

2.S.34:15-39.1

LEGISLATIVE FACT SHEET

ON

N.J.R.S. 34:15-39.1 (wk comp claim - Discrimination)
(1966 Amendment)

LAWS OF 1966

CHAPTER 157.

~~SENATE~~

ASSEMBLY 47.

INTRODUCED Jan. 18, 1966

BY Albanese [and 8 others]

STATEMENT

YES

NO

AMENDED DURING PASSAGE

YES

NO

HEARING

VETO

L. 1968 - Chap 258 - 5531

Not amended during passage

No statement

DEPOSITORY COPY
Do Not Remove From Library

No hearings or reports discovered for either
of these laws.

ASSEMBLY, No. 47

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1966

By Assemblymen ALBANESE, SWEENEY, BIANCARDI, BRADY, HORN,
FARRINGTON and VOHDIN

Referred to Committee on Labor and Industrial Relations

AN ACT concerning workmen's compensation, and supplementing chapter 15 of
Title 34 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. It shall be unlawful for any employer or his duly authorized agent to
2 discharge or in any other manner discriminate against an employee as to his
3 employment because such employee has claimed or attempted to claim work-
4 men's compensation benefits from such employer, or who has testified, or is
5 about to testify, in any proceeding under the chapter to which this act is a
6 supplement. For any violation of this act, the employer or agent shall be
7 liable to a penalty of not less than \$100.00 nor more than \$1,000.00 to be fixed
8 by the Commissioner of Labor and Industry. Every such penalty shall be
9 paid to the said commissioner and if not paid shall be recovered in a civil
10 action brought and maintained by the said commissioner in the name of the
11 State of New Jersey. Any employee so discriminated against shall be re-
12 stored to his employment and shall be compensated by his employer for any
13 loss of wages arising out of such discrimination; provided, if such employee
14 shall cease to be qualified to perform the duties of his employment he shall
15 not be entitled to such restoration and compensation.

1 2. This act shall take effect immediately.

ASSEMBLY AMENDMENTS TO

ASSEMBLY, No. 47

STATE OF NEW JERSEY

ADOPTED MAY 23, 1966

Amend page 1, section 1, line 7, delete "liable to a penalty", and insert in lieu thereof "punished by a fine".

Amend page 1, section 1, lines 7 to 11, after "\$1,000.00", delete "to be fixed by the Commissioner of Labor and Industry. Every such penalty shall be paid to the said commissioner and if not paid shall be recovered in a civil action brought and maintained by the said commissioner in the name of the State of New Jersey." and insert in lieu thereof "or imprisonment for not more than 60 days or both."

Amend page 1, section 1, line 15, after section 1, insert the following new sections:

"2. As an alternative to any other sanctions herein or otherwise provided by law, the Commissioner of Labor and Industry may impose a penalty not exceeding \$1,000.00 for any violation of this act. He may proceed in a summary manner for the recovery of such penalty, for the use of the State in any court of competent jurisdiction.

"3. The employer alone and not his insurance carrier shall be liable for any penalty under this act."

Amend page 1, section 2, line 1, delete "2", and insert "4".

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 47

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1966

By Assemblymen ALBANESE, SWEENEY, BIANCARDI, BRADY, HORN,
FARRINGTON and VOHDIN

Referred to Committee on Labor and Industrial Relations

AN ACT concerning workmen's compensation, and supplementing chapter 15 of
Title 34 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. It shall be unlawful for any employer or his duly authorized agent to
2 discharge or in any other manner discriminate against an employee as to his
3 employment because such employee has claimed or attempted to claim work-
4 men's compensation benefits from such employer, or who has testified, or is
5 about to testify, in any proceeding under the chapter to which this act is a
6 supplement. For any violation of this act, the employer or agent shall be
7 ***[liable to a penalty]*** **punished by a fine** of not less than \$100.00 nor
8 more than \$1,000.00 ***[to be fixed by the Commissioner of Labor and In-**
9 **dustry. Every such penalty shall be paid to the said commissioner and if**
10 **not paid shall be recovered in a civil action brought and maintained by the**
11 **said commissioner in the name of the State of New Jersey.]*** **or imprison-*
12 *ment for not more than 60 days or both.** Any employee so discriminated
13 against shall be restored to his employment and shall be compensated by his
14 employer for any loss of wages arising out of such discrimination; provided,
15 if such employee shall cease to be qualified to perform the duties of his em-
16 ployment he shall not be entitled to such restoration and compensation.

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

1 *2. As an alternative to any other sanctions herein or otherwise provided
2 by law, the Commissioner of Labor and Industry may impose a penalty
3 not exceeding \$1,000.00 for any violation of this act. He may proceed in a
4 summary manner for the recovery of such penalty, for the use of the State
5 in any court of competent jurisdiction.

1 3. The employer alone and not his insurance carrier shall be liable for any
2 penalty under this act.*

1 ***[2.]*** *4.* This act shall take effect immediately.

CHAPTER 258 LAWS OF N. J. 1968

APPROVED 9/4/68

SENATE, No. 531

STATE OF NEW JERSEY

INTRODUCED MARCH 14, 1968

By Senators RINALDO, LA CORTE and McDERMOTT

Referred to Committee on Labor Relations

AN ACT to amend "An act concerning workmen's compensation, and supplementing chapter 15 of Title 34 of the Revised Statutes," approved June 18, 1966 (P. L. 1966, c. 157).

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 1 of the act of which this act is amendatory is amended
2 to read as follows:

3 1. It shall be unlawful for any employer or his duly authorized
4 agent to discharge or in any other manner discriminate against an
5 employee as to his employment because such employee has claimed
6 or attempted to claim workmen's compensation benefits from such
7 employer, or **[who]** *because he* has testified, or is about to testify,
8 in any proceeding under the chapter to which this act is a supple-
9 ment. For any violation of this act, the employer or agent shall
10 be punished by a fine of not less than \$100.00 nor more than
11 \$1,000.00 or imprisonment for not more than 60 days or both. Any
12 employee so discriminated against shall be restored to his employ-
13 ment and shall be compensated by his employer for any loss of
14 wages arising out of such discrimination; provided, if such em-
15 ployee shall cease to be qualified to perform the duties of his em-
16 ployment he shall not be entitled to such restoration and
17 compensation.

1 2. This act shall take effect immediately.

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