

CHAPTER 8

DISPLAY OF OFFICIAL POSTERS OF THE DIVISION ON CIVIL RIGHTS

Authority

N.J.S.A. 10:5-1 through 49.

Source and Effective Date

R.2000 d.389, effective September 18, 2000.
See: 32 N.J.R. 2579(a), 32 N.J.R. 3442(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 8, Display of Official Posters of the Division on Civil Rights, expires on March 17, 2006. See: 37 N.J.R. 3908(a).

Chapter Historical Note

Chapter 8, Display of Official Posters of the Division on Civil Rights, was adopted and became effective prior to September 1, 1969.

Pursuant to Executive Order No. 66(1878), the expiration date for Chapter 8, Display of Official Posters of the Division on Civil Rights, was established by R.2000 d.389, effective September 18, 2000. See: Source and Effective Date.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 13:8-1.1 Definitions
- 13:8-1.2 Display of employment poster
- 13:8-1.3 Display of housing poster
- 13:8-1.4 Display of public accommodation poster
- 13:8-1.5 Violation

SUBCHAPTERS 2 through 3. (RESERVED)

APPENDIX A

APPENDIX B

APPENDIX C

SUBCHAPTER 1. GENERAL PROVISIONS

13:8-1.1 Definitions

The definitions set forth in N.J.S.A. 10:5-1 et seq. shall apply to this chapter.

Amended by R.2000 d.389, effective September 18, 2000.
See: 32 N.J.R. 2579(a), 32 N.J.R. 3442(a).

Changed N.J.A.C. reference, and substituted "apply" for "obtain" following "shall".

13:8-1.2 Display of employment poster

All labor organizations, employment agencies and employers of employees covered by the Law Against Discrimination (N.J.S.A. 10:5-1 et seq.) shall display the official employment poster of the Division, which is set forth

in subchapter Appendix A, incorporated herein by reference, in places easily visible to all employees and applicants for employment.

Amended by R.2000, d.389, effective September 18, 2000.
See: 32 N.J.R. 2579(a), 32 N.J.R. 3442(a).
Inserted a reference to Appendix A.

13:8-1.3 Display of housing poster

(a) All real estate brokers and all persons who engage in the business of selling or renting their own real property shall display the official housing poster of the Division, which is set forth in subchapter Appendix B, incorporated herein by reference, in places easily visible to all prospective tenants and purchasers.

(b) For the purpose of this Section, a person is not engaged in the business of selling real property solely because he sells or attempts to negotiate the sale of his own residence.

Amended by R.2000 d.389, effective September 18, 2000.
See: 32 N.J.R. 2579(a), 32 N.J.R. 3442(a).
Inserted a reference to Appendix B.

13:8-1.4 Display of public accommodation poster

All places of public accommodation shall display the official public accommodation poster of the Division, which is set forth in subchapter Appendix C, incorporated herein by reference, in places easily visible to all persons seeking or using the accommodations.

Amended by R.2000 d.389, effective September 18, 2000.
See: 32 N.J.R. 2579(a), 32 N.J.R. 3442(a).
Inserted a reference to Appendix C.

Case Notes

Minister's First Amendment claims challenging constitutionality of provision authorizing promulgation of regulations requiring employers and providers of public accommodations to post public notices stating that discrimination based upon "affectational or sexual orientation" is illegal was not ripe for adjudication; state had not promulgated such regulation. *Presbytery of New Jersey of the Orthodox Presbyterian Church v. Florio*, D.N.J.1995, 902 F.Supp. 492.

13:8-1.5 Violation

Failure to comply with this Chapter shall constitute a violation of N.J.S.A. 10:5-12(j).

SUBCHAPTER 2. (RESERVED)

Subchapter Historical Note

Subchapter 2, Poster Forms, was repealed by R.2000 d.389, effective September 18, 2000. See: 32 N.J.R. 2579(a), 32 N.J.R. 3442(a).

APPENDIX A

New Jersey Law Prohibits **DISCRIMINATION** *in* **EMPLOYMENT**

ON THE BASIS OF: Race, Creed, Color, National Origin, Age, Ancestry, Nationality, Marital Status, Gender, Liability for Military Service, Affectional or Sexual Orientation, Atypical Cellular or Blood Trait, Genetic Information (including the refusal to submit to genetic testing), Disability, or Family Leave (due to the birth or adoption of a child or the serious health condition of a child, spouse, or parent)

BY: Private or Government Employers, Employment Agencies, Labor Unions, or Independent Contractors

WITH RESPECT TO: Hire, Promotion, Transfer, Demotion, Termination, Salary, Benefits, Other Privileges, Conditions or Terms of Employment, Layoff, Reduction-in-Force, Downsizing, Apprenticeship and Training Programs, Job Referrals, or Union Membership

OR: In Retaliation for Filing a Complaint, Participating or Testifying in Any Proceedings or for Opposing Any Acts Forbidden under the New Jersey Law Against Discrimination.

REMEDY MAY INCLUDE: Reinstatement, Back Pay, Front Pay, Promotion, Recovery of Lost Benefits, Monetary Compensation for Pain and Humiliation Experienced as a Result of Unlawful Discrimination, and Attorney's Fees

Newspapers and trade journals cannot publish employment advertisements which discriminate against persons in violation of the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq.

VIOLATIONS SHOULD BE REPORTED TO THE NEAREST OFFICE

CAMDEN
(856) 614-2550

PATERSON
(973) 977-4500

NEWARK
(973) 648-2700

ATLANTIC CITY
(609) 441-3100

TRENTON
(609) 292-4605

TTY Users may contact the New Jersey Division on Civil Rights through the New Jersey Relay Operator. **Dial 711** and ask the Relay Operator to contact the Division at **(609) 292-7701**.

All labor organizations, employment agencies and employers covered by the New Jersey Law Against Discrimination N.J.S.A. 10:5-1 shall display the official poster of the New Jersey Division on Civil Rights in places easily visible to all employees and applicants for employment N.J.A.C. 13:8-1.2.

Administrative change.
See: 33 N.J.R. 569(b).

APPENDIX B

New Jersey Law Prohibits **DISCRIMINATION** *in* **HOUSING**

ON THE BASIS OF: Race, Creed, Color, National Origin, Ancestry, Marital or Familial Status, Gender, Affectional or Sexual Orientation, or Disability

BY: Real Estate Agents or Brokers, Financial Institutions, Property Owners, Landlords, or Building Superintendents

WITH RESPECT TO: the Sale, Rental, or Lease of Real Property, Including the Listing or Advertisement, or the Receipt or Transmittal of Offers to Purchase or Rent, or the Application and Terms of a Mortgage or Other Loan for the Purchase, Construction or Rehabilitation of Real Property

REMEDY MAY INCLUDE: An Order Restraining Unlawful Discrimination, Reimbursement for Financial Loss and Monetary Compensation for Pain and Humiliation Experienced as a Result of Unlawful Discrimination, and Attorney's Fees

Newspapers cannot publish real estate advertisements which express any discrimination against persons protected by the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq.

VIOLATIONS SHOULD BE REPORTED TO THE NEAREST OFFICE

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ATLANTIC CITY
(609) 441-3100

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(609) 292-4605

TTY Users may contact the New Jersey Division on Civil Rights through the New Jersey Relay Operator. **Dial 711** and ask the Relay Operator to contact the Division at **(609) 292-7701**.

All real estate brokers and persons who engage in the business of selling or renting real property who are covered by the New Jersey Law Against Discrimination N.J.S.A. 10:5-1 shall display the official poster of the New Jersey Division on Civil Rights in places easily visible to all prospective tenants and purchasers N.J.A.C. 13:8-1.3.



APPENDIX C

New Jersey Law Prohibits **DISCRIMINATION** *in places of* **PUBLIC ACCOMMODATION**

ON THE BASIS OF: Race, Creed, Color, National Origin, Ancestry, Nationality, Marital Status, Gender, Affectional or Sexual Orientation, or Disability

BY: Proprietor, Manager, Owner, Superintendent, Caretaker, Agent or Employee

WITH RESPECT TO: the Services, Facilities, Privileges or Accommodations Available to the Public at any Place or through any Association or League (whether or nor it has a building, headquarters, office or other place)

REMEDY MAY INCLUDE: An Order Restraining Unlawful Discrimination, Reimbursement for Financial Loss and Monetary Compensation for Pain and Humiliation Experienced as a Result of Unlawful Discrimination, and Attorney's Fees

VIOLATIONS SHOULD BE REPORTED TO THE NEAREST OFFICE

CAMDEN
(856) 614-2550

PATERSON
(973) 977-4500

NEWARK
(973) 648-2700

ATLANTIC CITY
(609) 441-3100

TRENTON
(609) 292-4605

TTY Users may contact the New Jersey Division on Civil Rights through the New Jersey Relay Operator. **Dial 711** and ask the Relay Operator to contact the Division at **(609) 292-7701**.

All places of Public Accommodation covered by the New Jersey Law Against Discrimination N.J.S.A. 10:5-1 shall display the official poster of the New Jersey Division on Civil Rights in places easily visible to all persons seeking or using the accommodations N.J.A.C. 13:8-1.4.

Administrative change.
See: 33 N.J.R. 569(b).