# Arbitration Award Reversed in Favor of Public Policy

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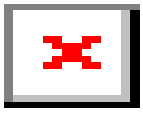
In a rare decision, the New York State Appellate Division (the "Appellate Division") recently reversed an arbitration award and found a union contract provision unenforceable because it conflicted with a public policy against sexual harassment in the workplace. *Phillips v Manhattan & Bronx Surface Tr. Operating Auth.* - AD3d -, 2015 NY Slip Op 06564 [1st Dept 2015]. This decision is instructive because courts typically do not disturb an arbitration decision.