

# One Minute Memo®



## New Jersey Senate Fails to Override Veto on Pay Equity Bill, With Others Pending in the Senate

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**Seyfarth Synopsis:** The New Jersey Senate has failed to override Governor Christie's conditional veto of a pay equity bill. New Jersey hoped to join Philadelphia and Massachusetts in banning salary history inquiries, and several other bills in New Jersey aimed at pay equity initiatives remain alive.

As uncertainty looms at the federal level as to the approach the Trump Administration will take with respect to pay equity, the focus on pay equity continues at the state level.

However, at least for now, New Jersey won't join [Philadelphia](#), [Massachusetts](#), and potentially [New York City](#) (which, for private employers, is still pending, although Mayor De Blasio recently signed an Executive Order that applies to City employees) in prohibiting inquiries into salary history and other pay equity initiatives. This week, the New Jersey Senate could not come up with the votes to [override Governor Christie's conditional veto](#) of the pay equity bill, [Senate Bill 992](#). In a renewed effort, the Senate attempted to override the Governor's veto. In a preliminary vote, the Senate voted 23-11 for an override, which was four votes short. A two-thirds majority of the Senate is required to override a Governor's veto.

There are additional bills which focus on pay equity that are still pending in New Jersey. Two bills were recently introduced in the New Jersey Assembly by New Jersey Democrats with companion bills in the Senate.

- The [first](#) Assembly bill would prohibit businesses receiving financial assistance from the New Jersey Economic Development Authority ("NJEDA") from engaging in gender discrimination in pay and would require such businesses to submit reports documenting pay equity compliance. Assembly Bill 3832 was [reported](#) out of Assembly Committee for a second reading.
- The [second](#) Assembly bill would establish the Office for Women's Advancement that would be responsible for conducting research on full and equal participation of women in the workplace, including on pay equity. This Office would also collaborate with other state bodies and seek to advance legislation on pay equity issues. Assembly Bill 4372 was [referred](#) to the Assembly Appropriations Committee.

- [Senate Bill 2535](#), which would prohibit inquiries into salary history, was referred to the Senate Labor Committee, along with [Senate Bill 2535](#), which would prohibit the release of gender discrimination or harassment claims in severance agreements

We will continue to track this legislation and report on further on further developments as they occur.

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