

**INTEROFFICE COMMUNICATION
COUNTY OF MILWAUKEE**

DATE: November 12, 2015

TO: Theodore Lipscomb, Sr., Chairman, County Board of Supervisors

FROM: Molly J. Zillig, Assistant Corporation Counsel

SUBJECT: *Evelyn K. Taylor v. Milwaukee County*
ERD Case No. CR201502136

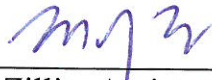
I request that this matter be referred to the Committee on Judiciary, Safety and General Services for approval of a settlement. I request authority to settle the claims of Complainant Evelyn Taylor ("Taylor") for the total sum of \$8,454.40, of which \$4,954.40 will be paid from the Milwaukee County Behavioral Health Division's ("BHD's") 2015 Salary Budget and \$3,500.00 by the Wisconsin County Mutual Insurance Corporation.

Taylor has sued Milwaukee County alleging conviction record discrimination in violation of the Wisconsin Fair Employment Act. Taylor applied for a nursing position with BHD. In May 2015, she received an email informing her that she met the minimum qualifications for said position. Taylor interviewed for the position on June 2, 2015, and on June 4, 2015, she was offered a part-time nursing position at BHD pending successful completion of her criminal background check and licensing check. On June 8, 2015, Human Resources contacted Taylor to inform her that her employment offer was rescinded because she did not successfully complete the criminal and licensing background check. Human Resources relied upon information received by the Wisconsin Department of Justice Criminal Investigation Bureau. However, that information was inaccurate and Taylor alleges that BHD did not provide her with a required opportunity to correct it even though she informed Human Resources that the criminal background check information was not accurate. Subsequently, Taylor was re-offered a part-time nursing position, which she accepted.

Settlement of this matter will result in a payment by Milwaukee County to Taylor for back wages in 2015 in the amount of \$4,954.40 minus appropriate payroll deductions, which shall be paid from BHD's 2015 Salary Budget. This amount represents the wages that Taylor would have earned had BHD not rescinded the June 4, 2015 job offer. In addition, this settlement provides that the Wisconsin County

Mutual Insurance Corporation will pay Taylor's attorneys, Rizzo & Diersen, S.C., \$3,500.00, which will be applied to the County's deductible. In return, Taylor will dismiss this complaint and provide the County with a full and complete release from any liability.

Corporation Counsel and the Wisconsin County Mutual recommend this settlement for approval.



Molly J. Zillig, Assistant Corporation Counsel

cc: Kelly Bablitch
Shanin Brown
Erica Hayden
Raisa Koltun