

SENATE, No. 2388

STATE OF NEW JERSEY
214th LEGISLATURE

INTRODUCED NOVEMBER 8, 2010

Sponsored by:

Senator JAMES BEACH

District 6 (Camden)

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

Co-Sponsored by:

Senator Cunningham

SYNOPSIS

Prohibits practice of excluding unemployed individuals in advertisements for job vacancies.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/16/2010)

1 AN ACT concerning employment discrimination and supplementing
2 Title 34 of the Revised Statutes.

3

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

6

7 1. No employer or employer's agent, representative, or
8 designee shall publish, in print or on the Internet, an advertisement
9 for any job vacancy that contains one or more of the following:

10 a. Any provision stating or suggesting that the qualifications
11 for a job include current employment;

12 b. Any provision stating or suggesting that the employer or
13 employer's agent, representative, or designee will not consider or
14 review an application for employment submitted by any job
15 applicant currently unemployed; or

16 c. Any provision stating or suggesting that the employer or
17 employer's agent, representative, or designee will only consider or
18 review applications for employment submitted by job applicants
19 who are currently employed.

20

21 2. Any employer who violates this act shall be subject to a civil
22 penalty in an amount not to exceed \$5,000 for the first violation and
23 \$10,000 for each subsequent violation, collectible by the
24 Commissioner of Labor and Workforce Development in a summary
25 proceeding pursuant to the "Penalty Enforcement Law of 1999,"
26 P.L.1999, c.274 (C.2A:58-10 et seq.).

27

28 3. This act shall take effect immediately.

29

30

31

STATEMENT

32

33 This bill prohibits an employer or employer's agent,
34 representative, or designee to publish, in print or on the Internet, an
35 advertisement for any job vacancy that prohibits, announces or
36 suggests that unemployed individuals need not apply for a job
37 vacancy. The bill provides for the imposition of civil penalties, for a
38 violation of the bill, in an amount not to exceed \$5,000 for the first
39 violation, or \$10,000 for each subsequent violation, collectible by
40 the Commissioner of Labor and Workforce Development.