

# Portland Reaches \$93K Settlement With Former Employee-Turned-Lawyer After Employment Discrimination Lawsuit

*Plaintiff seeking nearly half a million dollars settles for less but claims moral victory*

SAN FRANCISCO, CALIFORNIA, UNITED STATES, September 5, 2022 /EINPresswire.com/ -- The city of Portland has agreed to settle an employment discrimination lawsuit that was brought forward

“

The employee’s health and medical history can be important [in employment discrimination cases based on the employee’s health or medical history], but not determinative.”

*Richard Koss, Bay Area  
Employment Lawyer*

by a former city Fire and Rescue employee. The case is Gabriel A. Watson vs. City of Portland, case No. 21CV45298 in the Circuit Court of the State of Oregon for the County of Multnomah. The settlement was approved in [Emergency Ordinance 190936](#), which was passed by the Portland City Council on July 20, 2022.

Gabriel Watson worked as a firefighter and paramedic since 2006 with the city, and in 2021 he sued his former employer. Watson was seeking a jury trial and was asking for economic damages upwards of half a million dollars. Instead of going to trial, the city settled the case via an

emergency city council ordinance and agreed to pay Watson \$93,290. Robert Taylor, the attorney for the city of Portland, shared on Monday that the decision to move forward with a settlement was necessary because an investigation into the allegations concluded that the city would be at great risk of being found liable in the event the case went to trial.

Richard Koss, an [employment law attorney](#) practicing in the San Francisco Bay Area, attests to the fact that the vast majority of employment cases settle rather than go to trial. “I have heard and believe numbers as high as 98%,” Koss says, referring to the percentage of cases that settle out of court. “One reason is the uncertainty of trial, where neither party controls what happens or what a jury decides.” Koss says he has heard that plaintiffs who go to trial win about 40% of the time in court, although he stresses that he cannot verify that this statistic is accurate.

Watson, who has been practicing law part-time since 2019, filed the lawsuit on his own behalf. In his lawsuit, he contends that the city had “constructively terminated his position as a firefighter,” subsequently ending what he described as his dream career.

He explains that issues with his employment began in 2011 when he first took leave following the death of his mother who had been battling metastatic breast cancer.

In August 2012, Watson took protected leave again when he sustained a back injury after an obese patient suddenly collapsed over him. After Watson recovered from his injury and returned to work, he details that a captain spoke with him privately and pressured him to leave his position at the station because of his injury. Watson declined and as a result, he alleges that he was taken off of the technical rescue team and was moved to one of “the least desirable, least busy stations in the bureau.”

Watson suffered additional work-related back injuries while on the job between 2013 and 2018. Included in those injuries were blood clots in which Watson requested personal time off because his injuries were not classified as having happened while on duty. After

asking the city for protected personal sick leave, he alleges the city ignored his request. As a result of that incident, he took out an unpaid leave of absence and was repaying \$14,000 through payroll deductions.

The city filed a motion to dismiss the suit claiming that Watson was put on administrative leave in 2019 and then they pushed to have him medically laid off in 2020. The city alleges that Watson passed out while at work and then refused to take a medical fitness test. While he was unconscious, the prescription medication Suboxone was found in his pocket. The medication is used to treat individuals who suffer from opioid addiction. Watson has denied that he had the prescription for the drug and has also denied that he refused to undergo a fitness test.

According to attorney Koss, in employment discrimination cases based on the employee’s health or medical history, employees must be able to show they can perform the essential functions of their job with or without reasonable accommodation. “The employee’s health and medical history can be important,” Koss says, “but not determinative.” Koss also emphasizes that the burden lies with the plaintiff-employee to prove the elements of a discrimination claim.

Watson contends that he is not suing the city for financial gain but instead to seek out justice. “Even getting \$1 would’ve been enough recognition that the city was responsible,” Watson explained. “The most eye-opening, shocking thing about all of it is that I’m a middle-aged white, married, guy with a law degree — if the city would wantonly do that to me, I can’t imagine what



Richard Koss, San Francisco  
Employment Attorney

they'd do to others.”

Richard Koss

Bay Area Employment Lawyer

+1 650-722-7046

[email us here](#)

Visit us on social media:

[Facebook](#)

---

This press release can be viewed online at: <https://www.einpresswire.com/article/589422721>

EIN Presswire's priority is source transparency. We do not allow opaque clients, and our editors try to be careful about weeding out false and misleading content. As a user, if you see something we have missed, please do bring it to our attention. Your help is welcome. EIN Presswire, Everyone's Internet News Presswire™, tries to define some of the boundaries that are reasonable in today's world. Please see our Editorial Guidelines for more information.

© 1995-2022 Newsmatics Inc. All Right Reserved.