

**REVENUE: No revenue impact****FISCAL: Minimal fiscal impact, no statement issued**

---

<b>Action:</b>	Do Pass
<b>Vote:</b>	5 - 0 - 0
<b>Yeas:</b>	Boquist, Dingfelder, George, Rosenbaum, Shields
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Jan Nordlund, Administrator
<b>Meeting Dates:</b>	2/8, 2/13

---

**WHAT THE MEASURE DOES:** Prohibits publication in print or on-line advertisement for employment that limits applicants to those not currently unemployed. Imposes civil penalty not to exceed \$1,000 for violation.

**ISSUES DISCUSSED:**

- Average length of time for unemployed to find work
- Practice of barring unemployed from applying for a job
- Impact on military veterans of discriminating against unemployed
- Private cause of action not authorized or created

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** The National Conference of State Legislatures prepared a *LegisBrief* on the topic of discrimination against the unemployed in October, 2011. It reported that the U.S. Equal Employment Opportunity Commission took testimony from the Society for Human Resource Management indicating that there was no widespread use of excluding the unemployed in job postings. However, the National Employment Law Project found more than 150 ads discriminating against the unemployed in four major online employment sites during a month in 2011. The *LegisBrief* reports that the EEOC has received complaints, but no formal studies have been conducted to determine the extent of the problem.

Four states considered legislation in 2011 (New Jersey, Illinois, Michigan and New York) to prohibit discrimination against unemployed persons. New Jersey passed legislation very similar to Senate Bill 1548.