



Legislation Text

File #: 090612., **Version:** 0

Michael Wohl vs. City of Gainesville, U.S. District Court for the Northern District of Florida, Gainesville Division, Case No. 1:08cv149 (NB)

The City Commission 1) approve the terms of the settlement; and 2) authorize the City Manager and the City Attorney's Office to settle the case styled Michael Wohl vs. City of Gainesville.

In June 2008, Michael Wohl filed a complaint alleging the City violated the Fair Labor Standards Act (FLSA). Mr. Wohl alleged that he consistently worked in excess of 40 hours per week but was not paid for the overtime. He alleged that the City knew or should have known that he was working the overtime. Under federal law, employers are generally required to pay time and a half for hours worked or permitted to be worked in excess of 40 a week.

The parties have been in mediation and settlement discussions regarding the case. A settlement for the FLSA claim of Mr. Wohl in the amount of \$20,000 in past overtime wages and liquidated damages and \$34,200 in attorney fees and up to \$6,000 in taxable costs was reached in mediation, subject to the approval of the City Commission. Under the FLSA, an employer is generally obligated to pay the employee's attorneys fees and costs. It is the recommendation of the City Manager and the City Attorney's Office that the case be settled for that amount.

After these events, City Management put new timekeeping procedures in place and conducted additional training for timekeepers regarding the FLSA and its requirements.