ASSEMBLY, No. 3359

STATE OF NEW JERSEY

214th LEGISLATURE

INTRODUCED OCTOBER 7, 2010

Sponsored by:
Assemblyman PETER J. BARNES, III
District 18 (Middlesex)
Assemblywoman ELEASE EVANS
District 35 (Bergen and Passaic)
Assemblywoman CELESTE M. RILEY
District 3 (Salem, Cumberland and Gloucester)

Co-Sponsored by:
Assembliesmen DeAngelo, O'Donnell, Assemblywoman Tucker, Senators
Beach, Madden and Cunningham

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

CURRENT VERSION OF TEXT
As introduced.

(Sponsorship Updated As Of: 11/23/2010)
AN ACT concerning employment discrimination and supplementing
Title 34 of the Revised Statutes.

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

1. No employer or employer’s agent, representative, or
designee shall publish, in print or on the Internet, an advertisement
for any job vacancy that contains one or more of the following:
   a. Any provision stating or suggesting that the qualifications
      for a job include current employment;
   b. Any provision stating or suggesting that the employer or
      employer’s agent, representative, or designee will not consider or
      review an application for employment submitted by any job
      applicant currently unemployed; or
   c. Any provision stating or suggesting that the employer or
      employer’s agent, representative, or designee will only consider or
      review applications for employment submitted by job applicants
      who are currently employed.

2. Any employer who violates this act shall be subject to a civil
penalty in an amount not to exceed $5,000 for the first violation and
$10,000 for each subsequent violation, collectible by the
Commissioner of Labor and Workforce Development in a summary
proceeding pursuant to the “Penalty Enforcement Law of 1999,”

3. This act shall take effect immediately.

STATEMENT

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