

# **BenchNOTES Newsletter**

**April 2018**

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## **Personnel**

### **Unfitness allegation dismissed.**

A highway transportation specialist was charged with being unfit to perform the duties of his position due to singing in the workplace and other disruptive behavior.

[Dep't of Transportation v. M.S.](#), OATH Index No. 2524/17 (Feb. 2, 2018), *adopted*, Comm'r Dec. (Mar. 23, 2018).

[Read more about Dep't of Transportation v. M.S.](#)

## **Paid Sick Leave Law**

### **Employer violated law.**

In a default proceeding, ALJ Spooner found that an employer violated the Paid Sick Leave Law by failing to respond to two document demands and by failing to provide an employee with requested sick leave.

[Dep't of Consumer Affairs v. RHCG Safety Corp.](#), OATH Index No. 1027/18, mem. dec. (Feb. 28, 2018).

[Read more about DCA v. RHCG Safety Corp.](#)

## **Licensing**

### **Drug test unknowing ingestion defense.**

A taxi driver who tested positive for codeine claimed that he did not knowingly use the drug.

[Taxi and Limousine Comm'n v. Wakefield](#), OATH Index No. 1315/18 (Feb. 15, 2018).

[Read more about TLC v. Wakefield](#)

## **Vehicle Retention**

### **PD ordered to return seized car.**

The Police Department seized a vehicle in connection with the owner's arrest for firearm possession.

[Police Dep't v. Nurse](#), OATH Index No. 1729/18, mem. dec. (Feb. 23, 2018).

[Read more about Police Dep't v. Nurse](#)

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