

BenchNOTES Newsletter

August 2019

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

Earned Safe and Sick Time Act

Law firm violated Act.

A law firm and its founding partner were charged with violating the Earned Safe and Sick Time Act ("ESSTA"), when it fired an employee allegedly for exercising his rights under ESSTA, required him to provide details of his medical condition, and failed to maintain a sufficient sick leave policy.

[*Dep't of Consumer and Worker Protection v. Brewer, Attorneys & Counselors*](#), OATH Index No. 514/19, mem. dec. (July 9, 2019).

[Read more about *Dep't of Consumer and Worker Protection v. Brewer, Attorneys & Counselors*](#)

Licensing

Driver recklessly operated pedicab.

A pedicab driver was charged with soliciting passengers in an unauthorized area and with recklessly operating his pedicab.

[*Dep't of Consumer and Worker Protection v. Greenberg*](#), OATH Index No. 1309/19, mem. dec. (July 19, 2019).

[Read more about *Dep't of Consumer and Worker Protection v. Greenberg*](#)

Real Property

Incompatible commercial use not found in loft.

A number of tenants filed several applications for Loft Law coverage and protected occupancy

[*Tenants of 100 Metropolitan Avenue*](#), OATH Index Nos. 2346/13, 1151/16, 1542/16, 596/17 (July 8, 2019).

[Read more about *Tenants of 100 Metropolitan Avenue*](#)

Personnel

Worker was under the influence while on duty.

A sanitation worker, who was found unconscious at work, was charged with possessing and being under the influence of drugs while on duty and being absent without leave.

[Dep't of Sanitation v. J.S.](#), OATH Index No. 1530/19 (July 15, 2019), *adopted*, Comm'r Dec. (July 23, 2019).

[Read more about Dep't of Sanitation v. J.S.](#)

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