

**APPROVE SETTLEMENT RECOMMENDATION IN
ROSIE FLEMING ET AL. (CASE NO. 04-02-110)**

THE GENERAL COUNSEL REPORTS THE FOLLOWING SETTLEMENT:

DESCRIPTION: Law Department attorneys have reached a settlement, subject to Board approval, in connection with a class action grievance, docketed as Rosie Fleming et al., Case No. 04-02-110, in which eighteen current and former employees of Williams Elementary School claim that they were not paid wages for all hours worked. The tentative settlement agreement will require the Board to pay the eighteen current and former employees of Williams Elementary School, the gross aggregate sum not to exceed \$98,209.33 in pensionable back wages and pension pick-up payments earned, but unpaid, during the 2003-2004 school year. The sum due to each employee varies depending upon their rate of pay and the hours for which they were paid.

LSC REVIEW: LSC approval is not applicable to this report.

AFFIRMATIVE ACTION STATUS: Affirmative Action review is not applicable to this report.

FINANCIAL: Charge \$98,209.33 to Law Department
Budget Classification Fiscal Year 2007 12470-210-54530-231112-000000

AUTHORIZATION: Authorize the General Counsel to execute the Settlement Agreement(s), and all ancillary documents related thereto.

GENERAL CONDITIONS:


Inspector General - Each party to the agreement shall acknowledge, in accordance with 105 ILCS 5/24-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21/3 which restrict the employment of or the letting of contracts to, former Board Members during the one year period following expiration or other termination of their terms of office.

Indebtedness - The Board's Indebtedness Policy adopted July 26, 1995 (95-0726-EX3), as amended from time to time, is hereby incorporated into and made a part of the agreement.

Ethics - The Board's Ethics Code adopted June 23, 2004 (04-0623-PO4) as amended from time to time, is hereby incorporated in to and made a part of the agreement.

Contingent Liability - The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved,

PATRICK J. ROCKS
General Counsel

Within Appropriation:

JOHN MAIORCA
Chief Financial Officer