

**SUBCHAPTER 3. EQUAL EMPLOYMENT AND AFFIRMATIVE ACTION
OBLIGATIONS OF CASINO SERVICE INDUSTRY
ENTERPRISES**

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19:53-3.1 Designation of equal opportunity officer by casino service industry enterprise licensee; responsibility of chief executive officer and equal employment officer

Each casino service industry enterprise licensee shall designate a principal member of its organization to serve as an equal opportunity officer. The chief executive officer shall be ultimately responsible for insuring that equal employment opportunity is afforded to all prospective and actual employees of the licensee, that equal business opportunity is afforded to all persons who do or would like to do business with the licensee, and that the licensee complies with or makes good faith efforts to comply with any affirmative action obligations imposed on the licensee by the Act and this chapter. The equal opportunity officer shall be directly responsible for the effective and continuing implementation of the equal opportunity and affirmative action obligations of the licensee.

As adopted, effective: 08/16/93

19:53-3.2 Equal employment and business opportunity obligations of all casino service industry enterprise licensees and applicants

(a) Each casino service industry enterprise licensee and applicant shall provide equal employment opportunity to all prospective and actual employees at all levels of its work force.

(b) Each casino service industry enterprise licensee and applicant shall provide equal business opportunity to all persons who do or wish to do business with the licensee or applicant.

(c) The chief executive officer of each casino service industry enterprise licensee or applicant shall submit to the Commission an acknowledgement of the obligations imposed by this section and, if applicable, N.J.A.C. 19:53-3.3, with the application for initial casino service industry licensure, with each application for license renewal, and upon any change in the ownership or management of the casino service industry enterprise.

(d) Each casino service industry enterprise licensee or applicant shall be required to:

1. Post notices available to employees and applicants for employment of the equal employment opportunity obligations of the casino service industry enterprise licensee or applicant; and

2. Include a statement in all postings, advertisements or other solicitations for employment that it is an equal opportunity employer.

As adopted, effective: 08/16/93

19:53-3.3 Affirmative action obligations of casino service industry enterprise licensees and applicants which have 50 or more employees in New Jersey

(a) Each casino service industry enterprise licensee and applicant which

employs 50 or more employees in the State of New Jersey shall be required to undertake affirmative measures to ensure that persons with disabilities are recruited and employed at all levels of its work force and treated during employment without regard to their disability. Such affirmative efforts shall, without limitation, address all employment practices including:

1. Employment, promotion, demotion or transfer;
2. Recruitment, recruitment advertising or posting;
3. Layoff or termination;
4. Rates of pay and other forms of compensation or benefits; and
5. Selection for training programs.

(b) Each casino service industry enterprise licensee and applicant governed by this section shall be required to:

1. Post all employment openings for response by qualified in-house employees or, when appropriate, advertise such openings in newspapers of general circulation and other media which reach a cross-section of the population in the area from which the work force will be drawn;

2. Send notices of employment openings to and solicit the referral of qualified candidates for employment from:

- i. Organizations which serve the interest of promoting equal employment opportunity for persons with disabilities; and

- ii. Regional job banks or job fairs that are maintained or conducted in order to assist qualified persons with disabilities in obtaining employment;

3. Send to each labor union or representative of workers with which it has a collective bargaining agreement a notice of the obligations of the licensee or applicant under the Act and rules of the Commission;

4. Send to each labor union or representative of workers with which it has a collective bargaining agreement a request for referral of qualified candidates for employment who are voluntarily self-identified persons with disabilities; and

5. Evaluate any criteria, tests, interview procedures and other requirements for employment, promotion and transfer of employees to assure that they are not discriminatory in their impact or that no less discriminatory methods of evaluation or prediction of job performance are feasible.

As adopted, effective: 08/16/93

As amended, effective: 01/16/96

As amended, effective: 06/17/02

19:53-3.4 (Reserved)

Adopted, effective: 08/16/93

Repealed, effective: 06/17/02

19:53-3.5 Sanctions

(a) If the Commission determines that a casino service industry enterprise licensee or applicant is in violation of the Act or this subchapter, in addition to any action taken by the Commission to suspend or revoke the casino service industry enterprise license, the Commission may:

1. Order any or all casino licensees and applicants to terminate or suspend any business relationships or contracts with the casino service industry enterprise licensee or applicant;

2. Prohibit the casino service industry enterprise licensee or applicant from entering into any future contracts with any casino licensee or applicant for a period of time to be determined by the Commission; and

3. Take any other action authorized by the Act or the rules of the Commission.

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