

August 1, 2014

SENATE BILL NO. 783

ADVANCE COPY

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 783 with my recommendations for reconsideration.

This bill is nearly identical to legislation I conditionally vetoed last session. At that time, the bill was part of a patchwork of proposals that were passed together ostensibly to address and remedy workplace discrimination. I wholeheartedly supported and approved several of those proposals, which have served to strengthen our laws and enhance protections afforded to all of our State's workers.

This bill again seeks to modify the New Jersey Law Against Discrimination ("LAD") by stating that discrimination in compensation can occur each time compensation is paid by the employer, thus "restarting" the LAD's statute of limitations with each paycheck. In this regard, the bill sensibly conforms to well-settled New Jersey Supreme Court precedent and the federal Lilly Ledbetter Fair Pay Act of 2009. However, the bill omits the two-year limitation on damages applicable under federal law and court precedent.

As I explained when I conditionally vetoed this proposal last session, Senate Bill No. 783 should be aligned to reflect the existing standards under both State and Federal law. By matching the strong federal standards, my recommendations will protect against discrimination in the workplace, and help improve the lives of working men and women in New Jersey.

Accordingly, I herewith return Senate Bill No. 783 and recommend that it be amended as follows:

Page 3, Section 2, Line 26: After "terms or" insert "financial"

Page 3, Section 2, Line 31: After "practice." insert "With respect to

discrimination or in the in
compensation or in the or
financial terms or
financial conditions of
employment, in addition
to any relief authorized
by the laws of this
State, an aggrieved
person may obtain
recovery of back pay for
up to two years
preceding the filing of
the complaint."

Respectfully,

/s/ Chris Christie
Governor

[seal]

Attest:

/s/ Paul B. Matey

Deputy Chief Counsel to the Governor