Legislation Details (With Text)

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Type:	Ordinance	**Status:**	Passed
File created:	2/14/2019	**In control:**	Criminal Justice & Judiciary Committee
On agenda:	3/11/2019	**Final action:**	3/13/2019
Title:	To authorize and direct the City Attorney to settle the case of Heather Hedges-Large v. City of Columbus, pending before the Franklin County Court of Common Pleas; to authorize the expenditure of $78,813.65 in payment of the settlement; and to declare an emergency. ($78,813.65)		
Sponsors:			
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Date	Ver.	Action By	Action	Result
3/13/2019	1	CITY CLERK	Attest	
3/12/2019	1	MAYOR	Signed	
3/11/2019	1	COUNCIL PRESIDENT	Signed	
3/11/2019	1	Columbus City Council	Approved	Pass

This ordinance is submitted to settle the lawsuit known as *Heather Hedges-Large v. City of Columbus*, pending before the Franklin County Court of Common Pleas, Case No. 17 CV 7245, in the amount of seventy-eight thousand, eight hundred thirteen dollars and sixty-five cents ($78,813.65). Ms. Hedges-Large was an employee of the Department of Public Safety, Division of Police. Ms. Hedges-Large filed a complaint alleging disability discrimination with the Franklin County Court of Common Pleas.

Funds were not specifically budgeted for this settlement; however, sufficient monies are available in the Department of Public Safety, Division of Police General Fund Budget to pay the amount of this claim.

To authorize and direct the City Attorney to settle the case of Heather Hedges-Large v. City of Columbus, pending before the Franklin County Court of Common Pleas; to authorize the expenditure of $78,813.65 in payment of the settlement; and to declare an emergency. ($78,813.65)

WHEREAS, Ms. Hedges-Large filed a complaint in the Franklin County Court of Common Pleas alleging she was constructively discharged from her employment, that the City refused to accommodate her when it refused to reasonably modify her work schedule and refused to place her in open, posted internal positions, and that the City intentionally discriminated against her because of her disability; and

WHEREAS, following the evaluation of the claims and the risk of continued litigation of the claims against the City of Columbus, a settlement in the amount of seventy-eight thousand, eight hundred thirteen dollars and sixty-five cents ($78,813.65) to be paid by the City, was deemed acceptable by the City of Columbus, Department of Public Safety, along with dismissal of the case with prejudice and a release of the City of Columbus and its employees from any further liability; and

WHEREAS, sufficient funds are available within the Department of Public Safety's Division of Police General Fund Budget to cover this settlement; and

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WHEREAS, an emergency exists in the usual daily operations of the Department of Public Safety, Division of Police, in that it is necessary for this ordinance to be effective immediately in order for the parties to effectuate the settlement of this lawsuit, which is in the best interest of the City, and to pay the agreed sum without delay; now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the City Attorney be and is hereby authorized and directed to settle all claims against the City of Columbus, its officers, agents and employees in the lawsuit of *Heather Hedges-Large v. City of Columbus*, Case No. 17 CV 7245, pending before the Franklin County Court of Common Pleas, by payment of gross back pay of seventy-seven thousand, seven hundred ninety-three dollars and forty-one cents ($77,793.41), and one thousand twenty dollars and twenty-four cents ($1,020.24) for reimbursement of payment made for the overpayment of sick leave as a reasonable and fair amount, and in the best interest of the City of Columbus.

SECTION 2. That for purposes of paying this settlement, there be and hereby is authorized to be expended by the City of Columbus, from the Department of Public Safety, Division of Police General Fund Budget, the sum of $78,813.65, or so much thereof as may be needed, per the accounting codes in the attachment to this ordinance.

SECTION 3. That the City Auditor be and hereby is authorized to draw two warrants upon the City Treasurer: 1) for the sum of $77,793.41, subject to applicable deductions, withholdings, and employer contributions, payable to Heather Hedges-Large, for back pay; and 2) the sum of $1,020.24, payable to Heather Hedges-Large for reimbursement of payment made for the overpayment of sick leave, upon receipt of a voucher and a release approved by the City Attorney.

SECTION 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after is passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.

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