



**STATE OF NEW JERSEY  
PUBLIC EMPLOYMENT RELATIONS COMMISSION**

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September 25, 2003

MEMORANDUM

TO: Commissioners

FROM: Robert E. Anderson  
General Counsel

SUBJECT: Supplemental Report on Developments in the Counsel's Office Since July 24, 2003

Other Cases

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In Green v. Jersey City Bd. of Ed., \_\_\_ N.J. \_\_\_ (2003), the New Jersey Supreme Court held that the Conscientious Employee Protection Act permits an award of punitive damages against a school district. The Court also held that CEPA's one-year statute of limitations begins to run from the date of the final act of retaliation when there is a continued course of retaliation.

In North Plainfield PBA Local No. 85 v. Borough of North Plainfield, Law Div. Dkt. No. SOM-L-836-03 (9/12/03), Judge Rosemarie Williams confirmed a grievance arbitration award ordering the Borough to pay a 3% detective differential to school resource officers and the crime prevention officer. The Borough argued that the grievance was filed beyond the contractual 30 day deadline, but the Court holds that the Borough waived this argument by submitting to arbitration without objection.

REA:aat