

18.



City of West Allis Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
-------------	-------	--------

2008-0481 Communication In Committee

Communication from the Assistant City Attorney Sheryl L Kuhary regarding the outcome of the Joy Franson v City of West Allis ERD case.

Introduced: 7/1/2008

Controlling Body: Administration & Finance Committee

COMMITTEE RECOMMENDATION

POF

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>JUL - 1 2008</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barczak				
			Czaplewski				
			Kopplin	<input checked="" type="checkbox"/>			
			Lajsic	<input checked="" type="checkbox"/>			
		<input checked="" type="checkbox"/>	Narlock	<input checked="" type="checkbox"/>			
			Reinke	<input checked="" type="checkbox"/>			
			Roadt				
			Sengstock				
			Vitale				<input checked="" type="checkbox"/>
			Weigel				
			TOTAL	<u>4</u>			<u>1</u>

SIGNATURE OF COMMITTEE MEMBER

Kurt Kopplin _____ _____
 Chair Vice-Chair Member

PLACE ON FILE

COMMON COUNCIL ACTION

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
<u>JUL - 1 2008</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barczak	<input checked="" type="checkbox"/>			
			Czaplewski	<input checked="" type="checkbox"/>			
			Kopplin	<input checked="" type="checkbox"/>			
			Lajsic	<input checked="" type="checkbox"/>			
		<input checked="" type="checkbox"/>	Narlock	<input checked="" type="checkbox"/>			
			Reinke	<input checked="" type="checkbox"/>			
			Roadt	<input checked="" type="checkbox"/>			
			Sengstock	<input checked="" type="checkbox"/>			
			Vitale				<input checked="" type="checkbox"/>
			Weigel	<input checked="" type="checkbox"/>			
			TOTAL	<u>9</u>			<u>1</u>



OFFICE OF THE CITY ATTORNEY

Scott E. Post
City Attorney

Sheryl L. Kuhary
Jeffrey J. Warchol
Jenna R. Merten
Assistant City Attorneys

June 26, 2008

Mayor
Common Council
Library Board

Re: *Franson v. City of West Allis*

Dear Mayor, Alderpersons and Library Board Members:

As you may recall, in March 2006 and February 2007, Library Assistant, Joy Franson, filed two discrimination/retaliation actions against the City of West Allis with the State of Wisconsin Equal Rights Division (ERD). The City has steadfastly maintained it *never* discriminated/retaliated against Ms. Franson. The cases were combined and ultimately scheduled for a hearing to be conducted on September 2-5, 2008. During the course of the last few months the parties have been conducting Discovery in these matters. In fact, the City put numerous hours into responding to written interrogatories and requests for production of documents submitted by Ms. Franson's attorney. We planned to depose Ms. Franson and other relevant witnesses some time this month.

However, I am happy to report that, by letter dated June 9, 2008, Ms. Franson's attorney notified the Equal Rights Division that Ms. Franson "decided to withdraw the ERD charges" against the City. By Order dated June 13, 2008, the ERD dismissed the actions.

Throughout the proceedings the City remained unwilling to budge in its position. The Library Administration is professional and diligent in the management of the Library and its employees. Obviously, we are very pleased with this outcome and the fact that no further time must be expended on this matter by City staff. I would like to compliment the Library Administration and HR Division for the extremely knowledgeable and proficient assistance they provided in defending these actions.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Very truly yours,

Sheryl L. Kuhary
Assistant City Attorney III

cc: Michael Koszalka
Audrey Key
Paul Ziehler