

**RESOLUTION R-2022-125
LUZERNE COUNTY COUNCIL**

*A Resolution by the Luzerne County Council Approving the Settlement of
Pending Litigation in the Matter of Kimberly Karavitch v. Luzerne County, et. al*

WHEREAS, Section 4.07 B.3 of the Luzerne County Home Rule Charter Provides the County Manager shall have the authority to recommend the settlement of litigation involving the County, subject to the approval of County Council; and

WHEREAS, the Luzerne County Manager has recommended settlement of the above-captioned litigation; and

WHEREAS, Section 2.09 B.5 of the Luzerne County Home Rule Charter provides that County Council shall have the power to approve, by resolution adopted by a majority vote of the Council members, a recommendation by the County Manager to settle litigation involving the County; and

WHEREAS, Plaintiff was employed as a corrections officer at the Luzerne County Correctional Facility until leaving employment June 1, 2020; and

WHEREAS, Plaintiff filed a Complaint with the Pennsylvania Human Relations Commission (PHRC) on August 26, 2020, at Docket No. 202000727, which was dual-filed with the Equal Employment Opportunity Commission (EEOC) at Docket No. 17F202061578 (collectively, the “Administrative Agency Proceedings”);

WHEREAS, Plaintiff was issued a Notice of Right to Sue from the U.S. Department of Justice Civil Rights Division dated February 28, 2022;

WHEREAS, Plaintiff filed a federal complaint in the United States District Court for the Middle District of Pennsylvania on March 1, 2022, at Docket No. 3:22-CV-00308-RDM, alleging violations pursuant to Title VII of the Civil Rights Act of 1964; the Pennsylvania Human Relations Act (PHRA); an Equal Protection Violation pursuant to 42 U.S.C. §1983 and pendent state law claims for negligent hiring, training, supervision and retention and for intentional infliction of emotional distress (hereinafter, the “Federal Litigation”);

WHEREAS, the Plaintiff desires to settle her claims against Luzerne County; and

WHEREAS, Luzerne County Council also desires to resolve the pending litigation in this matter.

NOW, THEREFORE, BE IT RESOLVED, the Luzerne County Council approves the settlement of pending litigation for all claims asserted against Luzerne County in the matter of Kimberly Karavitch v. Luzerne County, et. al. in the amount of \$20,000.00. This settlement is a full and complete settlement and release of any and all claims by Kimberly Karavitch against Luzerne County.

This resolution shall become effective six days after adoption.

ADOPTED at a meeting of the Luzerne County Council held August 09, 2022.

ROLL CALL VOTE (10-0)

YES: Bienias, Lescavage, Lombardo, McDermott, McGinley, Mitchell, Perry, Thornton, SJ Urban and Wolovich

LUZERNE COUNTY COUNCIL

Attest: _____

Sharon Lawrence, Clerk of Council

By: _____

Kendra Radle, Chair

LUZERNE COUNTY MANAGER

By: _____

Randy Robertson, County Manager