

1 Supervisor Willie Johnson, Jr., Chairperson,
2 From the Committee on Judiciary, Safety, and General Services, reporting on:

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

File No. 16-223

(ITEM) A resolution by Supervisors Johnson, Jr., and Weishan, Jr., authorizing settlement agreements in the matter of District Council 48, American Federation of State, County, and Municipal Employees v. Milwaukee County, Case No. 14-CV-340, which provides for \$15,000 settlements to each of eight former custodial workers in return for a dismissal of all claims in the matter, by recommending adoption of the following:

A RESOLUTION

WHEREAS, the 2010 Adopted Budget eliminated certain Milwaukee County (the County) custodial worker positions, resulting in the layoff at the end of 2009 of approximately 25 employees represented by District Council 48 (DC48) of the American Federation of State, County, and Municipal Employees; and

WHEREAS, DC48 filed suit in Federal court against the County alleging they were laid off as a result of exercising their right to freedom of association as well as their union status and activities; and

WHEREAS, DC48 alleged the County refused to properly recall or rehire them and also refused to provide positive references or provided false references; and

WHEREAS, the County denies the allegations, but has been unable to approve a settlement agreement that is acceptable to all parties; and

WHEREAS, there are eight workers that remain as part of the group of employees who contend their careers have been adversely impacted by the County's actions; and

WHEREAS, providing a cash settlement of \$15,000 to each affected worker in exchange for a dismissal of all current and future claims against the County would allow this matter to be settled; and

WHEREAS, the Committee on Judiciary, Safety, and General Services, at its meeting of June 9, 2016, provided no recommendation regarding this resolution due to a tie vote on a motion to recommend adoption (vote 3-3); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby authorizes Corporation Counsel to execute settlement agreements in the amount of \$15,000 per person to the following individuals:

- 46 1. Jeff Goodrum
47 2. Jay Jamerson
48 3. Demille Larmmar
49 4. Darris Nicolison
50 5. Mary Putaraksa
51 6. Claire Riley
52 7. Jose Rodriguez
53 8. Mike Smith

54

55 ; and

56

57 BE IT FURTHER RESOLVED, the settlement agreements shall require the
58 dismissal of the pending litigation by DC48 and the complete release of any and all
59 claims in this or any related matter by the union and by the individuals named in this
60 resolution; and

61

62 BE IT FURTHER RESOLVED, the Office of Performance, Strategy, and Budget,
63 Department of Administrative Services is authorized to transfer \$120,000 from Org. Unit
64 1945 – Appropriation for Contingencies to the appropriate account to pay the
65 settlements.

66

67

68

69

70

srb
06/09/16
U:\Committees\2016\June\JSGS\Resolutions\16-223 DC 48 Settlement.docx