the Parks Department. Prior to this case, Ms. Sanders had filed an age discrimination complaint with the Equal Rights Division (ERD). While that case was pending, Ms. Sanders was re-hired for the 2011 season. Ms. Sanders agreed to dismiss that case without a settlement. Subsequently, on May 6, 2011, Ms. Sanders was terminated because she used chalk to write "what's good" in front of the batter's box at the baseball diamond at Wisconsin Avenue Park. It also should be noted that she did not paint the diamond in an adequate manner. Essentially, the diamond was crooked. The Parks Department believed Ms. Sanders' behavior to be inappropriate. The Parks Department also received complaints from officials of various leagues which contract with Milwaukee County to use the diamonds. Ms. Sanders filed this complaint and alleged that she was terminated in retaliation for filing her first complaint.

On October 6, 2011, the ERD completed its investigation and made an initial determination that probable cause existed to believe the County had violated the Fair Employment Act. The investigator stated that she believed Ms. Sanders was terminated "due to the fact that she had filed a previous discrimination complaint with the department." The investigator said that her belief was bolstered by the fact that Ms. Sanders was terminated within one month of being rehired following the filing of her first discrimination complaint and based on statements in support of Ms. Sanders made by another Parks Department employee. The hearing on the merits was scheduled for May 7, 2012. The Administrative Law Judge ordered the parties to discuss a resolution of the case. Ultimately, it was agreed that Milwaukee County would pay Ms. Sanders \$4,000 in wages in exchange for dismissal of the case and her agreement not to seek re-

employment with the Parks Department. The settlement negotiations included discussions with Sue Black and Guy Smith.

The Office of Corporation Counsel and Wisconsin County Mutual Insurance Company recommend this settlement. If this matter proceeded to a hearing, Ms. Sanders could have been awarded between \$12,000 to \$15,000 in back wages and reinstatement to her job.

  
RLW/ff

cc: Janelle M. Jensen, Judiciary Committee Clerk  
Amber Moreen, Chief of Staff, County Executive's Office