

# The Star-Ledger

## **N.J. agency accused of cronyism hit with another lawsuit by former employee**

By Blake Nelson

NJ Advance Media for NJ.com and The Star-Ledger

Published Oct. 9, 2020

The New Jersey agency in charge of school construction in the state's poorest areas has been hit with another lawsuit, less than a week after a state investigation accused the office of "questionable administrative actions, suspect hires and outright managerial malfeasance."

Shilpi Kumar, a former human resources employee, said Schools Development Authority leaders created a "discriminatory, hostile, and bigoted environment," according to the complaint, which was filed Monday. She asked for \$75,000, back pay and other damages after she said she was wrongly denied promotions and fired in March after complaining.

Agency spokeswoman Edythe Maier declined comment.

The complaint prompted Republican lawmakers to demand the office be disbanded, echoing an earlier call from the state Senate's top Democrat.

"This agency is the epitome of what gives State workers and their bosses a bad name," state Sen. Declan O'Scanlon, R-Monmouth, said in a statement, and he's co-sponsored legislation to transfer the office's responsibilities.

At least three other lawsuits are pending against the agency, according to the State Commission of Investigation. The corruption watchdog published a report last week critical of how Gov. Phil Murphy's administration supervised the office's former leader, Lizette Delgado-Polanco, who resigned amid criticism she'd pushed out employees to make room for friends and family. She has denied those accusations.

Delgado-Polanco was in regular communication with Murphy officials and "conducted her overall activities as CEO with the tacit approval of the Governor's Office," according to the commission's report.

After initially sidestepping questions about the investigation, Murphy said Monday he had "briefed on the report."

"I do not agree with all of their conclusions," he said without offering examples, but "I look forward to working with all the parties to continue to improve the SDA."

He also reiterated his support for the agency's current leader Manny de Silva. Both Murphy's office and the agency spokeswoman said de Silva has overseen "significant" changes.

"The NJSDA has and will continue to cooperate fully with the State investigative inquiry to ensure that the unfortunate practices that occurred under previous Authority leadership during 2018 and 2019 will never reoccur," Maier wrote in an email.

When asked for examples of reforms, she pointed to previous public reports. In 2019, the agency said new rules prohibit hiring relatives and require the CEO to be in more regular contact with supervisors, among other changes.

A consultant should also be wrapping up a review of the agency's policies, according to that report.

But Kumar, the former employee, said she was still wrongly kicked out after reforms were made.

Kumar was hired in February 2009, and during her tenure she was "subjected to racial discrimination and harassment by various senior members" as a woman of Indian descent, according to the lawsuit.

She was repeatedly denied promotions, even as her workload increased, and she was once temporarily denied a previously approved raise, according to the complaint. She was also told not to use work time to celebrate Diwali, an Indian holiday.

She was fired soon after she filed a formal discrimination complaint in February, according to the lawsuit.

"It's sad that their abuse continues," Kumar wrote in an email.

The complaint was filed in U.S. District Court for New Jersey.