



COMMISSION
AGENDA MEMORANDUM

Item No.

6f

ACTION ITEM

Date of Meeting

January 30, 2018

DATE: January 16, 2018
TO: Dave Soike, Interim Executive Director
FROM: Craig Watson, General Counsel
Anne Purcell, Sr. Port Counsel
SUBJECT: Settlement Agreement (Short Form)

Amount of this request: \$570,000.00

ACTION REQUESTED

Request Commission authorization for the Executive Director to execute Settlement Agreement to resolve litigation.

SUMMARY

This action is proposed with an abbreviated one-page memo in response to Commission bylaws discussions on December 12, 2017. At that time, commissioners suggested a trial effort to use a shortened memo for action on the unanimous consent calendar to reduce staff time for action items less than \$1 million that the executive Director considers routine.

Plaintiff began working at the Port in 2006. After having performance issues with a new manager, plaintiff was placed on a PIP; received a written reprimand for uncorrected poor performance, received a "Needs Improvement on a PREP and was demoted. Even after demotion, Plaintiff received an "Unacceptable" PREP and continued to have performance issues.

Plaintiff was terminated in December 2014, following an interim investigation of claims of discrimination and retaliation. The lawsuit was filed on June 17, 2016. The case is set for a jury trial on February 12, 2018.

Though the Port denies all allegations raised by Plaintiff, in light of the cost of litigation, disruption to the workplace, and the recent adverse jury verdict against the Port potentially signaling an unusually hostile jury pool in King County and the likelihood that the expenses involved in litigation would be unnecessarily high in relation to the settlement amount, settlement is recommended.

There are no attachments to this memo.