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## BenchNOTES

### Last Month's OATH Decisions

The documents below are in PDF format. [Download the Adobe Reader now.](#)

#### Human Rights Law

***Employer sexually harassed and retaliated against worker.***

Home improvements contractor was found to have violated the City Human Rights Law (HRL) by sexually harassing an employee and firing her in retaliation for opposing the discriminatory treatment. [Comm'n on Human Rights ex. rel. Martinez v. Joseph "J.P." Musso Home Improvement](#), OATH Index No. 2167/14 (Feb. 27, 2015).

[Read more](#)

#### Personnel

***Correction officer engaged in undue familiarity with inmate.***

ALJ Kara J. Miller found that a correction officer had engaged in undue familiarity with an inmate by failing to notify the Department that her husband had been arrested and incarcerated on Rikers Island, by taking telephone calls from him on her post phone and cellphone while on duty, and by disclosing Department business to him during the calls. [Dep't of Correction v. Harris](#), OATH Index No. 2383/14 (Feb. 27, 2015).

[Read more](#)

#### Prevailing Wage

***Public works contractor failed to pay prevailing wages and benefits.***

ALJ Alessandra F. Zornotti found that a public works contractor failed to pay prevailing wages and benefits to two employees for lead abatement work at the Neversink Hydroelectric Generating Plant in Sullivan County. [Office of the Comptroller v. New American Restoration, Inc.](#), OATH Index No. 218/15 (Feb. 3, 2015), *adopted*, Comptroller's Dec. (Mar. 11, 2015).

[Read more](#)

#### Real Property

***Building is covered by Loft Law.***

ALJ Ingrid M. Addison found that applicants established that three units were residentially occupied during the window period and their building is therefore covered as an interim multiple dwelling under the 2010 amendments to the Loft Law. [Matter of Becker](#), OATH Index No. 116/15 (Feb. 20, 2015).

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#### Contracts

***CDRB denies claims.***

Contractor appealed from denials of two claims arising out of its contract to perform low voltage electrical work at the Croton Water Treatment Plant. First claim sought an additional \$337,637 to cover costs due to improper work coordination relating to the installation of variable frequency drives (VFD claim). [Siemens Electrical, LLC v. Dept of Environmental Protection](#), OATH Index Nos. 1303/15 & 1310/15, mem. dec. (Feb. 18, 2015).

[Read more](#)

## Resources

[Search OATH Decisions](#)

[Search OATH Decisions \(Issued After 2004\) Using OATH Tribunal Database](#)

[Forfeiture Cases: Information on Seized Cars](#)

[BenchNOTES Archive](#)

## OATH Recent Decisions

[OATH Launches New Website in Partnership with Columbia Law School.](#)

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**Administrative Judicial Institute**

