



Louisville Metro Government

Legislation Text

File #: R-180-13, Version: 1

RESOLUTION NO. _____, SERIES 2014

A RESOLUTION TO LOWER THE TAX BURDEN ON THE LOUISVILLE METRO TAXPAYER THROUGH ENCOURAGEMENT TOWARDS RECTIFICATION OF ONGOING LITIGATION WITH LOUISVILLE FIREFIGHTERS.

SPONSORED BY: Council Member David James

WHEREAS, the Louisville Metro has engaged in ongoing litigation with Louisville firefighters for multiple years; and

WHEREAS, Louisville Metro has spent nearly a half-million dollars on outside lawyers to defend itself in a series of lawsuits over the past five years while the assessed tab for taxpayers continues to grow; and

WHEREAS, approximately \$350,000 has been paid to the Plaintiff's attorney during Louisville Metro's unsuccessful defense of the firefighters' lawsuit regarding back pay for firefighters in a dispute originally filed in 1999; and

WHEREAS, the litigation involved the miscalculation of overtime pay for firefighters in violation of the Fair Labor Standards Act; and

WHEREAS, the Fair Labor Standards Act was applied to fire departments and other municipal employees starting in 1986; and

WHEREAS, Jefferson Circuit Judge ruled that Louisville Metro and the former City of Louisville, unlawfully calculated the pay to firefighters dating back to 1985 causing Louisville Metro to negotiate with two groups previously in 2009 and 2010; and

WHEREAS, on June 29, 2012 a Jefferson Circuit Judge ruled that Louisville Metro owed the retired firefighters interest for the underfunding of their pension requirements over decades laying out the terms of repayment and how the interest should be paid; and

WHEREAS, there is a possibility of additional court ordered interest to be paid to firefighters on the interest and judgment paid into court due to Louisville Metro's appeal of the order, which may be in the amount of 12% or approximately \$2,300 per day; and

WHEREAS, taxpayers are held financially responsible for those incurred legal bills and interest to the firefighters; and

WHEREAS, Louisville Metro has lost previous court cases and filed multiple appeals, causing further costs to the Louisville Metro taxpayer.

BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

SECTION I: The Louisville Metro Council highly encourages the Executive Branch of Louisville Metro Government to end the ongoing litigation with the men and women of the active and retired Louisville Fire Department personnel, who worked and earned wages that the city failed to pay, resulting in accrued interest payments of \$ 2,300 per day as this litigation continues to be paid by citizen tax dollars.

SECTION II: This Resolution shall take effect upon its passage and approval.

Stephen Ott Metro Council Clerk

_____ H. Jim King
President of the Council

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

BY: _____

Rectify Litigation w-LFD Res. ROC bkn Draft 2.docx
Rectify Litigation w-LFD Res ROC bkn Draft 2b.docx
Firefighters Resolution Revised 10-14-13
Firefighters Resolution Revised ROC-sjm 10-17-13

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