

April 24, 2002

PLEASE AGREE TO SETTLEMENT AND MUTUAL RELEASE
COMMUNICATIONS

APPROVE SETTLEMENT AND MUTUAL RELEASE
WITH DALE SMITH, d/b/a DOVER TELECOMMUNICATIONS

THE GENERAL COUNSEL RECOMMENDS THE FOLLOWING:

between the Chicago Board of Education (the "Board") and Dale Smith, d/b/a Dover Telecommunications, ("Smith") regarding Smith's termination from two Chicago construction projects. Information pertinent to this settlement is as follows:
Dale Smith, d/b/a Dover Telecommunications

Approve a settlement and mutual release agreement between Dale Smith, d/b/a Dover Telecommunications, ("Smith") and Public Schools ("CPS") regarding Smith's termination from two Chicago construction projects. Information pertinent to this settlement is as follows:
ENTIRETY

137 North La Salle Street
Chicago, IL 60602

and Smith concerning Smith's termination from two Chicago construction projects at Harlan High School and Roberson High School. Smith was terminated from both projects because he allegedly failed to comply with the requirements of the PLA. The PLA states that all contractors and subcontractors working on CPS projects involving more than \$10,000.00 must be signatory to, or be willing to be signatory to, a collective bargaining agreement.

HISTORY: The proposed settlement resolves a dispute between the Board and Smith. Smith was terminated from both projects because he allegedly failed to comply with the requirements of the PLA. The PLA states that all contractors and subcontractors working on CPS projects involving more than \$10,000.00 must be signatory to, or be willing to be signatory to, a collective bargaining agreement.

son projects, Smith sued the Board seeking a declaration that the Board did not have the authority to enter into the PLA and seeking a writ of habeas corpus to void the PLA. Smith was subsequently granted summary judgment and the PLA was declared void.

Following the termination from the Harlan and Roberson projects, Smith sued the Board seeking a declaration that the Board did not have the authority to enter into the PLA and seeking a writ of habeas corpus to void the PLA. Smith was subsequently granted summary judgment and the PLA was declared void.

Board Members or 103.105.5/34-2118 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.

made a part of the agreement. This Code is hereby incorporated into and made a part of the agreement.

1995 (96-0927-RU3) as amended from time to time is hereby 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 budgets.

[Handwritten initials]

Approved,

[Handwritten signature]

[Handwritten signature]

General Counsel

Within Appropriation:

[Handwritten signature]

KENNETH C. GOTSCH
Chief Fiscal Officer