

April 27, 2016

**APPROVE SETTLEMENT OF PATRICK DAVID GRIEVANCE**

**THE GENERAL COUNSEL REPORTS THE FOLLOWING PROPOSED PAYMENT:**

**DESCRIPTION:** The Chicago Teachers Union filed a grievance on behalf of former Teacher, Patrick David, alleging that the Board improperly laid off Mr. David in 2011. The parties have tentatively agreed to settle this case as follows: (1) directly pay the Chicago Teachers Pension Fund ("CTPF") a lump sum of \$80,000 (in non-wages) as a return of benefits paid out to Mr. David after his retirement in July 2012; (2) pay Mr. David \$140,000 in back wages; and (3) pay CTPF \$23,100.00 in employer pension contributions based on the pay Mr. David would have earned from the beginning of the 2012-2013 school year through December 31, 2015. The total amount of the payments will not exceed \$243,100.00.

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

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

**FINANCIAL:** Charge a non-wages payment not in excess of \$80,000.00, as described above in subparagraph (1), to 12470 115 54530 231122 000000 2016; and charge a pensionable payment not in excess of \$163,100.00, as described above in subparagraphs (2) & (3), to PN 100079.

**AUTHORIZATION:** Authorize the General Counsel to execute the Approved Payment and all ancillary documents related thereto.

**GENERAL CONDITIONS:**

Inspector General – Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, 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.

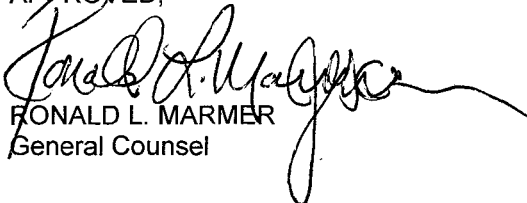
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of or the letting of contracts to former Board members during the one year period following expiration or other termination of their terms of office.

Indebtedness – The Board's Indebtedness Policy adopted June 26, 1996 (96-0626-PO3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics – The Board's Ethics Code adopted May 25, 2011 (11-0525-PO2), as amended from time to time, shall be incorporated into 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,

  
RONALD L. MARMER  
General Counsel