



**STATE OF NEW JERSEY
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January 29, 2009

MEMORANDUM

TO: Commissioners

FROM: Ira W. Mintz
General Counsel

SUBJECT: Supplemental Report on Developments in the Counsel's Office Since December 18, 2008

Other Cases

In Lourdes Medical Center of Burlington County v. Board of Review (1/27/09), the New Jersey Supreme Court held that striking nurses qualified for unemployment benefits because a loss of revenue attributable to the strike that did not result in a substantial curtailment of work at the Lourdes Medical Center was not the equivalent of a "stoppage of work" within the intentment of the Unemployment Compensation Law.

In Crawford v. Nashville (1/26/09), the United State Supreme Court held that under Title VII of the Civil Rights Act of 1964, protections against retaliation against employees who report workplace race or gender discrimination extend to an employee who speaks out about discrimination not on her own initiative, but in answering questions during an employer's internal investigation.