



# Metropolitan Nashville and Davidson County, TN

## Legislation Text

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**File #:** RS2024-708, **Version:** 1

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A resolution authorizing the Metropolitan Department of Law to compromise and settle Jonathan Saad's claims against the Metropolitan Government of Nashville and Davidson County in the amount of \$150,000, to be paid from the \$3 million allocated by the Director of Finance on March 21, 2024, for the resolution of matters related to the Arts Commission.

WHEREAS, Jonathan Saad, filed a lawsuit against the Metropolitan Government and its employees alleging discrimination and retaliation under the Tennessee Human Rights Act, based on events that occurred during his tenure with the Metro Arts Commission;

WHEREAS, after investigation, the Metropolitan Department of Law believes that the settlement listed in Section 1 is fair and reasonable, likely to minimize fees and expenses incurred in investigation and litigation, and in the best interest of the Metropolitan Government, and recommends that any and all claims or causes of action brought or that could have been brought by Jonathan Saad related to the events detailed above be compromised and settled for \$150,000, and that this amount be paid as follows: \$45,000 in back pay and \$105,000 in compensatory damages/fees to be paid from the \$3 million allocated by the Director of Finance on March 21, 2024, for the resolution of matters related to the Arts Commission (the "Arts Commission Matter Resolution Fund").

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: The Metropolitan Department of Law is authorized to compromise and settle the claim of Jonathan Saad for the sum of \$150,000, to be paid from the Arts Commission Matter Resolution Fund.

Section 2: This resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

### Analysis

In June 2022, Jonathan Saad began working to the Metropolitan Arts Commission through a payroll services contract not intended to be used for full-time staff. Mr. Saad had previously served as the Metro Arts grants program manager and was asked to return by Ian Myers, the then-interim director of the commission.

Mr. Saad continued to work as a contractor under Daniel Singh once he became the Metro Arts Director. In the present lawsuit, Mr. Saad accused former Director Singh of creating an environment of racial harassment and retaliating against him by continuing to employ him on a contractual basis. Mr. Saad was not hired for a grants manager position when the job was posted in 2022 and 2023. He accused former Director Singh of instead hiring someone with a lower civil service exam score. Mr. Saad then claimed that former Director Singh offered him a four-month severance package if he stayed to train his replacement. Mr. Saad's work was completed in January 2024.

Mr. Saad filed a lawsuit against the Metropolitan Government and former Director Singh in his individual capacity. He also filed a discrimination charge with the Equal Employment Opportunity Commission, claiming

retaliation and discrimination based on age, color, race, and sex.

If Mr. Saad's claims are successful, he will be entitled to back pay, compensatory damages, attorney fees and potential front pay or reinstatement. Back pay would be calculated at \$27,538 per year, starting February 1, 2024. Compensatory damages are capped at \$300,000 in Tennessee, though an exact amount that a jury would award is not clear. Because of the case is based on questions of fact about the hiring process, it would likely proceed to trial increasing the potential for substantial attorneys' fees. Litigating the case could prove difficult and lengthy because Daniel Singh is no longer employed by the Metropolitan Government and is therefore under no obligation to cooperate at trial. The Metropolitan Government would also be obligated to hire counsel to represent former Director Singh in his individual capacity.

The Department of Law recommends that Mr. Saad's claims be settled for \$150,000.

*Fiscal Note: The total settlement amount is \$150,000. This settlement would be paid from the Arts Commission Matter Resolution Fund.*