

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Counselor to settle the employment claim of former County employee Dwon Littlejohn for the total payment by the County of \$75,570.72.

RESOLUTION #17545, March 14, 2011

INTRODUCED BY Dennis Waits, Theresa Garza Ruiz, Crystal Williams, Fred Arbanas, Scott Burnett, James D. Tindall, Dan Tarwater, Greg Grounds, and Bob Spence, County Legislators

WHEREAS, former County employee Dwon Littlejohn has a pending arbitration proceeding against the County and County officials in which he is seeking reinstatement as a deputy sheriff following his termination in September, 2009; and,

WHEREAS, there is also a pending Petition for Judicial Review of a related matter that was presented to the Merit System Commission of Jackson County, Missouri in which Mr. Littlejohn is also seeking action by that Commission that relates to the reinstatement claim; and,

WHEREAS, a compromise has been proposed as an alternative to the arbitration proceedings and the pending litigation that is acceptable to the County and Mr. Littlejohn; and,

WHEREAS, after thorough investigation, research, and review of these claims, and in view of the high cost of litigating these claims, the County Counselor recommends that

these be settled for the payment by the County of the total sum of \$75,570.72, representing both back and front pay, in exchange for the full and complete release of all claims; and,

WHEREAS, the recommended settlement will include restoring some pension credit for Mr. Littlejohn; and,

WHEREAS, the recommended settlement is in the best interests of the health, welfare, and safety of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the settlement of the claims of Dwon Littlejohn, as recommended by the County Counselor, be and hereby is approved; and,

BE IT FURTHER RESOLVED that the Director of the Department of Finance and Purchasing be and hereby is authorized to issue checks totaling \$75,570.72, less appropriate payroll deductions, pursuant to the specific direction of the County Counselor; and,

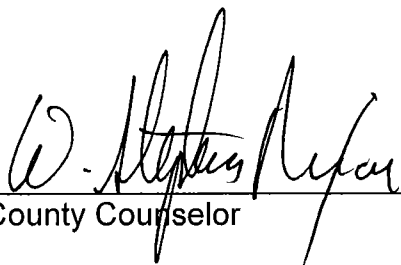
BE IT FURTHER RESOLVED that the Director of Human Resources be and hereby is authorized to adjust Mr. Littlejohn's pension account to reflect hours worked for the portion of the settlement constituting back pay; and,

BE IT FURTHER RESOLVED that the County Counselor be and hereby is authorized to execute an appropriate settlement agreement and any and all other documents necessary to give effect to this settlement.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:


Chief Deputy County Counselor


County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17545 of March 14, 2011 was duly passed on March 14, 2011 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 7

Nays 0

Abstaining 0

Absent 2

3.15.11
Date


Mary Jo Spino, Clerk of Legislature

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 060 5160 56380
ACCOUNT TITLE: Self Insurance Fund
Non-Departmental
Uninsured Claimants
NOT TO EXCEED: \$75,570.72

March 14, 2011
Date


Director of Finance and Purchasing

Fiscal Note:

This expenditure was included in the Annual Budget.

PC# _____

Date: March 14, 2011

ORD/RES# 17645

<u>Department / Division</u>	<u>Character/Description</u>	<u>Not to Exceed</u>
Self-Insurance Fund - 060		
<u>5160 - Non-Departmental</u>	<u>56380 - Uninsured Claimants</u>	<u>75,570.72</u>

Deborah Ball 3-14-11
Budgeting