

CHAPTER 277

AN ACT to prohibit discrimination and intimidation on account of race, creed or color in employment of laborers or workmen and mechanics by contractors or subcontractors doing work or furnishing material for the State of New Jersey, or any county, city, township or other municipality thereof, and providing penalties for violation of the provisions of this act.

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

1. Every contract for or on behalf of the State of New Jersey or any county, city, township or other municipality thereof for the construction, alteration or repair of any public building or public work in the State of New Jersey shall contain provisions by which the contractor agrees:

Provisions of contract:

(a) That in the hiring of laborers, workmen and mechanics for the performance of work under this contract or any subcontract hereunder, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed or color, discriminate against any citizen of the State of New Jersey who is qualified and available to perform the work to which the employment relates;

Discrimination as to race, creed or color;

(b) That no contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of work under this contract on account of race, creed or color;

Intimidation;

(c) That there may be deducted from the amount payable to the contractor by the State of New Jersey or by any municipal corporation thereof, under this contract, a penalty of five dollars (\$5.00) for each person for each calendar day during which such person is discriminated against

Penalty for violation;

or intimidated in violation of the provisions of the contract; and

Contract
cancelled.

(d) That this contract may be cancelled or terminated by the State of New Jersey or by any county, city, township or other municipality thereof; and all money due or to become due hereunder may be forfeited, for a second or any subsequent violation of the terms or conditions of this section of the contract.

Complaint
made.

2. Complaint of violation of this act shall be made to the Commissioner of Labor or his representative within the Department of Labor authorized by him to act in this matter, within fifteen days from the date such violation occurred.

Hearing.

And in case of a dispute as to the facts set forth in the complaint, the matter shall be heard by the Commissioner of Labor or his representative within the Department of Labor and his decision thereon shall be conclusive.

Notice of
hearing.

3. The Commissioner of Labor shall notify the State agency or county, city, township or other municipality whenever such complaint shall be filed with him on the proper form prescribed by him and shall notify them of the date and place of any hearing on disputed facts as set forth above.

Notice of
decision.

4. On rendering any decision on the facts in any dispute as above set forth, the Commissioner of Labor shall notify the State agency, or county, city, township or other municipality as to his decision, directing them to apply the penalty set forth in section one-c of this act for a first violation and to apply the penalty set forth in section one-d for a second and/or subsequent violations.

5. This act shall take effect immediately.

Approved June 21, 1933.