

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

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LAW/KR

P.L.2012, CHAPTER 57, *approved September 19, 2012*
Assembly, No. 2647 (*Second Reprint*)

1 AN ACT concerning employer notices and supplementing P.L.1952,
2 c.9 (C.34:11-56.1 et seq.).
3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*
6

7 1. 'a.'¹ Every employer in this State², with 50 or more
8 employees,² shall conspicuously post notification, in a place or
9 places accessible to all workers in each of the employer's
10 workplaces, in a form issued by regulation promulgated by the
11 Commissioner of Labor and Workforce Development, **'[of worker**
12 **rights under every applicable State and federal law that provides for**
13 **gender pay equity or that prohibits wage]** detailing the right to be
14 free of gender inequity or bias in pay, compensation, benefits or
15 other terms or conditions of employment under the "Law Against
16 Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), P.L.1952, c.9
17 (C.34:11-56.1 et seq.), Title VII of the Civil Rights Act of 1964,
18 Pub.L. 88-352 (42 U.S.C. s.2000e et seq.), and the Equal Pay Act of
19 1963, Pub.L. 88-38 (29 U.S.C. s.206(d)), which prohibit wage or
20 compensation¹ discrimination based on gender.

21 'b.'¹ The employer shall provide each worker of the employer
22 with a written copy of the notification: not later than 30 days after
23 the form of the notification is issued by the commissioner; at the
24 time of the worker's hiring, if the worker is hired after the issuance;
25 'annually, on or before December 31 of each year;'¹ and at any time,
26 upon the first request of the worker. 'The employer shall make the
27 written copy of the notification available to each worker:

28 (1) By email delivery;

29 (2) Via printed material, including, but not limited to, a pay
30 check insert, brochure or similar informational packet provided to
31 new hires, an attachment to an employee manual or policy book, or
32 flyer distributed at an employee meeting; or

33 (3) Through an Internet or Intranet website, if the site is for the
34 exclusive use of all workers, can be accessed by all workers, and
35 the employer provides notice to the workers of its posting.

36 The notification provided by the employer pursuant to this
37 subsection shall contain an acknowledgement that the worker has

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ALA committee amendments adopted March 12, 2012.

²Senate SLA committee amendments adopted JUNE 7, 2012.

1 received the notification and has read and understands its terms.
2 The acknowledgement shall be signed by the worker, in writing or
3 by means of electronic verification, and returned to the employer
4 within 30 days of its receipt.

5 c.¹ The commissioner shall make the notification required by
6 this section available in English, Spanish, and any other language
7 that the commissioner determines is the first language of a
8 significant number of workers in the State ¹[and the] . This
9 determination shall be, at the discretion of the commissioner, based
10 on the numerical percentages of all workers in the State for whom
11 English or Spanish is not a first language or in a manner consistent
12 with any regulations promulgated by the commissioner for this
13 purpose. The¹ employer shall post and provide the notification in
14 English, Spanish, and any other language ¹[for which the
15 commissioner has made the notification available and which] ²for
16 which the commissioner has made the notification available and
17 which² the employer reasonably believes¹ is the first language of
18 ¹[a significant number of the employer's workforce] ²[10 percent
19 or more of the employer's total number of full-time, part-time, and
20 contracted workers¹] a significant number of the employer's
21 workforce².

22

23 2. This act shall take effect on the 61st day after the date of
24 enactment.

25

26

27

28

29 _____
30 Requires employers post notice of worker rights under certain
State and federal laws.

ASSEMBLY, No. 2647

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED MARCH 5, 2012

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman CELESTE M. RILEY

District 3 (Cumberland, Gloucester and Salem)

Assemblyman PAUL D. MORIARTY

District 4 (Camden and Gloucester)

Co-Sponsored by:

Assemblywomen Mosquera, Watson Coleman and Assemblyman Fuentes

SYNOPSIS

Requires employers post notice of worker rights under certain State and federal laws.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning employer notices and supplementing P.L.1952,
2 c.9 (C.34:11-56.1 et seq.).

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Every employer in this State shall conspicuously post
8 notification, in a place or places accessible to all workers in each of
9 the employer's workplaces, in a form issued by regulation
10 promulgated by the Commissioner of Labor and Workforce
11 Development, of worker rights under every applicable State and
12 federal law that provides for gender pay equity or that prohibits
13 wage discrimination based on gender.

14 The employer shall provide each worker of the employer with a
15 written copy of the notification: not later than 30 days after the
16 form of the notification is issued by the commissioner; at the time
17 of the worker's hiring, if the worker is hired after the issuance; and
18 at any time, upon the first request of the worker.

19 The commissioner shall make the notification required by this
20 section available in English, Spanish, and any other language that
21 the commissioner determines is the first language of a significant
22 number of workers in the State and the employer shall post and
23 provide the notification in English, Spanish, and any other language
24 for which the commissioner has made the notification available and
25 which is the first language of a significant number of the
26 employer's workforce.

27

28 2. This act shall take effect on the 61st day after the date of
29 enactment.

30

31

32

STATEMENT

33

34 This bill requires every employer in the State to post notification,
35 in a place or places accessible to all workers in each of the
36 employer's workplaces, in a form proscribed by the Commissioner
37 of Labor and Workplace Development, of worker rights under every
38 applicable State and federal law that provides for gender pay equity
39 or that prohibits wage discrimination based on gender.

40 The bill also requires that every employer provide each worker
41 of the employer with a written copy of the notification: not later
42 than 30 days after the form of the notification is issued by the
43 commissioner; at the time of the worker's hiring, if the worker is
44 hired after the issuance; and at any time, upon the first request of
45 the worker.

46 Finally, the bill requires that the commissioner make the
47 notification required by this bill available in English, Spanish, and
48 any other language that the commissioner determines is the first

A2647 LAMPITT, RILEY

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1 language of a significant number of workers in the State and that
2 the employer post and provide the notification in English, Spanish,
3 and any other language for which the commissioner has made
4 notification available and which is the first language of a significant
5 number of the employer's workforce.

ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2647

STATE OF NEW JERSEY

DATED: MARCH 8, 2012

The Assembly Women and Children Committee reports favorably Assembly Bill No. 2647.

This bill requires every employer in the State to post notification, in a place or places accessible to all workers in each of the employer's workplaces, in a form proscribed by the Commissioner of Labor and Workplace Development, of worker rights under every applicable State and federal law that provides for gender pay equity or that prohibits wage discrimination based on gender.

The bill also requires that every employer provide each worker of the employer with a written copy of the notification: not later than 30 days after the form of the notification is issued by the commissioner; at the time of the worker's hiring, if the worker is hired after the issuance; and at any time, upon the first request of the worker.

Finally, the bill requires that the commissioner make the notification required by this bill available in English, Spanish, and any other language that the commissioner determines is the first language of a significant number of workers in the State and that the employer post and provide the notification in English, Spanish, and any other language for which the commissioner has made available and which is the first language of a significant number of the employer's workforce.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2647

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 12, 2012

The Assembly Labor Committee reports favorably and with committee amendments Assembly Bill No. 2647.

This bill, as amended, requires every employer in the State to post notification, in a place or places accessible to all workers in each of the employer's workplaces, in a form prescribed by the Commissioner of Labor and Workplace Development, detailing the right to be free of gender inequity or bias in pay, compensation, benefits or other terms or conditions of employment under the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), P.L.1952, c.9 (C.34:11-56.1 et seq.), Title VII of the Civil Rights Act of 1964, Pub.L. 88-352 (42 U.S.C. s.2000e et seq.), and the Equal Pay Act of 1963 Pub.L. 88-38 (29 U.S.C. s.206(d)), which prohibit wage or compensation discrimination based on gender.

The bill, as amended, also requires that every employer provide each worker of the employer with a written copy of the notification: not later than 30 days after the form of the notification is issued by the commissioner; at the time of the worker's hiring, if the worker is hired after the issuance; annually, on or before December 31 of each year; and at any time, upon the first request of the worker.

The bill, as amended, requires that the employer make the notification required by this bill through: email delivery; via printed material, including, but not limited to, a pay check insert, brochure or similar informational packet provided to new hires, an attachment to an employee manual or policy book, or flyer distributed at an employee meeting; or an Internet or Intranet website if the site is for the exclusive use of, and can be accessed by, all the workers, and the employer provides notice to the workers of its posting. The employer notification must contain an acknowledgement that the worker has received the notification and has read and understands its terms and ensure that the acknowledgement is signed by the worker, in writing or by means of electronic verification, and returned to the employer within 30 days of its receipt.

Finally, the bill, as amended, requires the commissioner to make the notification available in English, Spanish, and any other language that the commissioner determines is the first language of a significant

number of workers in the State. This determination will be at the discretion of the commissioner, based on the numerical percentages of all workers in the State for whom English or Spanish is not a first language. The employer is required to post and provide the notification in English, Spanish, and any other language the employer reasonably believes is the first language of 10 percent or more of the employer's total number of full-time, part-time, and contracted workers.

COMMITTEE AMENDMENTS

The committee amended the bill to provide that an employer is required to:

1. Post notification of worker rights under the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), P.L.1952, c.9 (C.34:11-56.1 et seq.), Title VII of the Civil Rights Act of 1964, Pub.L. 88-352 (42 U.S.C. s.2000e et seq.), and the Equal Pay Act of 1963 Pub.L. 88-38 (29 U.S.C. s.206(d)) at each of the employer's workplaces;

2. Provide each worker a written copy of the notification annually on or before December 31st of each year;

3. Make the written copy of the notification available through: email delivery; via printed material, including, but not limited to, a pay check insert, brochure or similar informational packet provided to new hires, an attachment to an employee manual or policy book, or flyer distributed at an employee meeting; or an Internet or Intranet website if the site is for the exclusive use of, and can be accessed by, all the workers, and the employer provides notice to the workers of its posting;

4. Make the notification contain an acknowledgement that the worker has received the notification and has read and understands its terms and ensure that the acknowledgement is signed by the worker, in writing or by means of electronic verification, and returned to the employer within 30 days of its receipt; and

5. Post and provide the notification in any language the employer reasonably believes is the first language of 10 percent or more of the employer's total number of full-time, part-time, and contracted workers.

The committee also amended the bill to provide that the determination made by the Commissioner of Labor and Workforce Development, with respect to the languages in which the notification will be made available, will be, at the discretion of the commissioner, based on the numerical percentages of all workers in the State for whom English or Spanish is not a first language.

SENATE LABOR COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2647

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 7, 2012

The Senate Labor Committee reports favorably and with committee amendments Assembly Bill No. 2647(1R).

As amended, this bill requires every employer in the State with 50 or more employees to post notification, in a place or places accessible to all workers in each of the employer's workplaces, in a form prescribed by the Commissioner of Labor and Workplace Development, detailing the right to be free of gender inequity or bias in pay, compensation, benefits or other terms or conditions of employment under the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), P.L.1952, c.9 (C.34:11-56.1 et seq.), Title VII of the Civil Rights Act of 1964, Pub.L. 88-352 (42 U.S.C. s.2000e et seq.), and the Equal Pay Act of 1963 Pub.L. 88-38 (29 U.S.C. s.206(d)), which prohibit wage or compensation discrimination based on gender.

The bill, also requires that every employer provide each worker of the employer with a written copy of the notification: not later than 30 days after the form of the notification is issued by the commissioner; at the time of the worker's hiring, if the worker is hired after the issuance; annually, on or before December 31 of each year; and at any time, upon the first request of the worker.

The bill, requires that the employer make the notification required by this bill through: email delivery; via printed material, including, but not limited to, a pay check insert, brochure or similar informational packet provided to new hires, an attachment to an employee manual or policy book, or flyer distributed at an employee meeting; or an Internet or Intranet website if the site is for the exclusive use of, and can be accessed by, all the workers, and the employer provides notice to the workers of its posting. The employer notification must contain an acknowledgement that the worker has received the notification and has read and understands its terms and ensure that the acknowledgement is signed by the worker, in writing or by means of electronic verification, and returned to the employer within 30 days of its receipt.

Finally, the bill requires the commissioner to make the notification available in English, Spanish, and any other language that the

commissioner determines is the first language of a significant number of workers in the State. This determination will be at the discretion of the commissioner, based on the numerical percentages of all workers in the State for whom English or Spanish is not a first language. The employer is required to post and provide the notification in English, Spanish, and any other language for which the commissioner has made the notification available and which the employer reasonably believes is the first language of a significant number of the employer's workforce.

The committee amendments provide the exemption for employers with less than 50 employees and limit the language requirement for the notices, besides English and Spanish, to languages for which the commissioner has made the notification available and which the employer reasonably believes is the first language of a significant number of the employer's workforce.

As amended and reported, this bill is identical to Senate Bill No. 1930 (1R), also reported by the committee today.

SENATE, No. 1930

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED MAY 14, 2012

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Requires employers post notice of worker rights under certain State and federal laws.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/18/2012)

S1930 WEINBERG, GREENSTEIN

2

1 AN ACT concerning employer notices and supplementing P.L.1952,
2 c.9 (C.34:11-56.1 et seq.).

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. a. Every employer in this State shall conspicuously post
8 notification, in a place or places accessible to all workers in each of
9 the employer's workplaces, in a form issued by regulation
10 promulgated by the Commissioner of Labor and Workforce
11 Development, detailing the right to be free of gender inequity or
12 bias in pay, compensation, benefits or other terms or conditions of
13 employment under the "Law Against Discrimination," P.L.1945,
14 c.169 (C.10:5-1 et seq.), P.L.1952, c.9 (C.34:11-56.1 et seq.), Title
15 VII of the Civil Rights Act of 1964, Pub.L. 88-352 (42 U.S.C.
16 s.2000e et seq.), and the Equal Pay Act of 1963, Pub.L. 88-38 (29
17 U.S.C. s.206(d)), which prohibit wage or compensation
18 discrimination based on gender.

19 b. The employer shall provide each worker of the employer
20 with a written copy of the notification: not later than 30 days after
21 the form of the notification is issued by the commissioner; at the
22 time of the worker's hiring, if the worker is hired after the issuance;
23 annually, on or before December 31 of each year; and at any time,
24 upon the first request of the worker. The employer shall make the
25 written copy of the notification available to each worker:

26 (1) By email delivery;

27 (2) Via printed material, including, but not limited to, a pay
28 check insert, brochure or similar informational packet provided to
29 new hires, an attachment to an employee manual or policy book, or
30 flyer distributed at an employee meeting; or

31 (3) Through an Internet or Intranet website, if the site is for the
32 exclusive use of all workers, can be accessed by all workers, and
33 the employer provides notice to the workers of its posting.

34 The notification provided by the employer pursuant to this
35 subsection shall contain an acknowledgement that the worker has
36 received the notification and has read and understands its terms.
37 The acknowledgement shall be signed by the worker, in writing or
38 by means of electronic verification, and returned to the employer
39 within 30 days of its receipt.

40 c. The commissioner shall make the notification required by
41 this section available in English, Spanish, and any other language
42 that the commissioner determines is the first language of a
43 significant number of workers in the State. This determination shall
44 be, at the discretion of the commissioner, based on the numerical
45 percentages of all workers in the State for whom English or Spanish
46 is not a first language or in a manner consistent with any regulations
47 promulgated by the commissioner for this purpose. The employer
48 shall post and provide the notification in English, Spanish, and any

1 other language the employer reasonably believes is the first
2 language of 10 percent or more of the employer's total number of
3 full-time, part-time, and contracted workers.

4

5 2. This act shall take effect on the 61st day after the date of
6 enactment.

7

8

9

STATEMENT

10

11 This bill requires every employer in the State to post notification,
12 in a place or places accessible to all workers in each of the
13 employer's workplaces, in a form prescribed by the Commissioner
14 of Labor and Workplace Development, detailing the right to be free
15 of gender inequity or bias in pay, compensation, benefits or other
16 terms or conditions of employment under the "Law Against
17 Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), P.L.1952, c.9
18 (C.34:11-56.1 et seq.), Title VII of the Civil Rights Act of 1964,
19 Pub.L. 88-352 (42 U.S.C. s.2000e et seq.), and the Equal Pay Act of
20 1963 Pub.L. 88-38 (29 U.S.C. s.206(d)), which prohibit wage or
21 compensation discrimination based on gender.

22

23 The bill also requires that every employer provide each worker
24 of the employer with a written copy of the notification: not later
25 than 30 days after the form of the notification is issued by the
26 commissioner; at the time of the worker's hiring, if the worker is
27 hired after the issuance; annually, on or before December 31 of
28 each year; and at any time, upon the first request of the worker.

29

30 The bill requires that the employer make the notification required
31 by this bill through: email delivery; via printed material, including,
32 but not limited to, a pay check insert, brochure or similar
33 informational packet provided to new hires, an attachment to an
34 employee manual or policy book, or flyer distributed at an
35 employee meeting; or an Internet or Intranet website if the site is
36 for the exclusive use of, and can be accessed by, all the workers,
37 and the employer provides notice to the workers of its posting. The
38 employer notification must contain an acknowledgement that the
39 worker has received the notification and has read and understands
40 its terms and ensure that the acknowledgement is signed by the
41 worker, in writing or by means of electronic verification, and
42 returned to the employer within 30 days of its receipt.

43

44 Finally, the bill requires the commissioner to make the
45 notification available in English, Spanish, and any other language
46 that the commissioner determines is the first language of a
47 significant number of workers in the State. This determination will
48 be at the discretion of the commissioner, based on the numerical
percentages of all workers in the State for whom English or Spanish
is not a first language. The employer is required to post and provide
the notification in English, Spanish, and any other language the

S1930 WEINBERG, GREENSTEIN

4

- 1 employer reasonably believes is the first language of 10 percent or
- 2 more of the employer's total number of full-time, part-time, and
- 3 contracted workers.

SENATE LABOR COMMITTEE

STATEMENT TO

SENATE, No. 1930

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 7, 2012

The Senate Labor Committee reports favorably and with committee amendments Senate Bill No. 1930.

As amended, this bill requires every employer in the State with 50 or more employees to post notification, in a place or places accessible to all workers in each of the employer's workplaces, in a form prescribed by the Commissioner of Labor and Workplace Development, detailing the right to be free of gender inequity or bias in pay, compensation, benefits or other terms or conditions of employment under the "Law Against Discrimination," P.L.1945, c.169 (C.10:5-1 et seq.), P.L.1952, c.9 (C.34:11-56.1 et seq.), Title VII of the Civil Rights Act of 1964, Pub.L. 88-352 (42 U.S.C. s.2000e et seq.), and the Equal Pay Act of 1963 Pub.L. 88-38 (29 U.S.C. s.206(d)), which prohibit wage or compensation discrimination based on gender.

The bill also requires that every employer provide each worker of the employer with a written copy of the notification: not later than 30 days after the form of the notification is issued by the commissioner; at the time of the worker's hiring, if the worker is hired after the issuance; annually, on or before December 31 of each year; and at any time, upon the first request of the worker.

The bill requires that the employer make the notification required by this bill through: email delivery; via printed material, including, but not limited to, a pay check insert, brochure or similar informational packet provided to new hires, an attachment to an employee manual or policy book, or flyer distributed at an employee meeting; or an Internet or Intranet website if the site is for the exclusive use of, and can be accessed by, all the workers, and the employer provides notice to the workers of its posting. The employer notification must contain an acknowledgement that the worker has received the notification and has read and understands its terms and ensure that the acknowledgement is signed by the worker, in writing or by means of electronic verification, and returned to the employer within 30 days of its receipt.

Finally, the bill requires the commissioner to make the notification available in English, Spanish, and any other language that the commissioner determines is the first language of a significant number of workers in the State. This determination will be at the discretion of

the commissioner, based on the numerical percentages of all workers in the State for whom English or Spanish is not a first language. The employer is required to post and provide the notification in English, Spanish, and any other language for which the commissioner has made the notification available and which the employer reasonably believes is the first language of a significant number of the employer's workforce.

The committee amendments provide the exemption for employers with less than 50 employees and limit the language requirement for the notices, besides English and Spanish, to languages for which the commissioner has made the notification available and which the employer reasonably believes is the first language of a significant number of the employer's workforce.

As amended and reported, this bill is identical to Assembly Bill No. 2647 (2R), also reported by the committee today.

Governor Chris Christie Takes Action on Legislation to Advance Workplace Gender Equality

Friday, September 21, 2012 Tags: [Bill Action](#)

Trenton, NJ – Underscoring his commitment to vigorous enforcement of gender equality and equal compensation in the workplace, Governor Christie has signed commonsense legislation (A-2647) creating a statewide notice requirement for employers to directly and routinely advise their employees of the right to be free from pay and benefits discrimination.

The bill requires every employer in this state with 50 or more employees to provide each current employee, as well as all new employees going forward, a written copy of an anti-discrimination notice. The notice must be presented anew before the end of every year and any time upon the request of a worker. Proof of delivery of the notice to each of the employees must be shown with a signature on the notice by every worker.

"Everyone in the workplace – whether the employer or employee – needs to be on notice that, as with all forms of bias, compensation discrimination due to gender is illegal and has no place in our modern workforce," said Governor Christie. "Too often, women's value and contributions in the workplace have been undermined and shortchanged merely because of their gender. I fully endorse the Legislature's efforts in this regard, and that is why I signed this sensible, preventative measure into law."

Governor Christie also lauded the intent behind two other related bills, both of which he conditionally vetoed with modest recommendations. In each of these bills, the Governor delivered the same critically important message:

"For decades, New Jersey has led the nation's fight against unlawful discrimination in its many forms, and defined our country's path towards inclusion and progress for all. Our leadership has produced a workforce proudly reflective of our state's rich cultural, ethnic and gender diversity. While we celebrate the accomplishments that have enriched our communities, strengthened our families and broadened our businesses, we must remain vigilant against efforts to derail our combined progress."

The Governor continued, "I support efforts that remind all those who work in our state of the need to root out discrimination, and to vigorously enforce our strong commitments to equality. Too often in our past, women have seen their incalculable contributions to the workplace succumb to ignorance."

To that end, Governor Christie supports A-2650 to the extent that it conforms with the federal Lilly Ledbetter Fair Pay Act of 2009 and New Jersey's established case law. This bill regarding discriminatory compensation decisions or other wage-related employment practices that are unlawful under the Law Against Discrimination (LAD) effectively makes each paycheck an employee receives another instance of discrimination in cases where a compensation discrimination finding is made. As the Governor noted, this aspect of the bill sensibly conforms with present protections of federal law under the Lilly Ledbetter Act and also matches protections provided by a well-settled decision by the New Jersey Supreme Court.

However, A-2650 departs from those state and federal standards by omitting an express limitation on the amount of back pay an employee can recover. Consequently, the Governor makes modest recommendations so that the bill mirrors the provisions of the Ledbetter Act and the holding of the State Supreme Court. This advances the Administration's goal of providing consistency with federal standards as outlined in the Governor's Executive Order No. 2 of 2010.

"Federal and state law provide critical protections against gender discrimination, and my intention is to reinforce them by making them rock solid in terms of matching our existing and well-established legal bulwark against wage and compensation bias and compensation for violations," said Governor Christie. "I believe these recommended amendments accomplish that and adhere to what the Legislature sought to achieve without overreaching."

Similarly, Governor Christie recommended commonsense procedural modifications to A-2648, which would have stretched the terms of the existing Conscientious Employee Protection Act (CEPA), also known as the "whistleblower" law against employer retaliation, in instances of employees seeking information that could reveal discriminatory practices in the workplace. Because workplace discrimination claims are brought under LAD, the bill's revision of CEPA in this regard is inconsistent with the original intent of the law, and instead belongs in LAD. Therefore, the Governor proposed modifying the bill to remove the proposed language from CEPA and incorporate it in LAD, consistent with the current legal scheme.

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Finally, Governor Christie vetoed A-2649 as being unnecessary and duplicative of existing law and regulations concerning reporting requirements of businesses contracting with the state. The Governor noted that, while A-2649 purports to increase transparency on compliance with state gender parity laws by state contractors, the bill actually does nothing tangible to improve pay disparity.

"Government transparency has been a priority of this Administration, and I have set forth numerous proposals over the last two years to increase government transparency," Governor Christie wrote in his veto message. "Regrettably, many of these proposals remain stalled in the Legislature. However, as these new reporting requirements fail to advance sound policy over senseless bureaucracy, I must return Assembly Bill No. 2649 without my approval."

Primary sponsors of A-2647 includes Assemblymembers Pamela Lampitt (D-Burlington and Camden), Celeste Riley (D-Salem, Cumberland and Gloucester) and Paul D. Moriarty (D-Camden and Gloucester).

BILLS VETOED:

A-2648/S-1935 (Fuentes, Lampitt, Riley/Weinberg, Greenstein) - CONDITIONAL - Concerns disclosure of certain employment information

A-2649/S-1932 (Lampitt, Riley, Moriarty/Weinberg, Greenstein) – ABSOLUTE -Requires public contractors to report certain employment information

A-2650/S-1933 (Lampitt, Riley, Moriarty/Sweeney, Weinberg) – CONDITIONAL - Provides that unlawful employment practice occurs each time individual is affected by decision or practice, including each time compensation is paid

Copies of the veto messages:


A-2648/S-1935 [pdf 75kB]

A-2649/S-1932 [pdf 15kB]

A-2650/S-1933 [pdf 30kB]

Press Contact:
Michael Drewniak
Kevin Roberts
609-777-2600



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