

SUBCHAPTER 3. AFFIRMATIVE ACTION IN AUTHORITY-FINANCED CONSTRUCTION PROJECTS

19:30-3.1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

“Construction contract” means any contract, subcontract, or agreement, whether written or oral, for construction, reconstruction, demolition, alteration, repair work, maintenance work, or construction related to installation of equipment, undertaken in connection with a project receiving Authority assistance and paid for in whole or in part with funds received through Authority assistance.

“Contractor” means any party who enters into a construction contract with the project owner/applicant, or any party to whom funds will be disbursed for payment of construction work, including any subcontractor of the Contractor.

“Minority worker” means any worker as defined by the New Jersey Department of the Treasury rule set forth in N.J.A.C. 17:27-2.1.

“Project owner/applicant” means the entity which or individual who has applied for, or is the recipient of, Authority financial assistance.

Amended by R.1990 d.411, effective August 20, 1990.
See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).

Definition for construction contract amended; minority worker added. Section recodified from 6.1.

19:30-3.2 Application of affirmative action regulations

(a) Every contractor involved in a construction contract is required to undertake a program designed to employ minority workers and female workers in accordance with the hiring goals to be established by the Affirmative Action Office, New Jersey Department of the Treasury (see N.J.A.C. 17:27-7.3).

(b) The project owner/applicant shall be responsible for the performance of its contractors under this subchapter.

Amended by R.1990 d.411, effective August 20, 1990.
See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).

References to female workers and the requirements of N.J.A.C. 17:27-7.3 added. Section recodified from 6.2.

19:30-3.3 Compliance

(a) A contractor will be considered in compliance with this subchapter only if the contractor has made every effort to meet the minority hiring goals and female hiring goals for each trade or craft employed on the project. The goals are expressed as percentages of the total hours worked on the project in each trade. The goals are published annually by the Department of Treasury. At a minimum, the contractor must take the following steps in this effort.

1. Notify the Authority and at least two minority referral organizations of the contractor's labor needs, and request referrals of minority workers and female workers. The contractor shall leave standing requests for referrals of minority workers and female workers with the local unions, the State Employment Service, New Jersey Bureau of Apprenticeship and Training, and at least two referral sources designated from time to time by the Authority until such time as the contractor has met its hiring goals;

2. Give notice of employment opportunities to all minority workers and female workers who have been listed with the contractor as awaiting available vacancies;

3. Employ qualified minority workers and female workers who have been listed with the contractor as candidates for available vacancies; and

4. Keep complete and accurate records of all requests for worker referrals and hours worked.

Amended by R.1990 d.411, effective August 20, 1990.

See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).

References to female workers added. Section recodified from 6.3.

Amended by R.2000 d.297, effective July 17, 2000.

See: 32 N.J.R. 1705(a), 2602(c).

In (a), deleted “The Authority will publish these goals as part of its Affirmative Action program.” Added “The goals are published annually by the Department of the Treasury.”

19:30-3.4 Monitoring by the Authority

(a) The Authority will maintain an Affirmative Action Program, the staff of which will review contractor performance for compliance with this subchapter. Each contractor will be required to submit to the Affirmative Action Program, on a weekly basis, certified payroll records identifying the name, address, social security number, race, hourly wage rate, gross earnings of, and number of hours worked in each craft or trade by minority, female, and other workers. The Affirmative Action Officer will make field inspections of project sites, and may perform audits of records relating to construction activities on the project.

(b) The project owner/applicant and the contractor shall identify an officer or employee who will coordinate the Affirmative Action Program and act as liaison with the Authority's Affirmative Action Officer.

(c) Each project owner/applicant and contractor shall resolve any questions regarding this subchapter with the Authority's Affirmative Action Officer prior to the execution of any construction contracts in connection with a project receiving Authority assistance.

(d) The Authority may prioritize its monitoring of construction contracts based on available staff, cost, nature, timing and extent of the work to be performed under the contract, the number of workers needed to perform the contract, and any other relevant factors.

Amended by R.1990 d.411, effective August 20, 1990.

See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).

Monitoring may be prioritized by Authority. Section recodified from 6.4.

Amended by R.1995 d.435, effective August 21, 1995.

See: 27 N.J.R. 2377(a), 27 N.J.R. 3216(a).

19:30-3.5 Contract provisions

(a) Every construction contract must require that:

1. Ten percent of each disbursement for the construction of the project will be retained by the project owner/applicant, agent or trustee until the Authority's Affirmative Action Officer gives written notice that the amount may be released.

2. The contractor will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, sex, or religion.

3. The contractor must make every effort to employ minority workers and female workers at a level consistent with the applicable hiring goals.

4. The contractor must submit employment reports to the Authority on a weekly basis.

5. The contractor must submit such certificates to the Authority as are required by the application for financial assistance.

6. The addendum to construction contract which is provided by the Authority with its application for financial assistance must be made a part of all construction contracts and must be signed by the contractor.

7. The contractor shall comply with any rules promulgated by the New Jersey Department of Treasury pursuant to P.L. 1975, c.127 as amended and supplemented from time to time.

Amended by R.1990 d.411, effective August 20, 1990.

See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).

Reference to female workers and Treasury rules added. Section recodified from 6.5.

Amended by R.1995 d.435, effective August 21, 1995.

See: 27 N.J.R. 2377(a), 27 N.J.R. 3216(a).

19:30-3.6 Failure to comply

(a) In the event the Authority determines that a contractor is not in compliance with this subchapter, the Authority will notify the contractor, the project owner/applicant, the construction lender, and the agent or trustee, in writing, of the steps the contractor should take to be considered in compliance.

(b) If the contractor fails to comply or otherwise respond after receipt of the notice in (a) above, the Authority may take action against the contractor or project owner/applicant including:

1. Direct the project owner/applicant, agent or trustee to withhold 10 percent of any disbursements to that contractor of bond proceeds or construction funds obtained with Authority assistance;

2. Institute debarment proceedings to preclude a contractor from contracting on Authority projects (see N.J.A.C. 19:30-2); and

3. Refer reported violations to the Attorney General for enforcement action under the "Law Against Discrimination".

Amended by R.1990 d.411, effective August 20, 1990.

See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).

Reference to subchapter 2 added. Section recodified from 6.6.

19:30-3.7 Executive Director to enforce regulation

The Executive Director may require applicants for Authority assistance and recipients of Authority assistance to make such additional representations to the Authority and to enter into such covenants and agreements with the Authority as are necessary to carry out the purposes of this subchapter. The Executive Director shall take such steps as are necessary to ensure compliance with this subchapter.

Amended by R.1990 d.411, effective August 20, 1990.

See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).

Text allowing exemptions deleted at (b). Section recodified from 6.7.

SUBCHAPTER 4. PAYMENT OF PREVAILING WAGES IN AUTHORITY PROJECTS

19:30-4.1 Definition

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Construction contract" means any contract, subcontract or agreement, whether written or oral, for construction, reconstruction, demolition, alteration, repair work, maintenance work, or construction related to installation of equipment, undertaken in connection with a project that has received final approval for Authority assistance and paid for in whole or in part with funds received through Authority assistance.

"Prevailing wage rate" means the prevailing wage rate established by the Commissioner of the New Jersey Department of Labor from time to time in accordance with the provisions of N.J.S.A. 34:11-56.30 for the locality in which the Project is located.

Amended by R.1990 d.411, effective August 20, 1990.

See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).

Definitions of Authority and Executive Director deleted; construction contract includes installation of equipment and any agreement, whether oral or written. Section recodified from 3.1. Amended by R.2000 d.482, effective December 4, 2000.

See: 32 N.J.R. 3555(a), 32 N.J.R. 4275(b).

In "Construction contract", substituted "receiving" for "that has received final approval for".

19:30-4.2 Payments of prevailing wages in projects receiving assistance

Recipients of assistance from the Authority for Projects, as defined in N.J.S.A. 34:1B-3, as a condition for receipt of such assistance, shall in all construction contracts in the amount of \$2,000 or more, require that wages paid to workers employed in the performance of the construction contracts be not less than the prevailing wage rate for such work.

Amended by R.1990 d.411, effective August 20, 1990.
See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).
Stylistic changes. Section recodified from 3.2.

19:30-4.3 Assurances required

(a) Recipients of assistance for construction contracts shall deliver a certificate to the Authority (or designated agent for the Authority), upon completion of the project, signed by an authorized representative of the recipient, representing and confirming that:

1. It has complied and has caused its contractors and subcontractors to comply with the requirements of N.J.A.C. 19:30-4.2 and attaching true copies of all such construction contracts with contractors and subcontractors; or
2. It has not entered into any construction contracts subject to the provisions of N.J.A.C. 19:30-4.2.

Amended by R.1990 d.411, effective August 20, 1990.
See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).
Correction of citation. Section recodified from 3.3.

19:30-4.4 Contract provisions required

(a) Each recipient of assistance from the Authority shall in all construction contracts in the amount of \$2,000 or more require that:

1. Contractors and subcontractors permit the Authority, or its designated agent, complete access to payroll records and other records for purposes of determining compliance with the provisions of this subchapter.
2. Contractors and subcontractors keep accurate records showing the name, craft or trade, and actual hourly rate of wages paid to each worker employed in connection with the performance of the contract and to preserve such records for two years from the completion date of the project.

Amended by R.1990 d.411, effective August 20, 1990.
See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).
Stylistic change. Section recodified from 3.4.

19:30-4.5 Violation

A violation of the provisions of this subchapter shall be deemed a violation of N.J.S.A. 34:11-56.25 et seq.

Repeal and New Rule R.1990 d.411, effective August 20, 1990.
See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).

Section 3.5, Executive Director to enforce compliance, was repealed and recodified from 4.5.

19:30-4.6 (Reserved)

Repealed by R.1990 d.411, effective August 20, 1990.
See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).
Section was 3.6, Effective date.

SUBCHAPTER 5. TARGETING OF AUTHORITY ASSISTANCE**19:30-5.1 Priority consideration of projects in economically distressed localities**

(a) Subject to Federal tax law compliance and certain other legal restraints, any project located anywhere in the State of New Jersey may qualify for assistance from the Authority if it meets certain economic needs. Nevertheless, the Authority recognizes the special needs of certain municipalities and, accordingly, affords them priority consideration in offering its assistance. Such municipalities are eligible locations for a period of one year or longer.

(b) Qualification under this subchapter is not tantamount to project approval; it merely identifies certain municipalities for priority consideration. Projects must meet eligibility standards set forth in N.J.A.C. 19:31.

Amended by R.1995 d.435, effective August 21, 1995.
See: 27 N.J.R. 2377(a), 27 N.J.R. 3216(a).

19:30-5.2 Municipalities eligible for priority consideration

(a) Municipalities meeting either of the following criteria are considered eligible locations:

1. Constituting a "qualifying municipality" as defined in N.J.S.A. 52:27D-178, which designates certain municipalities as "New Jersey Urban Aid Municipalities" based on a formula including, but not limited to:

- i. At least one publicly financed dwelling unit for low income families in municipalities with populations in excess of 15,000;
- ii. The number of children receiving "Aid to Dependent Children" exceeds 250;
- iii. The municipality's equalized tax rate exceeds the State equalized tax rate; and
- iv. The municipality's equalized valuation per capita is less than the State equalized valuation per capita.

2. Eligibility under the Authority's formula requires that a municipality meet three of the four following standards:

- i. Unemployment rate above the State average;
- ii. Per capita income lower than the State average;

- iii. Ratables per capita less than the State average;
- iv. A total number of unemployed persons of 1,000 or more.

(b) A municipality shall remain on the list of eligible locations for a period of one year after the municipality ceases to meet the criteria in (a)1 and 2 above.

Amended by R.1995 d.435, effective August 21, 1995.
See: 27 N.J.R. 2377(a), 27 N.J.R. 3216(a).

19:30-5.3 Special eligibility list

The Executive Director shall, from time to time, establish a list of municipalities and activities by Standard Industrial Classification Number, eligible for Authority assistance, notwithstanding the requirements of N.J.A.C. 19:30-5.2 and 19:31, based on the Authority's objectives as indicated in N.J.A.C. 19:30-1.1.

SUBCHAPTER 6. FEES

19:30-6.1 Application fee

A non-refundable fee of \$500.00 shall accompany every application for Authority assistance, except for an application under the Urban Centers Small Loan Program for which the fee is \$250.00, and except for an application under the Trade Adjustment Assistance Center program for which there is no application fee. The non-refundable application fee of \$500.00 for a guarantee of a bond issued by the Authority is in addition to the bond application fee.

Amended by R.1987 d.318, effective August 3, 1987.
See: 19 N.J.R. 922(a), 19 N.J.R. 1456(b).

Changed non-refundable fee of \$250.00 to \$500.00. Added text "except for an . . ."

Amended by R.1990 d.411, effective August 20, 1990.
See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).

Exception for Trade Adjustment Assistance Center added. Section recodified from 2.1.

19:30-6.2 Commitment fees

(a) A non-refundable commitment fee of \$750.00 is charged with the acceptance by an applicant of a loan guarantee or direct participation commitment from the Authority.

(b) A non-refundable commitment fee of \$300.00 is charged with the acceptance by an applicant of a direct loan commitment under the Urban Centers Small Loan Program.

(c) A non-refundable commitment fee of \$500.00, or one-half of one percent of the loan amount, whichever is greater, is charged with the acceptance by an applicant of any direct loan commitment other than as described in (b) above.

(d) A non-refundable extension fee of \$750.00, per extension requested by the borrower, shall be charged for the granting of an extension of the commitment letter beyond the original expiration date.

Recodified by R.1990 d.411, effective August 20, 1990.
See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).

Section was 2.2.
Amended by R.1995 d.435, effective August 21, 1995.
See: 27 N.J.R. 2377(a), 27 N.J.R. 3216(a).

Raised commitment fee and added direct participation commitment in (a); added (d) regarding extension fee.

19:30-6.3 Closing fees

(a) Except as set forth in (a)1 below, for Authority-issued bonds, the fee to be paid at closing is one-half of one percent of the amount of the bond issue up to and including \$15,000,000; three-eighths of one percent of the amount in excess of the next \$10,000,000; and one-half of one percent of the bond amount in excess of \$25,000,000.

1. The fee to be paid at closing for Authority-issued bonds which benefit not-for-profit corporations, as defined by the Internal Revenue Code, and governmental bodies shall be one-half of one percent of the amount of the bond issue, up to and including \$10,000,000 and one-quarter of one percent of the amount in excess of \$10,000,000.

2. In all instances the fees due and payable for conduit bond transactions shall not exceed \$300,000.

(b) For guaranteed Authority-issued bonds or guaranteed conventional financing other than Authority issued bonds, the guarantee fee, to be paid at closing, is one-half of one percent of the initial amount of the guaranteed portion of the financing multiplied by the number of years the guarantee is to be in effect. This fee is in addition to the fee described in (a) above if the Authority's guarantee relates to repayment of a bond issued by the Authority.

(c) For guarantees issued under N.J.A.C. 19:31-2.1(b)3, the residual risk guarantee fee to be paid at closing is one-quarter of one percent of the initial amount of the residual risk Authority's exposure in the financing multiplied by the number of years the guarantee is to be in effect.

(d) For direct loans from the Authority, other than loans under the Urban Centers Small Loan Program, the fee, to be paid at closing, is \$500.00, or one-half of one percent of the loan amount whichever is greater.

(e) For Authority issued taxable bonds, the fee to be paid at closing is one-half of the closing fee set forth in (a) above.

(f) For structured finance lease transactions whether or not the Authority has exposure, the lease origination fee will be one tenth of the sales tax savings achieved at lease signing.

Amended by R.1987 d.318, effective August 3, 1987.

See: 19 N.J.R. 922(a), 19 N.J.R. 1456(b).

Raised "one-tenth" to "one-quarter".

Recodified by R.1990 d.411, effective August 20, 1990.

See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).

Section was 2.3.

Amended by R.1995 d.435, effective August 21, 1995.

See: 27 N.J.R. 2377(a), 27 N.J.R. 3216(a).

Amended fees.

Amended by R.1997 d.270, effective July 7, 1997.

See: 29 N.J.R. 1485(b), 29 N.J.R. 2844(b).

In (b), substituted "guaranteed conventional financing other than Authority issued bonds" for "conventional loans"; and added (d). Amended by R.1999 d.77, effective March 1, 1999.

See: 31 N.J.R. 33(b), 31 N.J.R. 671(a).

In (a), inserted a reference to government bodies in 1, and added 2. Amended by R.2000 d.297, effective July 17, 2000.

See: 32 N.J.R. 1705(a), 32 N.J.R. 2602(c).

Inserted a new (c); recodified former (c) and (d) as (d) and (e); and added a new (f).

19:30-6.4 Post-closing fees

(a) The fees in this section are due and payable upon closing of the bond amendment, approval of change of ownership, or signing of modification consent, waiver, or similar documents.

1. For refunding bonds issued to refinance or change the terms of outstanding Authority bonds, an amount equal to one-half of the closing fee (see N.J.A.C. 19:30-6.3(a)) shall be charged.

2. For combination refunding and new money bonds, an amount equal to one-half of the closing fee (see N.J.A.C. 19:30-6.3(a)) shall be charged on the refunding portion and the closing fee (see N.J.A.C. 19:30-6.3(a)) shall be charged on the new money portion.

3. For change of ownership of 50 percent or more of the project property or ownership interest in the borrower to an unrelated entity, or to a related entity not previously approved by the Authority for the project, a \$1,500 fee shall be charged.

4. For change of ownership of the project property or ownership interest in the borrower to a previously Authority-approved related entity, or for the transfer of less than 50 percent of the project property or ownership interest in the borrower to an unrelated entity (excluding a limited partner, or a shareholder holding or about to hold an ownership interest in the borrower of 10 percent or less), a \$750.00 fee shall be charged.

5. For changing project location or description, or changing loan document provisions on bond-financed projects, a \$750.00 fee shall be charged.

6. For review and execution of a document or the preparation of documents, or granting a consent or waiver related to an Authority-assisted project, a fee of \$250.00 shall be charged.

7. For executing (up to 10 bonds) or authorizing issuance of substitute bonds, a fee of \$100.00 per project, per occurrence shall be charged.

8. For modifying or restructuring payment terms for a direct loan or loan guarantee project a fee of \$1,000 shall be charged.

(b) When a transaction does not by its terms fall into one of the above categories, the Authority in its discretion shall determine the appropriate category based on the substance of the transaction. The categorization of the transaction on U.S. Department of the Treasury, Internal Revenue Service Form 8038 will be a significant factor in the determination of the fee.

Amended by R.1987 d.318, effective August 3, 1987.

See: 19 N.J.R. 922(a), 19 N.J.R. 1456(b).

Substantially amended.

Amended by R.1990 d.411, effective August 20, 1990.

See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).

Definitions for refunding bond, related and unrelated entities clarified; examples added at (a)5; scope broadened; limitation on execution of bonds. Section was recodified from 2.4.

Amended by R.1993 d.217, effective May 17, 1993.

See: 25 N.J.R. 916(a), 25 N.J.R. 1998(a).

Added new (a)8.

Amended by R.1995 d.435, effective August 21, 1995.

See: 27 N.J.R. 2377(a), 27 N.J.R. 3216(a).

Raised fees.

19:30-6.5 Sign display

Applicants requesting financial assistance from the Authority, where part of the project consists of construction or renovation will be provided a sign upon granting of approval by the Members, which is to be visibly erected at the project site indicating that the financing was made available through the Authority.

Amended by R.1990 d.411, effective August 20, 1990.

See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).

Fee for sign increased from \$50.00 to \$75.00. Section was 2.5.

Amended by R.1995 d.435, effective August 21, 1995.

See: 27 N.J.R. 2377(a), 27 N.J.R. 3216(a).

Required project sign to be visibly erected at all construction or renovation sites.

19:30-6.6 Guarantee incentive fees

On a case-by-case basis, where the Authority's financial assistance consists of a loan guarantee, the Authority may charge an annual incentive fee for the term of the guarantee not to exceed, in the aggregate, 50 percent of the original guarantee amount. The annual incentive fee will be predetermined at approval based upon an analysis of the Authority's risk exposure and the financial benefit expected to be derived by the applicant resulting from the Authority's participation.

New Rule, R.1995 d.435, effective August 21, 1995.

See: 27 N.J.R. 2377(a), 27 N.J.R. 3216(a).

Historical Note

A former N.J.A.C. 19:30-6.6 was recodified as N.J.A.C. 19:30-2.6, effective August 20, 1990.

19:30-6.7 Fee waiver

The Executive Director may, with the approval of the members, waive certain fees as described in this subchapter, upon demonstration by the applicant that the imposition of the fee would impose an undue financial hardship. This provision shall be limited to loans and grants under \$25,000. The Executive Director, with the approval of the members, may waive, postpone or decrease bond application and closing fees for municipal governmental agency(s) or State agency projects. In the case of State agency projects such waiver, postponement or decrease shall be in accordance with the directives of the State Treasurer regarding the specific State agency projects.

New Rule, R.1995 d.435, effective August 21, 1995.
See: 27 N.J.R. 2377(a), 27 N.J.R. 3216(a).
Amended by R.1999 d.77, effective March 1, 1999.
See: 31 N.J.R. 33(b), 31 N.J.R. 671(a).
Added a third sentence.
Amended by R.2000 d.297, effective July 17, 2000.
See: 32 N.J.R. 1705(a), 32 N.J.R. 2602(c).
Rewrote section.

SUBCHAPTER 7. DISABILITY DISCRIMINATION COMPLAINT PROCEDURE

19:30-7.1 Definitions

The following words and terms, as used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

“ADA” means the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq.

“Authority” means the New Jersey Economic Development Authority.

“Designated decision maker” means the Executive Director of the Authority or his or her designee.

“Disability” means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or being regarded as having such impairment.

Amended by R.1995 d.435, effective August 21, 1995.
See: 27 N.J.R. 2377(a), 27 N.J.R. 3216(a).

19:30-7.2 Purpose

(a) These rules are adopted by the Authority in satisfaction of the requirements of the ADA and regulations promulgated pursuant thereto, 28 C.F.R. 35.107.

(b) The purpose of these rules is to establish a designated coordinator whose duties shall include assuring that the Authority complies with and carries out its responsibilities under the ADA. Those duties shall also include the investigation of any complaint filed with the Authority pursuant to N.J.A.C. 19:30-7.

Amended by R.1995 d.435, effective August 21, 1995.
See: 27 N.J.R. 2377(a), 27 N.J.R. 3216(a).

19:30-7.3 Required ADA Notice

In addition to any other advice, assistance or accommodation provided, a copy of the following notice shall be given to anyone who inquires regarding the Authority's compliance with the ADA or the availability of accommodation which would allow a qualified individual with a Disability to receive services or participate in a program or activity provided by the Authority.

AUTHORITY NOTICE OF ADA PROCEDURE

The Authority has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act. Title II states, in part, that no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from participation in, be denied the benefits of or be subjected to discrimination in programs or activities sponsored by a public entity.

Rules describing and governing the internal grievance procedure can be found in the New Jersey Administrative Code, N.J.A.C. 19:30-7. As those rules indicate, complaints should be addressed to the Authority's designated ADA Coordinator, who has been designated to coordinate ADA compliance efforts, at the following address:

ADA Coordinator
New Jersey Economic Development Authority
PO Box 990
Trenton, New Jersey 08625-0990

1. A complaint may be filed in writing or orally, by any individual (or that individual's authorized representative) who believes that s/he or a specific class of individuals has been subjected to discrimination on the basis of disability. The complaint should contain the name and address of the person filing the complaint and for whom the complaint is being filed, and briefly describe the alleged violation. A form for this purpose is available from the designated ADA coordinator.

2. A complaint should be filed promptly within 20 days from the date of the alleged violation. (Processing of allegations of discrimination which occurred before this grievance procedure was in place will be considered on a case-by-case basis.)