

STATE OF NEW JERSEY  
COMMISSION ON SEX DISCRIMINATION  
IN THE STATUTES



SEX DISCRIMINATION  
IN THE  
EMPLOYMENT STATUTES

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FIRST REPORT  
October, 1979

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#### ACKNOWLEDGEMENTS

The Commission expresses its appreciation to the many State officials, representatives of women's organizations, and private individuals who provided valuable assistance and information in the course of this study. In particular, we extend our thanks to the following individuals who contributed extensively to the work of the Commission and this report: Alma L. Saravia, Executive Director; Kathleen Crotty, Deputy Director, New Jersey Senate; Gayl Mazuco, formerly Research Associate, Office of Legislative Services; Meril Dobrin, Program Development Specialist, Division on Women; Gary Mitchell, Legislative Intern, Rutgers University School of Law-Newark; Susan Vercheak, Legislative Intern, Rutgers University School of Law-Newark; and Meg Garrity, Legislative Intern, Seton Hall School of Law.

SENATOR WYN  
CHAIR  
HEODOSIA A  
VICE CHAIR  
SENATOR THO  
SEMBLYWO  
SEMBLYMAI  
ARA ALLEN  
YMOND BRO  
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## State of New Jersey

### COMMISSION ON SEX DISCRIMINATION IN THE STATUTES

ROOM 318 STATE HOUSE  
TRENTON, NEW JERSEY 08625  
TELEPHONE (609) 292-1596

ALMA I. SARAVIA  
EXECUTIVE DIRECTOR

SENATOR WYNONA M. LIPMAN  
CHAIR  
THEODOSIA A. TAMBORLANE  
VICE-CHAIR  
SENATOR THOMAS GAGLIANO  
ASSEMBLYWOMAN GRETA KIERNAN  
ASSEMBLYMAN ELLIOTT SMITH  
CLARA ALLEN  
RAYMOND BROWN  
PHOEBE SEHAM  
MILTON A. SILVERMAN

October, 1979

TO THE HONORABLE BRENDAN T. BYRNE, GOVERNOR  
JOSEPH P. MERLINO, SENATE PRESIDENT  
CHRISTOPHER JACKMAN, SPEAKER

#### MEMBERS OF THE SENATE AND GENERAL ASSEMBLY:

Pursuant to the mandate of P.L. 1978, C.68, The Commission on Sex Discrimination in the Statutes respectfully submits its first report, SEX DISCRIMINATION IN THE EMPLOYMENT STATUTES.

The recommendations contained herein are the result of an extensive survey of the statutes (N.J.S.A. Title 34; Title 43, Chapter 21; Title 10 and Title 11), a review of pertinent case law, and testimony presented to the Commission by public officials, political and civic organizations, and private citizens. We feel that the adoption of the recommendations in this report will contribute to the elimination of sex discrimination in employment and we urge their legislative and administrative implementation.

With the completion of this first report, the Commission has identified marriage and family law as its next area of study. In view of the extensive amount of work necessary to thoroughly review these and the remaining New Jersey statutes, we respectfully request an extension of the Commission's life beyond its January 8, 1980 expiration date.

*Wynona M. Lipman*  
SENATOR WYNONA M. LIPMAN  
Chair

*Theodosia A. Tamborlane*  
THEODOSIA A. TAMBORLANE  
Vice-Chair

*Thomas Gagliano*  
SENATOR THOMAS GAGLIANO

*Greta Kiernan*  
ASSEMBLYWOMAN GRETA KIERNAN

*Elliott J. Smith*  
ASSEMBLYMAN ELLIOTT SMITH

*Clara L. Allen*  
CLARA ALLEN, DIRECTOR  
DIVISION ON WOMEN

*Raymond M. Brown*  
RAYMOND BROWN

*Phoebe Seham*  
PHOEBE SEHAM

*Milton A. Silverman*  
MILTON A. SILVERMAN



## PREFACE

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The Commission on Sex Discrimination in the Statutes was created on July 6, 1978, when Governor Brendan T. Byrne signed P.L. 1978, c. 68. The Commission was empowered to conduct a thorough review of all statutes containing sex-based classifications to determine their relevance to contemporary standards of equality and to propose a comprehensive modernization and revision of those statutes.

The Commission organized on August 15, 1978 at which time Senator Wynona Lipman was elected Chair and Theodosia Tamborlane Vice-Chair. The Commission voted to conduct its study by subject matter with Employment being designated as the first in a series of reports.

Preliminary research commenced with a computer search of all New Jersey statutes based on a list of sex-based words and a review of studies published by other state commissions. (See appendix) In all statutory citations in the computer print-out and the report, references are to New Jersey Statutes Annotated.

Each section of the computer print-out was reviewed to determine whether statutory revisions would be necessary. All statutes containing substantive discrimination were noted and categorized by subject. Substantive discrimination for this study was defined as statutory language which indicates that sex is the basis for differential treatment of individuals.



The area of employment law was defined by the Commission as N.J.S.A. Title 34 - Labor and Workmen's Compensation; Title 43, chapter 21 - Unemployment Compensation; Title 10 - Civil Rights; and Title 11 - Civil Service. Case law, pertinent law review articles, and position papers were studied, and a topical bibliography was compiled.

A public hearing on Sex Discrimination in Employment was conducted by the Commission on June 27, 1979. The extensive testimony indicated: (1) Considerable sex discrimination in the New Jersey statutes relating to employment and (2) the need to consider and make recommendations for the elimination of de facto discrimination. Therefore, the report complies with the Commission's mandate to review and recommend revisions in the statutes, and addresses the problem of de facto discrimination by discussing innovative legal concepts to overcome employment barriers.

Underlying all of the Commission's recommendations are the following general assumptions:

- (1) Discrimination on the basis of sex exists throughout New Jersey's laws;
- (2) These laws reflect policy judgments no longer acceptable to our society;
- (3) A comprehensive revision of the statutes is a necessary step;



(4) The principle set forth in the Equal Rights Amendment that "equality of rights under the law shall not be denied or abridged on account of sex" reflects the philosophy of the Commission on Sex Discrimination in the Statutes.



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## INTRODUCTION

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In keeping with the traditional role of women in society, many state legislatures enacted "protective" labor laws in the late nineteenth century. Prior to 1963, these were the only statutes applying to working women. While the alleged purpose of the state laws was to "protect" the health of women, in reality they created artificial employment barriers. "Protective" labor laws may be divided into three general categories: (1) laws which confer special benefits on women only, e.g., providing seats for women only; (2) laws which exclude women from certain areas of employment, e.g., prohibition on women working in mines; and (3) laws which regulate conditions of employment, e.g., weightlifting restrictions. In reviewing these laws, the courts, applying the doctrine of federal supremacy, have invalidated the statutes in categories 2 and 3 pursuant to Title VII of the Civil Rights Act of 1964. When the statutes confer a benefit, as in category 1, the courts have ordered that it be extended to men. The Commission has followed this concept in its recommendations.

In the 1960's, the number of women in the labor force increased significantly. As a result a series of laws designed to improve the legal status of working women was enacted.

Employment discrimination on the basis of sex has been prohibited by the following federal statutes and executive orders:



(1) The Equal Pay Act of 1963 requires that employees of both sexes receive equal pay for equal work.

(2) Title VII of the Civil Rights Act of 1964 prohibits discrimination on the basis of sex in all terms and conditions of employment.

(3) Executive Order No. 11246, as amended by Executive Order No. 11375, prohibits sex discrimination in employment by most Federal Government contractors and subcontractors, and requires them to develop a formal written affirmative action plan. (1967)

(4) The Age Discrimination Act of 1967 prohibits sex discrimination against workers aged 40 to 70.

(5) Executive Order No. 11478 prohibits discrimination on the basis of sex in federal agencies. (1969)

(6) Title IX of the Educational Amendments of 1972 prohibits sex discrimination in employment by educational institutions receiving federal funds.

In New Jersey, sex discrimination in employment has been prohibited by the following statutes and executive orders:

(1) In 1952 discrimination on the basis of pay was prohibited. (P.L. 1952, c. 9)

(2) In 1970 the Law Against Discrimination was amended to prohibit sex discrimination. (P.L. 1970, c. 80)

(3) In 1970 sex discrimination in employment on public works was prohibited. (P.L. 1970, c. 80)



(4) Executive Order No. 21

establishes New Jersey's goal of eliminating discrimination in State employment, facilities, and services. (1965)

(5) Executive Order No. 14 delegates formal executive leadership to the Department of Civil Service to obtain compliance with the Equal Employment Opportunity Commission guidelines. (1974)

(6) Executive Order No. 61, which supercedes Executive Order No. 14, creates the Division of Equal Employment Opportunity in the Department of Civil Service to develop, implement, and administer a Statewide Affirmative Action Program for all departments in the Executive branch of State government. (1977)

However, despite these laws sex discrimination still exists because of inadequate enforcement, and economic, cultural and psychological impediments. For example, nationally there is a large gap in earnings between women and men. The median pay of fulltime women workers is \$8,227 per year, only 60% of the \$13,963 median pay earned by men. This difference in earnings is largely due to the fact that women workers are clustered in the clerical and service fields, which traditionally are the lowest paying jobs.

In the New Jersey labor force the working woman is a permanent and growing segment of the labor market, representing 30%, or 1.3 million, of over 3.4 million workers. The labor force participation rate for married women whose husbands are



absent is nearly 60%; the participation rate for divorced women is 72%. The labor force participation rate for widowed women is 25%.

Eliminating sex discrimination in employment requires both federal and state action. This Commission can contribute to equality in employment not only by recommending the following statutory revisions, but by proposing more substantive changes. Therefore, the Commission also supports relevant elements of proposed legislation and discusses innovative legal concepts that will strengthen the legal prohibition against sex discrimination. Finally, in the last section the Commission recommends changes that will eliminate sex discrimination in all of the New Jersey statutes.

SECTION 1 - SPECIFIC STATUTORY RECOMMENDATIONS OF THE  
COMMISSION

The Commission recommends the revision of the following employment statutes in the manner indicated:

A. Title 34 Recommendations

1. CITATION: N.J.S.A. 34:1-26 through 28  
Bureau for Women and Children
- DESCRIPTION: This law provides for a Bureau of Women and Children in the Department of Labor and Industry to enforce all laws and regulations relating to the employment of women and children.
- RECOMMENDATION: Repeal
- DISCUSSION: The Bureau for Women and Children is now defunct due to a reorganization within the Department of Labor and Industry. The enforcement of any statutes and regulations relating to women and children is currently within the jurisdiction of the Assistant Commissioner of Labor Relations and Workplace Standards in the Department of Labor and Industry.
- 
2. CITATION: N.J.S.A. 34:2-21.3  
Minors under 18; Hours of Labor
- DESCRIPTION: This section of the statute regulates the hours male and female minors may work.
- Only male minors 16-18 may work in bowling alleys. To work in a bowling alley other than during a school vacation, the boy must have a school superintendent's written permission and must have a physical examination to determine whether or not his health will be injured.
- Only male minors of 16-18 may be employed until 11:00 P.M. during regular school vacations but not in a factory or otherwise prohibited occupations.



RECOMMENDATION: Amend

DISCUSSION: The section should be amended to equally apply to male and female minors by deleting the word male. Based on the assumption that they needed to be "protected," female minors were restricted in the hours they could be employed. This assumption is no longer valid today.

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3. CITATION: N.J.S.A. 34:2-29 and 34:2-30  
Seats and Enforcement

DESCRIPTION: These statutes provide that employers of one or more females in manufacturing, mechanical, or mercantile establishments or in commercial employment must provide seats and permit their use. The second statute permits enforcement.

RECOMMENDATION: Amend

DISCUSSION: The statutes should be amended to apply equally to female and male employees by extending the benefit of seats to men.

Pursuant to the sex discrimination guidelines issued under Title VII of the 1964 Civil Rights Act, where physical facilities are required for women they must also be provided for men unless precluded by business necessity, in which case the employer must not provide seats for members of either sex.

4. CITATION: N.J.S.A. 34:2-33  
Toilet Facilities

DESCRIPTION: The statute provides that mercantile establishments must have separate toilet facilities for the sexes. It also provides that separate dressing rooms may be ordered for female employees by the Department of Labor and Industry.

RECOMMENDATION: Amend

DISCUSSION: The section providing dressing rooms should be amended to equally apply to female and male employees.

Pursuant to Federal standards developed by the Occupational Safety and Health Administration if dressing rooms are needed, they must be provided for both male and female employees.

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5. CITATION: N.J.S.A. 34:6-136.12  
Conditions of Manufacture

DESCRIPTION: This section provides that industrial home work shall only be performed by persons of the same age and sex as established in the State and Federal labor laws and regulations.

RECOMMENDATION: Amend

DISCUSSION: The section should be amended to remove the designation of sex in the regulation of industrial home work. This was enacted during a time when State laws and regulations governing employment were different for males and females.



6. CITATION: N.J.S.A. 34:8-33(8)  
Prohibited Acts by Employment Agencies

DESCRIPTION: Section 8 provides that an employment agency may not refer a female to a place of "bad repute, house of ill-fame or assignation, or to any house or place of amusement kept for immoral purposes, or to a place resorted to for the purposes of prostitution, or to a gambling house."

RECOMMENDATION: Amend

DISCUSSION: Section 8 should be amended to apply equally to females and males. The assumption that only women must be protected from certain environments is anachronistic. No individual should be referred by an employment agency to a place of illegal activity.

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7. CITATION: N.J.S.A. 34:11-20  
Seamstresses, Females and Minors Included in Provisions Against Payment by Due Bills or Orders

DESCRIPTION: This statute specifically prohibits employers from paying females, seamstresses, and minors with due bills.

RECOMMENDATION: Repeal

DISCUSSION: This statute should be repealed because 34:11-18 and 34:11-19 already prohibit the payment of any employee with due bills. This law was passed in the late nineteenth century to correct the then common abuse of paying employees with due bills. A due bill is a written acknowledgement of a debt, not made payable to order like a promissory order. The provision for females, seamstresses, and minors was enacted to doubly insure that those groups would be "protected."

8. CITATION: N.J.S.A. 34:11-34 through 11-56  
Minimum Wage Standards

DESCRIPTION: This statute, enacted in 1933,  
authorizes the fixing of minimum  
wage standards for women and minors.

RECOMMENDATION: Repeal and Supplement

DISCUSSION: This statute should be repealed and  
P.L. 1966, c. 113 supplemented so  
that wage orders affecting minors  
remain in force. In 1966 the New  
Jersey State Legislature enacted a  
second minimum wage law with a sex-  
neutral application. The 1966 law  
supplements but does not supercede  
the 1933 law.

The 1933 Act, with the exception of  
the provision issuing wage orders  
to minors, is largely duplicative of  
the 1966 Act.

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9. CITATION: N.J.S.A. 34:14-1 through 34:14-11  
War Time Employment

DESCRIPTION: This statute provides penalties for  
men who are not regularly and use-  
fully working during wartime.

RECOMMENDATION: Repeal

DISCUSSION: The statute should be repealed because  
it is outmoded. It was enacted during  
World War I and is unlikely to be  
implemented. There is no indication  
that the Governor has ever utilized  
the law.

An additional reason for recommending  
this statute's repeal is that it main-  
tains different employment standards  
for males and females during wartime.



10. CITATION: N.J.S.A. 34:15-68  
Examination of Females Operatives

DESCRIPTION: This section provides that female employees seeking Workers' Compensation may request a female physician.

RECOMMENDATION: Amend

DISCUSSION: This section should be amended to allow employees to choose a physician who is the same sex as themselves. This statute was passed in 1922 long before the right of privacy was widely articulated by the courts and accepted by the public at large. The section for women was probably enacted in recognition of what was presumed to be their greater sensitivity to medical examinations. Today, the Commission recognizes that the right of privacy extends to both sexes.

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11. CITATION: N.J.S.A. 34:16-21  
Rehabilitation Commission Membership

DESCRIPTION: This statute provides that one member of the Commission must be a woman.

RECOMMENDATION: Amend

DISCUSSION: The selection should be amended to delete the phrase requiring the appointment of one woman to the Rehabilitation Commission. The requirement that one member of the Rehabilitation Commission must be a woman was probably enacted to guarantee the appointment of at least one woman. Women should be appointed to commissions to ultimately reflect their proportion in the population.

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B. Title 43, Chapter 21 Recommendation

CITATION: N.J.S.A. 43:21-49(b)  
Notice and proof of disability

DESCRIPTION: This section of the statute provides that a female claimant for unemployment benefits may request a female designee for a physical examination.

RECOMMENDATION: Amend

DISCUSSION: This section of the statute should be amended to allow employees to choose a physician who is the same sex as themselves. The Commission recognizes that the right of privacy should extend to both sexes.

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C. Title 10 Recommendation

CITATION: N.J.S.A. 10:5-2.1  
Nothing in this act regarding sex discrimination shall conflict with protections for female labor.

DESCRIPTION: This section provides that the Law Against Discrimination should not conflict with the provisions of Title 34, chapter 2 (Child and Female Labor) of the Revised Statutes.

RECOMMENDATION: Amend



DISCUSSION:

This section should be amended to delete the reference to Title 34, chapter 2 (Child and Female labor). At the time the statute was enacted the Legislature did not want to interfere with existing employment laws. However, the "protective" labor laws in chapter 2 have now been repealed or extended to apply equally to males and females. There is no longer any need to refer to Title 34. Leaving in this exemption goes against the principle of the Law Against Discrimination.

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D. Title 11 Recommendations

For a description of the Commission's recommendations on Title 11 see Section 2, sub-section A, the Civil Service Reform Act.

SECTION 2 - RECOMMENDATION ON PROPOSED LEGISLATION

A. Civil Service Reform Act  
Assembly Bill No. 1675

The Commission supports relevant elements of the Civil Service Reform Act (Assembly Bill No. 1675) sponsored by Assemblyman Albert Burstein after reviewing extensive testimony presented at its June 27, 1979 public hearing. The bill proposes several key changes to the Civil Service system (N.J.S.A. Title 11) which would significantly benefit women. Assembly Bill No. 1675 provides a statutory foundation for the Division of Equal Employment Opportunity and Affirmative Action (created by Executive Order No. 61), and replaces absolute veterans' preference with a seven point preference, except for veterans with more than thirty percent disability.

1. The Commission supports the permanent establishment of the Division of Equal Employment Opportunity and Affirmative Action to develop, implement and administer a Statewide Equal Employment Opportunity and Affirmative Action Program. Passage of the bill would place the State government in the forefront of employers working to achieve equal employment opportunity.

2. Under present New Jersey Civil Service Law, absolute veterans' preference on open competitive tests is mandated for all veterans who have served in the armed forces during periods of conflict. Of the 5,024,181 people working in New Jersey in 1975 there were 975,800 veterans (19.4% of the working age population).

The current total State workforce is 61,188 employees. Veterans in State government total 13,752 or 22.5% of the State workforce.



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The percentage of veterans in State government jobs is greater than the percentage of veterans in the working age population in this State.

The State divides its employment into eight job categories (Officials/Administrators, Professionals, Technicians, Protective Service, Para-Professionals, Office Clerical, Skilled Craft and Service Maintenance). In the two categories Para-Professional and Office Clerical, there are only 12.3 veterans. The remaining employees in those categories are predominantly female. Therefore, after removing "female" job categories the representation of veterans in the total workforce increased from 22.5% to 31.9%.

In the top two job categories (Officials/Administrators and Professional) there are more employees than any other job categories in the State workforce -- 18,825 professional employees. There are 4,732 veteran professionals, or 25.1%. The percentage of veterans far exceeds their proportionate representation in the general population. There is a preponderance of veterans in the higher State titles and a relative absence of women.

The Commission supports the modification of absolute veterans' preference after careful consideration of the issue. \*

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\*The Commission's vote on veterans' preference was not unanimous. Senator Thomas Gagliano, Assemblyman Elliott Smith and Milton A. Silverman opposed its modification and expressed support for the retention of absolute veterans' preference.



B. Employment of Female Minors  
Assembly Bill No. 3105

The Commission supports Assembly Bill No. 3105 as introduced by Assemblyman Richard Van Wagner. The bill amends the child labor law to remove the more stringent age requirement that exists for a girl than a boy seeking employment in a "street trade" or work as a messenger. Under the current law a female must be eighteen years of age to perform such services, and males must be fourteen when school is not in session and sixteen when school is in session.

To further strengthen the bill the Commission suggested to the sponsor an amendment which would substitute the sex neutral term newspaper carriers wherever the sex-based term newspaperboys is used. Assemblyman Van Wagner accepted the Commission's suggestion.

The Commission supports Assembly Bill No. 3105.

C. Unemployment Compensation and  
Temporary Disability Benefits  
Senate Bill No. 3317

The Commission supports Senate Bill No. 3317 as introduced by Senator Charles Yates. The bill amends the Unemployment Compensation Law and the Temporary Disability Benefits Law to delete provisions restricting the payment of temporary disability benefits for pregnancy.



Effective April 29, 1979, Title VII of the Civil Rights Act of 1964 was amended (P.L. 95-552) to require "that women affected by pregnancy, childbirth or related medical conditions shall be treated the same for all employment-related purposes, including receipt of benefits under fringe benefits programs, as other persons not so affected but similar in their ability or inability to work."

The United States Attorney General advised New Jersey that its provisions restricting the payment of temporary disability benefits to four weeks before the expected date of birth and four weeks following the termination of pregnancy were in conflict with the Federal amendment and could not be enforced as of April 29, 1979. Senate Bill No. 3317 brings New Jersey into conformity with Title VII.

The Commission supports Senate Bill No. 3317.

D. Amendment of the Law Against  
Discrimination  
Senate Bill No. 3101

The Commission supports Senate Bill No. 3101 as introduced by Senator Wynona Lipman. The bill permits a complainant to initiate a court suit under the Law Against Discrimination without proceeding through the Division on Civil Rights.

In addition, the bill allows for the awarding of attorney's fees to the successful complainant (and to the successful respondent in certain limited circumstances). Senate Bill No. 3101 would have the effect of encouraging more



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people to file suit in State court rather than in the Division, therefore diminishing the number of cases it would have to process. This alternative, however, should not be construed as an excuse for decreasing the Division's appropriation.

The Commission supports Senate Bill No. 3101.

E. Amendment of the Law Against Discrimination  
Assembly Bill No. 501

The Commission supports Assembly Bill No. 501 as introduced by Assemblyman Byron Baer. The bill allows for the imposition of civil penalties to be paid by respondents held in violation of the Law Against Discrimination. Any person who violated the Law Against Discrimination would be liable for a penalty of \$2,000 for the first offense and not more than \$5,000 for the second and subsequent offenses.

The Commission supports Assembly Bill No. 501.

F. Supplemental Appropriations  
Bill

The Commission recommends strengthening the Division on Civil Rights' enforcement powers by increasing its appropriation.

The Law Against Discrimination, enforced by the Division on Civil Rights, is one of the strongest anti-discrimination laws in the nation. Of all the complaints filed in the Division annually, sex discrimination complaints account for close to one quarter.



During the past several years the Division has had a serious backlog of cases. The Division argues that their high backlog is due to a lack of funding which results in insufficient staff to adequately process the escalating number of complaints. While there may be other factors which account for the high caseload, the Commission acknowledges that only with adequate resources can the Division fulfill its potential.

An agency charged with this important mandate must have sufficient funds. The Commission, therefore, supports the introduction of a supplemental appropriations bill to increase the Division's budget.

SECTION 3 - RECOMMENDATIONS ON RELATED EMPLOYMENT  
ISSUES\*

A. "Stereotyping Per Se" Recommendation

The Commission recommends that the feasibility of an innovative legal approach, called "stereotyping per se" be explored by the Division on Civil Rights.

Numerous studies have shown what is known as a matter of common knowledge: that stereotypic expectations based on a person's sex or race permeate judgments made about individual capabilities, and interests, and prevent the accurate evaluation of individuals on the basis of merit. Moreover, every time an employment decision is made on the basis of role expectations, the stereotypes are reinforced in the minds of both the employer and employee. Nevertheless, the Law Against Discrimination and other anti-discrimination laws as they are currently interpreted outlaw stereotypes only if they are connected with outright hostility or unequal treatment, or are offered to justify neutral rules having disparate impacts.

So, for example, a woman with young children who is denied a job involving travelling because her boss assumes she would not be available can recover under the fair employment laws at present only if she can show that her boss hates women--or women with young children--or that the company has given men with small children the opportunities she is being denied. Likewise, when a "pushy" woman is denied a job in favor of a more docile, "ladylike" woman, the assertive woman

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\*The concepts in sub-sections A. and B. were written with the assistance of Nadine Taub, Associate Professor of Law at Rutgers Law School-Newark.



can recover only if she can show sex-based animus or that abrasive men were given comparable positions. But so often in our sex-segregated work world such showings are impossible. It should be sufficient to show that the adverse employment decision was based on an expectation that women should conform to a certain pattern of behavior-- whether that expectation was based on hostility; and whether there is a similarly situated male who received different treatment.

The recognition of discrimination as adverse decisions based on stereotypes per se means focusing on the effects of acts, not on the intent of the actor. A focus on effect, not intent, is in keeping with statutory interpretations in the "neutral rule" context, and with the purpose of the Law Against Discrimination. Employers who use tests not shown to be job related, but which have a disparate impact on "protected" classes, are not being blamed. This approach seeks to eliminate those practices which artificially deprive society of the contributions of qualified workers. Similarly, eliminating stereotypes which interfere with the employer's proper evaluation of merit and the worker's willingness to participate in traditional and non-traditional work, will enhance societal and individual achievement.

The "stereotyping per se" concept has not yet been refined through the litigation process. Nevertheless, the Commission recommends that the Division on Civil Rights, within the context of its statutory mandate, explore the concept and advise the Commission as to its validity and feasibility.



B. "Equal Pay for Work of Equal Value" Recommendation

The Commission recommends that the feasibility of the "equal pay for work of equal value" concept be explored by both the Department of Civil Service and the Division on Civil Rights.

"Equal pay for work of equal value" means that women grouped in typically "women's jobs" should receive pay equal to that received by men holding "men's jobs" where their work involves equivalent skill, effort, responsibility and working conditions. For example, the appellants' brief filed with the 8th Circuit Court of Appeals in Christensen v. Fowa, 563F. 2D 353 (1977), documented that women clerical workers perform work of equal value to men employed in plant jobs, yet gross disparities in pay existed. The brief argued that the policy of paying male plant workers more than female clerical workers, at every level of worker seniority, where women's jobs were of equal value with men's jobs violated Title VII of the 1964 Civil Rights Act. Unfortunately, to date the courts have rejected this argument.

However, there is a sound theoretical basis for this approach. In an article soon to appear in the Michigan Law Review, Professor Ruth Blumrosen of the Graduate School of Business Administration, Rutgers University, demonstrates that where jobs are or were segregated by race or sex, those same discriminatory considerations which influenced initial job assignments and restrictions on transfer or promotion also influenced the rates of pay. Where jobs have been restricted to minorities or



women, the rate of pay for those jobs has been discriminatorily depressed.

While it has been suggested that redress for such inequities in pay under the Law Against Discrimination may be appropriate, further investigation is necessary. As the first step in this process, the Commission recommends that the Department of Civil Service initiate a study of job and salary classifications in State government and advise the Commission of its findings. The Department of Civil Service may wish to use the State of Washington's study on equal pay for work of comparable value as a model. Furthermore, despite recent court decisions the Commission recommends that the Division on Civil Rights monitor judicial and administrative proceedings, throughout the states, which relate to the development of this concept.

C. Reform of Workers' Compensation Act Recommendation

The Commission recommends that the sections on survivors' benefits for widows and widowers in the Workers' Compensation Law be revised pursuant to a 1977 ruling of the New Jersey Supreme Court. The existing law automatically presumes dependency of a widow, but requires widowers to prove dependency in order to collect benefits (N.J.S.A. 34:15-8 and 34:15-13).

The Court held in Tomarchio v. Township of Greenwich, 75 N.J. 62 (1977), that this differential treatment is unconstitutional, and ordered that widowers should also receive an automatic presumption of dependency.



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Since the Division of Workers' Compensation in the Department of Labor and Industry is already in conformity with the Court decision, the language of the law merely needs updating.

Coincidentally, a bill sponsored by Senator Eugene Bedell (Senate Bill No. 802), which is before the Senate Labor, Industry and Professions Committee, makes various revisions in the Workers' Compensation Act. The Commission recommended to Senator Bedell that the bill incorporate its amendments bringing the language into conformity with the Court decision. Senator Bedell accepted the Commission's recommendations.

D. Unemployment Compensation  
Recommendations

The Commission supports two concepts in the area of Unemployment Compensation.

First, the Commission wishes to publicly commend the Department of Labor and Industry for implementing a progressive unemployment compensation law which allows a woman to collect benefits if she terminates her employment due to sexual harassment. Sexual harassment is one of the most serious occupational hazards working women encounter. The Commission encourages the uniform enforcement of this law throughout the State.

Second, the Commission supports a recommendation made by the New Jersey Employment Security Council in its final report on the New Jersey Unemployment Compensation Program. The Employment Security Council recommends amending the Unemployment Compensation Law to allow an individual who



leaves work voluntarily to accompany his or her spouse to another geographic location to collect benefits after a four week period of disqualification.

Under the current law those who quit their jobs are not eligible for benefits unless the termination is for "good cause" attributable to the work itself. This policy often has a greater impact on women than men. In many cases when a woman quits her job to accompany her spouse to another area, she loses her eligibility even though otherwise meeting all requirements. Women argue that the termination of employment is an involuntary act, necessary to maintain the marital relationship. An individual who leaves work for this reason should not be disqualified indefinitely.

The Commission supports the recommendation of the Employment Security Council.

SECTION 4 - RECOMMENDATIONS COMMON TO ALL  
NEW JERSEY STATUTES

In addition to the employment recommendations, the Commission makes the following recommendations applicable to all New Jersey statutes:

A. Membership of Women on Commissions,  
Boards and Agencies

The Commission recommends the appointment of more women to commissions, boards and agencies so that their membership is ultimately equivalent to their proportion in the population.

State commissions, boards and agencies serve an important policy making function. The Center for American Women and Politics at Eagleton Institute, Rutgers University, studied women's roles on State boards and commissions for the International Women's Year Commission. The Center's 1975 research showed that in thirty-nine states 53% of such boards and commissions had no women members. The proportion of women serving on boards extended from a low of 8% to a high of 23%. Small boards were even more unlikely to have women members. Among the thirty-nine states studied, 78% of the three member boards and 60% of the six member boards were all male.

Many of the statutes creating commissions, boards and agencies in New Jersey mandate that at least one member must be a woman. This type of minimal quota is no longer valid. In fact, a statute such as this may limit the number of women appointed if interpreted to mean "only one of whom shall be a woman."



The Commission recommends that statutory references dealing with the appointment of women to commissions, boards and agencies be deleted. The Commission further recommends that more women be appointed to commissions, boards and agencies in order to reflect their proportion in the population.

B. Sex-Neutral Language

The Commission recommends that all proposed legislation be drafted and administrative regulations be written in sex-neutral language.

Traditionally the language of the statutes has been sex-based--such as the generic use of the term "man." While N.J.S.A. 1:1-2 states that masculine pronouns apply to females as well as males, this provision is insufficient in view of contemporary standards of equality. The continued use of masculine pronouns communicates the message that males and females perform different societal roles.

The strict application of the Commission's attitudes on the need for sex-neutral language in the statutes, if carried to its logical conclusion, would demand a complete revision of the laws. However, such an endeavor would quickly exhaust the limited resources of the Commission. The Commission believes that it would make a more lasting and valuable contribution by proceeding with the many other tasks before it.

The Commission strongly recommends that every effort and consideration be made in the drafting of future legislation to assure that sex-based classifications do not continue in the New Jersey statutes. It specifically recommends that the sex-neutral language guidelines developed in the report by the United States Commission on Civil Rights on Sex Bias in the U.S. Code be followed. (See appendix) The report declared that sex-based language is only permissible in three situations: "(1) when no suitable sex-neutral term exists (e.g., aunt, uncle); (2) when the reference is to a unique physical characteristic of all members of one sex (e.g., programs for prenatal care); and (3) when the constitutional right of privacy requires a sex-based reference (e.g., female customs officials shall perform body searches of women)."

Finally, the Commission believes that a continuing awareness of the basic soundness and equity of sex-neutral language will obviate the need for a similar review of the statutes in the future.



## APPENDICES



APPENDIX A \_\_\_\_\_

PROPOSED LEGISLATION TO IMPLEMENT COMMISSION'S  
RECOMMENDATIONS

AN ACT concerning sex discrimination in employment and  
revising parts of the statutory law.

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

1. Section 3 of P.L. 1940, c. 153 (C.34:2-21.3) is  
amended to read as follows:

3. Except as provided in section 15 and except for domestic service or messengers employed by communications companies subject to the supervision and control of the Federal Communications Commission, no minor under 18 years of age shall be employed, permitted, or suffered to work in, about, or in connection with any gainful occupation more than 6 consecutive days in any 1 week, or more than 40 hours in any 1 week, or more than 8 hours in any 1 day, nor shall any minor under 16 years of age be so employed, permitted, or suffered to work before 7 o'clock in the morning or after 6 o'clock in the evening of any day; nor shall any minor between 16 and 18 years of age be so employed, permitted or suffered to work before 6 o'clock in the morning or after 10 o'clock in the evening of any day; provided, that minors between 14 and 18 years of age may be employed in a concert or a theatrical performance up to 11 post meridian; and provided, further, that[male]minors between 16 and 18 years of age may be employed in any public bowling alley up to 11:30 post meridian; and provided, further, that[male]minors not less than 16 years of age and who are attending school may be employed as pin-setters only in public bowling alleys up to 11:30 post meridian during any regular school vacation season, but may not be so employed during the school term without a special written permit from the superintendent of schools or the supervising principal as the case may be, which permit must state that the[boy]has undergone a complete physical examination by the medical inspector, and, in the opinion of the superintendent or supervising principal may be so employed without injury to health or interference with progress in school, such special permits to be good for a period of 3 months only and are revocable in the discretion of the superintendent or supervising principal. Such permit may not be renewed until satisfactory evidence has been submitted to the superintendent or supervising principal showing that the[boy]has had a physical examination and his health is not being injured by said work; and provided, further, that[male]minors between 16 and 18 years of age may be employed until 11 post meridian during the regular school vacation seasons

---minor

---minor



but not in or for a factory or in any occupation otherwise prohibited by law or by order or regulation made in pursuance of law. The combined hours of work and hours in school of children under 16 employed outside school hours shall not exceed a total of 8 per day; and provided, further, that minors between 16 and 18 years of age may be employed in any restaurant until 12 o'clock midnight unless such minors are regularly attending school in which case such minors may be employed until 12 o'clock midnight during any regular school vacation season and on such days which do not precede a regularly scheduled school day, but no such minor employed in any occupation in a restaurant shall be paid at a wage rate less than that provided pursuant to law for such occupation.

2. R.S. 34:2-29 is amended to read as follows:

34:2-29. Every employer of one or more ~~females~~, in any manufacturing, mechanical or mercantile establishment or in the services and operations incident to any commercial employment shall provide and maintain suitable seats conveniently situated and shall permit the use of such seats by ~~female~~ employees at all times except when necessarily engaged in the discharge of duties that cannot properly be performed in a sitting position.

3. R.S. 34:2-30 is amended to read as follows:

34:2-30. The commissioner shall see that the provisions of section 34:2-29 of this title are carried out in all mercantile establishments, and he shall, at reasonable intervals, examine and inspect all such mercantile establishments to see that the seats required to be provided by said section 34:2-29 are fully maintained and that ~~female~~ employees are permitted to use them freely and without hindrance.

4. R.S. 34:2-33 is amended to read as follows:

34:2-33. Every mercantile establishment shall maintain sufficient, suitable, clean, convenient and separate water-closets for each sex which shall be properly screened and ventilated. The water-closets for women shall have separate approaches. A suitable and convenient wash room shall be provided if ordered by the commissioner.

A dressing room shall be provided for ~~female~~ employees when the commissioner shall so order.



5. Section 12 of P.L. 1941, c. 308 (C.34:6-136.12) is amended to read as follows:

12. Conditions of manufacture. Industrial home work shall be performed; (1) Only by a person possessing a valid home worker's certificate, and resident in the home in which the work is done; (2) Only by persons sixteen years of age or over; (3) Only in accordance with the wages, hours or working conditions established for labor in factories or businesses by persons of the same age and sex as the home workers by State law or regulation or any applicable Federal law or regulation; (4) Only in accordance with the provisions of any State law or regulation, including the provisions of this act, or of any applicable Federal law or regulation, relating to employment and applicable to home workers; and (5) Only in a home that is clean and sanitary and free from any infectious, contagious or communicable disease.

Every employer shall be deemed to have accepted responsibility for the observance of the conditions of manufacture specified by this section and of such terms and conditions as may be specified pursuant to section six of this act; and each of such conditions shall be deemed to be a condition of the employer's permit to the same extent as though it were expressly set forth therein.

6. Section 10 of P.L. 1951, c. 337 (C.34:8-33) is amended to read as follows:

10. No employment agency shall:

(1) Conduct a lodging house for the unemployed unless it is separate and apart from the agency.  
(2) Conduct its business, or any phase thereof, in any room or place where

(a) person or persons sleep or conduct their household affairs, or  
(b) boarders or lodgers are kept.

(3) Charge or accept payment of any fees other than shown by its schedule of fees filed with the commissioner and posted in the agency.

(4) Accept and receive any valuable thing or gift as or in lieu of a fee.



(5) Divide or offer to divide fees, directly or indirectly, with prospective or actual employers or any agent, employee, or representative of said employers.

(6) Accept payment of any fee or attempt to collect any fees for any service rendered with relation to any specific help or employment which the applicant has not accepted or obtained through the agency in cases where it is established that the applicant did not accept or obtain such help or employment through the agency.

(7) Make any statement or in any way allege or indicate to any applicant sent to seek employment at any place or by any prospective employer that work or employment is available at any such place or by any such prospective employer unless the agency does have a bona fide order for an employee to fill the job alleged or indicated as being available.

(8) Send or cause to be sent any female to become a servant or inmate of, or to enter, any place of bad repute, house of ill-fame or assignation, or to any house or place of amusement kept for immoral purposes, or to a place resorted to for the purposes of prostitution, or to any gambling house. --- person  
--- an illegal

(9) Knowingly permit persons of bad character, prostitutes, gamblers, intoxicated persons or procurers to frequent the agency.

(10) Accept any application for employment made by or on behalf of any child under the age of sixteen years, or place or assist in placing any such child in any employment whatever or place or assist in placing any minor under eighteen years of age in any unlawful occupation.

(11) Induce or compel any person to enter the agency, for any purpose, by the use of force or by taking forcible possession of such person's property.

(12) Publish or cause to be published any false or fraudulent or misleading notice or advertisement. All advertisements of any agency by means of cards, circulars or signs, or in newspapers and

other publications, and all letterheads, receipts and blanks shall contain the name and address of the agency, and no agency shall give any false promise or false representation concerning employment to any applicant for employment or help, or enter into any contract with any applicant for help or employment or induce or try to induce any applicant for help or employment to make any agreement, the provisions of which contract or agreement, if fulfilled, is in violation of any provisions of this act.



(13) Induce or attempt to induce any persons working under contract with his employer to leave the employment under which he is working under said contract until such time as said contract is completed or the employee is no longer responsible for its completion.

7. P.L. 1966, c. 113 (C.34:11-56a1 et seq.) is supplemented as follows:

Except with respect to the minimum wage rates established by P.L. 1966, c. 113, s. 5, the provisions of the "New Jersey State Wage and Hour Law," P.L. 1966, c. 113 (C.34:11-56a1 et seq.) are applicable to the employment of minors. Wage orders pertaining to minors on the effective date of this act shall remain in force until superseded by wage orders or regulations issued pursuant to P.L. 1966, c. 113.

8. R.S. 34:15-68 is amended to read as follows:

34:15-68.

In all cases where it shall be necessary to make a physical examination of ~~a female~~ employee in an inquiry to award compensation, the examination shall be made by a ~~female~~ physician if the employee so requests.

----- an

----- physician who is the same sex as the employee if so requested by the employee

9. Section 2 of P.L. 1955, c. 64 (C.34:16-21) is amended to read as follows:

2. There is hereby established the Rehabilitation Commission which is placed in the Department of Labor and Industry for housekeeping purposes. The commission is hereby designated as the sole State agency to administer and supervise vocational rehabilitation and independent living rehabilitation authorized by this chapter. The commission shall consist of the Commissioner



of Labor and Industry, the Commissioner of Education, the Commissioner of the Department of [Institutions and Agencies] the Human Services Commissioner of Health, ex officio, or such deputy as any of them respectfully designate, and 8 members appointed by the Governor.

Of the 8 members so appointed by the Governor, one and only one shall be a person who by reason of vocation, activities and affiliations can be considered as a representative of the employers of labor of the State. One member, and only one, shall be a person who by reason of vocation, activities and affiliations can be considered as a representative of organized labor of the State. Two members [one of whom shall be a woman] shall be chosen because of their special interest in and knowledge of the field of social welfare.

10. Section 25 of P.L. 1948, c. 110 (C. 43:21-49)

is amended to read as follows:

25. (a) In the event of the disability of any individual covered under the State plan, the employer shall on the ninth day of disability issue to the individual and to the division printed notices on division forms containing the name, address, and Social Security number of the individual, such wage information as the division may require to determine the individual's eligibility for benefits, and the name, address, and division identity number of the employer, together with a printed copy of benefit instructions of the division. Not later than 30 days after the commencement of the period of disability for which such notice is furnished, the individual shall furnish to the division a notice and claim for disability benefits under the State plan or for disability during unemployment. Upon the submission of such notices by the employer and the individual, the division may issue benefit payments for periods not exceeding 3 weeks pending the receipt of medical proof. When requested by the division, such notice and proof shall include certification of total disability by the attending physician, or a record of hospital confinement. Failure to furnish notice and proof within the time or in the manner above provided shall not invalidate or reduce any claim if it shall be shown to the satisfaction of the division not to have been reasonably possible to furnish such notice and proof and that such notice and proof was furnished as soon as reasonably possible.

(b) A person claiming benefits under the State plan or for disability during unemployment shall, when requested by the division, submit himself at intervals, but not more often than once a week, for examination by a legally licensed physician, dentist, chiropractist,



or public health nurse designated by the division. In all cases of physical examination of a [female] claimant, the examination shall be made by a [female] designee of the division, if the claimant so requests. All such examinations by physicians, dentists, chiropodists, or nurses designated by the division shall be without cost to the claimant and shall be held at a reasonable time and place. Refusal to submit to such a requested examination shall disqualify the claimant from all benefits for the period of disability in question, except as to benefits already paid.

the same  
sex as the  
claimant if  
so requested  
by the  
claimant

(c) All medical records of the division, except to the extent necessary for the proper administration of this act, shall be confidential and shall not be published or be open to public inspection (other than to public employees in the performance of their public duties) in any manner revealing the identity of the claimant, or the nature or cause of his disability nor admissible in evidence in any action or special proceeding other than one arising under this act.

11. Section 8 of P.L. 1962, c. 37 (C.18:25-2.1) is amended to read as follows:

8. Nothing contained in this act or in the act to which this is a supplement shall be construed to require or authorize any act prohibited by law, nor to conflict with the provisions of chapter 2 (child and female labor) of Title 34 (Labor) of the Revised Statutes, nor to require the employment of any person under the age of 21, nor to prohibit the establishment and maintenance of bona fide occupational qualifications or the establishment and maintenance of apprenticeship requirements based upon a reasonable minimum age nor to prevent the termination or change of the employment of any person who in the opinion of his employer, reasonably arrived at, is unable to perform adequately his duties, nor to preclude discrimination among individuals on the basis of competence, performance, conduct or any other reasonable standard, nor to interfere with the operation of the terms or conditions and administration of any bona fide retirement, pension, employee benefit or insurance plan or program.



12. R.S. 34:1-26 through 28, 34:11-20, 34:11-34 through 56 and 34:14-1 through 11 are repealed.

13. This act shall take effect 120 days following enactment.

## APPENDIX B

### COMMISSION'S MANDATE

#### CHAPTER 68

AN ACT to create a commission to study sex discrimination in the statutes, prescribing its membership, powers and duties and making an appropriation therefor.

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

1. The Legislature hereby finds and declares that some laws of the State may contain discriminatory provisions based upon sex; that these laws have been enacted over many years, and may reflect policy judgments which are no longer acceptable to our society; that these laws are scattered throughout our statute books, and that a thorough review of all statutes which contain sex-based classifications is necessary to determine their relevance to contemporary standards of equality; and that this thorough review should be undertaken forthwith by a commission to study sex discrimination in the statutes, with a view toward proposing a comprehensive modernization and revision of statutes containing sex-based classifications.

2. There is hereby created a commission to consist of nine members, two members of the Senate, to be appointed by the President of the Senate, no more than one of whom shall be of the same political party, two members of the General Assembly, to be appointed by the Speaker of the General Assembly, no more than one of whom shall be of the same political party, the Director of the Division on Women or her designee, and four public members to be appointed by the Governor, without regard to political affiliation.

3. Each of the members of the commission appointed from either House of the Legislature shall serve only as long as he shall be a member of that House and all members shall serve for terms of 2 years and until their respective successors shall be appointed and shall qualify. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments were made.

4. The commission shall organize as soon as may be after the appointment of its members and shall appoint a secretary who need not be a member of the commission. All the members of the commission shall serve without compensation but they shall be entitled to be reimbursed for all necessary expenses incurred in the performance of their duties.

5. It shall be the duty of said commission to make a study of the statutes and decisions of the courts in this State in relation to sex-based classifications in the statutes, and in so doing, it shall have the power to call upon State, municipal and county officials for their cooperation in advancing the commission's work, and to conduct public hearings from time to time. In the exercise of its duties the commission shall have all the powers of any special committee of the Legislature pursuant to the provisions of chapter 13 of Title 52 of the Revised Statutes.

6. The commission shall make such recommendations as it shall deem proper and prepare and submit to the Legislature and the Governor such reports as it shall deem necessary, accompanying its report with its final proposed revision of those statutes which discriminate on the basis of sex.



7. In the performance of its duties the commission shall establish and maintain a working staff and said work shall be performed under the general supervision, as to form, arrangement and classification of revised material, of the Law Revision and Legislative Services Commission or an officer or employee thereof designated by said commission, in order that the integrity of the general arrangement and classification adopted in the Revised Statutes may be maintained; provided, however, that said work in all other respects shall at all times be under the supervision and control of the commission constituted by this act.

8. The commission shall be entitled to call to its assistance and avail itself of the services of such employees of any State, county or municipal department, board, bureau, commission or agency as it may require and as may be available to it for said purpose, and to employ counsel and such stenographic and clerical assistants and incur such traveling and other miscellaneous expenses as it may deem necessary, in order to perform its duties, and as may be within the limits of funds appropriated or otherwise made available to it for said purposes.

9. No later than October 1, 1979, the chairman of the commission shall submit to the President of the Senate, the Speaker of the General Assembly, and the Governor a report describing the activities and the accomplishments of the commission and, if it is the judgment of the commission that its termination date should be postponed or eliminated, stating the reasons for such judgment.

10. There is hereby appropriated to the commission the sum of \$5,000.00 to carry out the purposes of this act.

11. This act shall take effect immediately and shall expire on January 8, 1980.

Approved July 6, 1978.

## APPENDIX C

### RECOMMENDED SEX-NEUTRAL LANGUAGE\*

#### SEX-SPECIFIC LANGUAGE

serviceman, servicemen

crewman

midshipman

enlisted man

laboring men and women

seamen

longshoremen

chairman

postmaster

plainclothesman

lineman

newsboy

she, her (reference to ship)

"to man" a vessel

duties of seamanship

lifeboat man

businessman

"husband" of the vessel

master

entryman

workman's compensation

salesman

watchman

#### Relationship Models

widow or widower

wife, wives/husband, husband's

#### SEX-NEUTRAL LANGUAGE

services, service member,  
servicemembers

crew member

cadet, midshipperson

enlisted personnel,

enlisted member, enlistee

workers, laborers

sailor, crew member

stevedores

chairperson, moderator,

the chair, coordinator

postoffice director, postal director

plainclothesperson,

officer, investigator

line installer, line repairer,

line maintainer, line service

attendant

newscarrier, newspaper vendor

it, its

to staff

nautical or seafaring duties

lifeboat person or operator

business person, executive,

member of the business community,

business manager

manager

captain, commanding officer

entry person, enterer

workers' compensation

salesperson, sales personnel,

sales representative, sales

agent, sales clerk

guard, watchperson, watcher,

the watch patroller

\*From Sex Bias in the U.S. Code, A Report of the United States Commission on Civil Rights, April, 1977



ther/sister  
ghter/son  
her/father  
band and wife  
her/mother  
ndfather/grandmother  
pbrother/stepsister  
ernity  
her's insurance benefits  
ernal welfare

sibling/siblings  
child/children  
parent  
married couple  
either parent  
grandparents  
stepsibling  
parentage  
child-in-care benefits  
parental welfare

#### der Models

, living man

kind  
man  
ident man  
ale/male  
power  
made

ined manpower

person, human, human being,  
living human  
humanity, human beings, humankind  
per person  
prudent individual, person  
person, individual  
human resources  
artificial, of human  
origin, synthetic  
trained work force

APPENDIX D

LIST OF SEX-BASED WORDS USED FOR COMPUTER PRINT-OUT

Abortion	Matron
Boy	Men
Breast	Mother
Brother	Paternity
Businessmen	Policeman
Chairman	Policemen
Chairmanship	Pregnancy
Chairmen	Pregnant
Daughter	Prostitute
Dower	Prostitution
Father	Rape
Female	Serviceman
Feme	Sex
Feminine	Sexual
Gender	Sister
Girl	Son
Grandfather	Spousal
Grandmother	Spouse
Grandson	Stepbrother
Head-of-Household	Stepfather
Household	Stepmother
Husband	Widow
Ladies	Widowed
Male	Widower
Man	Widowhood
Masculine	Wife
Master	Woman
Maternal	Woman-Child
Maternity	Women

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APPENDIX E \_\_\_\_\_



State of New Jersey

COMMISSION ON SEX DISCRIMINATION  
IN THE STATUTES

ROOM 318 STATE HOUSE  
TRENTON, NEW JERSEY 08625  
TELEPHONE (609) 292-1596

ALMA L. SARAVIA  
EXECUTIVE DIRECTOR

IONA M. LIPMAN

TAMBORLANE

MAS GAGLIANO  
MAN GRETA KIERNAN  
N ELLIOTT SMITH

OWN JR  
M  
VERMAN

PUBLIC HEARING ON SEX DISCRIMINATION IN EMPLOYMENT

Wednesday, June 27, 1979  
10:00 A.M.

Senate Conference Room  
State House, Trenton

List of Witnesses

- Mr. S. Howard Woodson, Jr., President, Civil Service Commission
- Ms. Joan Wiskowski, Assistant Commissioner, Human Resources,  
Department of Labor and Industry
- Mr. Joseph Viviani, Acting Assistant Commissioner, Income Security,  
Department of Labor and Industry
- Mr. William J. Clark, Assistant Commissioner, Labor Relations  
and Work Place Standard, Department of  
Labor and Industry
- Mr. Larry Arcioni, Director, Division of Administration,  
Department of Labor and Industry
- Mr. Edward Gniewkowski, Chief, Office of Personnel, Department  
of Labor and Industry
- Ms. Judith Musicant, Deputy Director, Division on Civil Rights,  
Department of Law and Public Safety
- Ms. Kerry Peretta, Deputy to the President of the Department of  
Civil Service and representative of the  
Division of Equal Employment Opportunity  
and Affirmative Action, Department of Civil  
Service

Ms. Eileen Thornton, Legislative Chairperson, New Jersey Women's  
Equality Action League

Ms. Nadine Taub, Rutgers University Law School

Ms. Ann Carson, Rutgers University Urban Legal Clinic

Ms. Susan Stewart, State Legislative Chairperson, New Jersey  
Federation of Business and Professional  
Women's Clubs Inc.

Ms. Kathy Brock, State Chairperson, Women's Political Caucus  
of New Jersey

Ms. Joan Neuwirth, Assistant Coordinator for Administration,  
New Jersey National Organization for Women

Ms. D. Joan Sampieri (First woman member of the Southern New Jersey  
Brotherhood of Carpenters and Joiners)

Ms. Barbara Wicklund, Project Director, "Women Over Forty" Women's  
Affirmative Action Committee of the New Jersey  
Industrial Council AFL-CIO

Ms. Constance Woodruff, Chairperson, New Jersey Advisory Commission  
on the Status of Women

Ms. Judith Pierson, Program Associate, National Association of  
Social Workers - New Jersey