

# **Bond Case Briefs**

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## **PUBLIC EMPLOYMENT - NEW JERSEY**

### **Meade v. Township of Livingston**

**Supreme Court of New Jersey - December 30, 2021 - A.3d - 2021 WL 6139336**

Female former employee brought action against employer, a township, alleging gender discrimination under Law Against Discrimination (LAD) after she was fired from her job as township manager and replaced with male township manager to whom the male police chief, who allegedly had gender bias against women as his superiors, would report.

The Superior Court granted summary judgment for employer. Employee appealed. The Superior Court, Appellate Division, affirmed. Employee appealed.

The Supreme Court held that:

- Employee established prima facie case of gender discrimination;
- Factual issues existed as to whether employee was fired because employer believed she was unable to control chief as a result of her gender; and
- Cat's paw theory of liability did not apply.

Female former employee, a township manager, established a prima facie case of gender discrimination under the Law Against Discrimination (LAD), where employee was a member of a protected group, she performed her job for 11 years, and she was fired and replaced with a male township manager.

Genuine issues of material fact existed as to whether township fired female township manager to replace her with a male manager because township believed she was unable to control male police chief as a result of her gender and as to whether township impeded female manager's efforts to terminate chief's employment, precluding summary judgment in gender discrimination action under the Law Against Discrimination (LAD).

Cat's paw theory of liability did not apply to female former township employee's action against township employer for gender discrimination under the Law Against Discrimination (LAD) arising from her firing from job as township manager and replacement with male manager who would supervise male police chief who allegedly had a discriminatory attitude towards women as his superiors, where employee did not allege that a subordinate influenced employer to fire her, but rather alleged that employer's decision to fire her was influenced by the chief's own discriminatory views.