You have the right to a safe and healthful workplace.

IT'S THE LAW!

PUBLIC EMPLOYERS

- You have the right to notify your employer or New Jersey Public Employees Occupational Safety and Health (NJPEOSH) about workplace hazards. You have a right to keep your name confidential upon request.
- You have the right to request a NJPEOSH inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative are entitled to participate in that inspection.
- You have a right to file a complaint within 180 days for retaliation or discrimination by your employer for making safety and health complaints or for exercising your rights under the NJPEOSH Act (N.J.S.A. 34:6A-25 et seq.).
- You have a right to see NJPEOSH citations issued to your employer and your employer must post the citations at or near the place of the alleged violation.
- You have the right to copies of your medical records or records of your exposure to toxic and harmful substances or conditions.

PUBLIC EMPLOYERS

- You must report all work-related fatalities within 8 hours; and in-patient hospitalizations, amputations, and loss-of-eye incidents within 24 hours. This information must be called in to 800-624-1644 and faxed to 609-292-3749.
- You must furnish your employees with a place of employment free from recognized hazards.
- You must comply with all occupational safety and health standards.
- You must correct identified workplace hazards and must certify that these hazards have been eliminated by the date indicated on the citation.
- You must post this notice in your workplace as per N.J.A.C. 12:110-3.5 (c).
- Through its on-site consultation and training program NJPEOSH offers employers free assistance in identifying and correcting hazards or complying with standards, without citation or penalty.

24-hour Complaint Hotline
(800) 624-1644

FOR MORE INFORMATION:

- **Occupational Safety Hazards**
  - NJ Department of Labor & Workforce Development (NJLWD)
  - Office of Public Employees Occupational Safety and Health (OPEOSH)
  - Phone: (609) 292-7036
  - Email: peosh@dol.nj.gov
  - Website: http://lwd.dol.state.nj.us/labor/lsse/employer/Public_Employees_OSH.html

- **Occupational Health Hazards**
  - NJ Department of Health (NJDOH)
  - Public Employees Occupational Safety and Health (PEOSH)
  - Phone: (609) 984-1863
  - Email: peosh@doh.nj.gov
  - Website: nj.gov/health/peosh

Additional copies of this poster may be obtained by contacting the New Jersey Department of Labor and Workforce Development, Office of Constituent Relations, PO Box 110, Trenton, NJ 08625-0110; (609) 777-3200.

The New Jersey Department of Labor and Workforce Development is an equal opportunity employer with equal opportunity programs. Auxiliary aids and services are available upon request to individuals with disabilities.
Post this notice in a conspicuous place. This notice is for ready reference only. For full text, consult N.J.S.A. 34:2-1 to 14, and N.J.A.C. 12:58, et seq.

General Information

Bricks

Minors under 18 years old must get a 30-minute meal break after 5 continuous hours of work.

Working during school hours

Minors under 15 may not work during the hours they are required to attend school.

Employer Certificate (also called working papers)

A certificate that permits minors to work. If a minor is engaged in prohibited work, his or her employer may be fined up to $1,500 per offense.

Employer Certificate

Certificate of an employer certifying that a minor is 16 or 17 years old, that the minor is not a child laborer, and that the minor meets all other requirements.

Age Certificate

Certificate showing that a minor is at least 16 years old.

Penalty

For a first violation, up to $1,000 may be assessed; for a second violation, up to $2,500.

Exemptions

Some exemptions include:

- Minors employed in certain school-related activities and certain minory employment program.
- Minors employed in religious, charitable, and civic organizations.
- Minors employed in the Armed Forces or the Reserve Corps.
- Minors employed in the Peace Corps.

New Jersey Department of Labor and Workforce Development

Punishment for Violations of Child Labor Law

Whoever employs or permits any person to be employed or to work in violation of this act, or of any or all rules issued under the provisions of this act, or of the Commissioner of Labor and Workforce Development, its officers or agents, or any other person authorized to inspect places of employment, shall be fined not less than $200 for each person under 18 years of age employed or permitted to be employed, and not less than $1,000 for each minor whose employment is required to be accompanied at all times by a parent or legal guardian.

Theft of Employer Certificate

Any employer who removes an Employer Certificate or who removes, alters, or falsifies an Employer Certificate shall be fined up to $1,000.

Theft of Wage Certificate

Any employer who removes a Wage Certificate or who removes, alters, or falsifies a Wage Certificate shall be fined up to $1,000.

Theft of Age Certificate

Any employer who removes an Age Certificate or who removes, alters, or falsifies an Age Certificate shall be fined up to $1,000.

Theft of Employment Certificate

Any employer who removes an Employment Certificate or who removes, alters, or falsifies an Employment Certificate shall be fined up to $1,000.

Theft of Permit

Any employer who removes a Permit or who removes, alters, or falsifies a Permit shall be fined up to $1,000.

Theft of Special Street Trades Permit

Any employer who removes a Special Street Trades Permit or who removes, alters, or falsifies a Special Street Trades Permit shall be fined up to $1,000.

Theft of Register of Employers

Any employer who removes a Register of Employers or who removes, alters, or falsifies a Register of Employers shall be fined up to $1,000.

Theft of Membership Certificate

Any employer who removes a Membership Certificate or who removes, alters, or falsifies a Membership Certificate shall be fined up to $1,000.
Under New Jersey’s Earned Sick Leave Law, most employees have a right to accrue up to 40 hours of earned sick leave per year. Go to https://nj.gov/labor/ to learn which employees are covered by the law.

New employees must receive this written notice from their employer when they begin employment, and existing employees must receive it by November 29, 2018. Employers must also post this notice in a conspicuous and accessible place at all work sites, and provide copies to employees upon request.

YOU HAVE A RIGHT TO EARNED SICK LEAVE.

Amount of Earned Sick Leave
Your employer must provide up to a total of 40 hours of earned sick leave every benefit year. Your employer’s benefit year is:

Start of Benefit Year: __________ End of Benefit Year: __________

Rate of Accrual
You accrue earned sick leave at the rate of 1 hour for every 30 hours worked, up to a maximum of 40 hours of leave per benefit year. Alternatively, your employer can provide you with 40 hours of earned sick leave up front.

Date Accrual Begins
You begin to accrue earned sick leave on October 29, 2018, or on your first day of employment, whichever is later. Exception: If you are covered by a collective bargaining agreement that was in effect on October 29, 2018, you begin to accrue earned sick leave under this law beginning on the date that the agreement expires.

Date Earned Sick Leave is Available for Use
You can begin using earned sick leave accrued under this law on February 26, 2019, or the 120th calendar day after those required under the law, and can permit you to use sick leave at an earlier date.

Acceptable Reasons to Use Earned Sick Leave
You can use earned sick leave to take time off from work when:

• You need diagnosis, care, treatment, or recovery for a mental or physical illness, injury, or health condition; or you need preventive medical care.

• You need to care for a family member during diagnosis, care, treatment, or recovery for a mental or physical illness, injury, or health condition; or your family member needs preventive medical care.

• You or a family member have been the victim of domestic violence or sexual violence and need time for treatment, counseling, or to prepare for legal proceedings.

• You need to attend school-related conferences, meetings, or events regarding your child’s education; or to attend a school-related meeting regarding your child’s health.

• Your employer’s business closes due to a public health emergency or you need to care for a child whose school or child care provider closed due to a public health emergency.

Family Members
The law recognizes the following individuals as “family members:”

• Child (biological, adopted, or foster child; stepchild; legal ward; child of a domestic partner or civil union partner)

• Grandchild

• Sibling

• Spouse

• Domestic partner or civil union partner

• Parent

• Grandparent

• Spouse, domestic partner, or civil union partner of an employee’s parent or grandparent

• Sibling of an employee’s spouse, domestic partner, or civil union partner

• Any other individual related by blood to the employee

• Any individual whose close association with the employee is the equivalent of family
Advance Notice
If your need for earned sick leave is foreseeable (can be planned in advance), your employer can require up to 7 days’ advance notice of your intention to use earned sick leave. If your need for earned sick leave is unforeseeable (cannot be planned in advance), your employer may require you to give notice as soon as it is practical.

Documentation
Your employer can require reasonable documentation if you use earned sick leave on 3 or more consecutive work days, or on certain dates specified by the employer. The law prohibits employers from requiring your health care provider to specify the medical reason for your leave.

Unused Sick Leave
Up to 40 hours of unused earned sick leave can be carried over into the next benefit year. However, your employer is only required to let you use up to 40 hours of leave per benefit year. Alternatively, your employer can offer to purchase your unused earned sick leave at the end of the benefit year.

You Have a Right to be Free from Retaliation for Using Earned Sick Leave
Your employer cannot retaliate against you for:
- Requesting and using earned sick leave
- Filing a complaint for alleged violations of the law
- Communicating with any person, including co-workers, about any violation of the law
- Participating in an investigation regarding an alleged violation of the law, and
- Informing another person of that person’s potential rights under the law.

Retaliation includes any threat, discipline, discharge, demotion, suspension, or reduction in hours, or any other adverse employment action against you for exercising or attempting to exercise any right guaranteed under the law.

You Have a Right to File a Complaint
You can file a complaint with the New Jersey Department of Labor and Workforce Development online at nj.gov/labor/wagehour/complnt/filing_wage_claim.html or by calling 609-292-2305 between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Keep a copy of this notice and all documents that show your amount of sick leave accrual and usage. You have a right to be given this notice in English and, if available, your primary language. For more information visit the website of the Department of Labor and Workforce Development: nj.gov/labor.
New Jersey law provides up to 6 weeks of family leave insurance benefits. Beginning July 1, 2020, the law will allow up to 12 weeks of continuous family leave or 56 days of intermittent leave. Employees who are covered by family leave insurance can apply for benefits to:

- bond with a child within 12 months of the child’s birth or placement by adoption or foster care. The applicant, or the applicant’s spouse or domestic or civil union partner, must be the child’s biological, adoptive or foster parent, unless a surrogate carried the child.
- care for a family member with a serious health condition. Supporting documentation from a health care provider is mandatory.
- care for a victim of domestic violence or a sexually violent offense or for a victim's family member.

“Family member” means a child, parent, parent-in-law, sibling, grandparent, grandchild, spouse, domestic partner, civil union partner, and any other person related by blood to the employee or with whom the employee has a close association that is the equivalent of a family relationship.

“Child” means a biological, adopted, or foster child, stepchild or legal ward of a parent. A child gained by way of a valid written contract between the parent and a surrogate (gestational carrier) is included in this definition.

**State Family Leave Insurance Plan** (“state plan”)

You can get program information and an application for family leave benefits (form FL-1) online at myleavebenefits.nj.gov, by phone at 609-292-7060, or by mail: Division of Family Leave Insurance, P.O. Box 387, Trenton, NJ 08625-0387.

New mothers who receive temporary disability benefits through the state plan for their pregnancy will get instructions on how to file for family leave benefits after the child is born.

**Private Family Leave Insurance Plan** (“private plan”)

An employer may provide family leave insurance through a private insurance carrier, if this Division approves the plan. If your employer has an approved private plan, your employer must provide information about coverage and provide the forms to apply for benefits.

**Who pays for Family Leave Insurance?**

Payroll contributions from employees finance this program. Family leave insurance coverage under the state plan will require contributions to be deducted from employee wages. The deductions must be noted on the employee’s pay envelope, paycheck, or on some other form of notice. In 2018, the taxable wage base for family leave insurance benefits is the same as the taxable wage base for unemployment and temporary disability insurance.
The New Jersey Family Leave Act (NJFLA) entitles certain employees to take up to 12 weeks of family leave in a 24-month period without losing their jobs.

Employers generally must provide NJFLA leave if:

- The EMPLOYER has at least 30 employees worldwide OR is a government entity, regardless of size;
- The EMPLOYEE has worked for that employer for at least 1 year, AND has worked at least 1,000 hours in the past 12 months; and
- The LEAVE is being taken to:
  - Care for or bond with a child within 1 year of the child’s birth or placement for adoption or foster care;
  - Care for a family member, or someone who is the equivalent of family, who has a serious health condition, or who has been isolated or quarantined because of suspected exposure to a communicable disease (including COVID-19) during a state of emergency; or
  - Provide required care or treatment for a child during a state of emergency if their school or place of care is closed due to an epidemic of a communicable disease (including COVID-19) or other public health emergency.

Remedies may include money damages, an order to stop violating the Act, adoption of new policies and procedures, attorney’s fees, and more.

To get more information or file a complaint, contact the Division on Civil Rights:

1-833-NJDCA4U  NJCivilRights.gov
711 (Relay Service)  #CivilRightsNJ

No one can retaliate against you for attempting to take or taking NJFLA leave, reporting NJFLA violations, or exercising other rights under the NJFLA.

All entities subject to the New Jersey Family Leave Act, N.J.S.A. 34:11B-1 et seq., shall display this official poster in places easily visible to all employees and applicants for employment.
New Jersey and federal laws prohibit employers from discriminating against an individual with respect to his/her pay, compensation, benefits, or terms, conditions or privileges of employment because of the individual’s sex.

FEDERAL LAW

Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on, among other things, an individual’s sex. Title VII claims must be filed with the United States Equal Employment Opportunity Commission (EEOC) before they can be brought in court. Remedies under Title VII may include an order restraining unlawful discrimination, back pay, and compensatory and punitive damages.

The Equal Pay Act of 1963 (EPA) prohibits discrimination in compensation based on sex. EPA claims can be filed either with the EEOC or directly with the court. Remedies under the EPA may include the amount of the salary or wages due from the employer, plus an additional equal amount as liquidated damages.

Please be mindful that in order for a disparity in compensation based on sex to be actionable under the EPA, it must be for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.

There are strict time limits for filing charges of employment discrimination. For further information, contact the EEOC at 800-669-4000 or at www.eeoc.gov.

NEW JERSEY LAW

The New Jersey Law Against Discrimination (LAD) prohibits employment discrimination based on, among other things, an individual’s sex. LAD claims can be filed with the New Jersey Division on Civil Rights (NJDCR) or directly in court. Remedies under the LAD may include an order restraining unlawful discrimination, back pay, and compensatory and punitive damages.

Another State law, N.J.S.A. 34:11-56.1 et seq., prohibits discrimination in the rate or method of payment of wages to an employee because of his or her sex. Claims under this wage discrimination law may be filed with the New Jersey Department of Labor and Workforce Development (NJDLWD) or directly in court. Remedies under this law may include the full amount of the salary or wages owed, plus an additional equal amount as liquidated damages.

Please be mindful that under the State wage discrimination law a differential in pay between employees based on a reasonable factor or factors other than sex shall not constitute discrimination.

There are strict time limits for filing charges of employment discrimination. For more information regarding LAD claims, contact the NJDCR at 609-292-4605 or at www.njcivilrights.gov. For information concerning N.J.S.A. 34:11-56.1 et seq., contact the Division of Wage and Hour Compliance within the NJDLWD at 609-292-2305 or at http://lwd.state.nj.us.

This notice must be conspicuously displayed.
The Law Against Discrimination (LAD) Prohibits Discrimination and Harassment in Employment
Based on Actual or Perceived

- Race or color
- Religion or creed
- Disability
- Age
- Sex
- Gender identity or expression
- Liability for military service
- Sexual orientation
- National origin, nationality, or ancestry
- Pregnancy or breastfeeding
- Marital or domestic partnership or civil union status
- Atypical cellular or blood trait, genetic information
  including the refusal to submit to genetic testing

The law means people cannot be treated differently, harassed, or otherwise discriminated against at work based on their membership in a protected class.

The law applies to all employers (including labor unions, apprenticeship and training programs, and employment agencies) and in all aspects of employment, including but not limited to:

- Recruitment and job postings
- Interviews and hiring decisions
- Promotion or transfer
- Termination or demotion
- Compensation, including salary and benefits
- All terms, conditions, or privileges of employment
- Membership in a union

Remedies may include money damages, an order to stop discrimination or harassment, adoption of new policies and procedures, attorney's fees, and more.

If you believe you have experienced discrimination, contact the Division on Civil Rights

1-833-NJDCR4U  NJCivilRights.gov  #CivilRightsNJ

No one can retaliate against you for reporting LAD violations, filing a discrimination complaint, or exercising other rights under the LAD

All employers, employment agencies, and labor organizations shall display this official poster in places easily visible to all employees and applicants for employment. N.J.A.C. 12:8-1.2.
All Employers Must Pay Wages to All Employees in Full at Least Twice a Calendar Month.

Executive and supervisory employees, however, may be paid at least once a calendar month. Payment must be made on regular paydays designated in advance. When a payday falls on a non-work day, payment must be made on the immediately preceding work day, unless a collective bargaining agreement states otherwise. Pay periods must not end more than 10 working days before payday, when payment is made on a regular payday. If payment is by check, arrangements must be made to allow employees to cash the full check without difficulty.

- Employees leaving or terminated for any reason, including labor disputes, must be paid all wages due not later than the regular payday for the period in which employment ended.
- An additional 10 days may be allowed when a labor dispute involves payroll employees.
- Employees paid on an incentive system must be paid a reasonable estimate of wages due until exact amounts are known.
- Payment may be made through regular pay channels or by mail if requested by the employee.

It is unlawful to make any agreement for payment other than as provided in this act, except to pay at shorter intervals or to pay wages in advance. Wages due a deceased employee may be paid to the survivors in the order of preference as outlined in the statute.

No Deductions from Employees’ Wages are Permitted Except:

Amounts authorized by New Jersey or United States Law or payments to correct payroll errors. Contributions or payments authorized by employees either in writing or under a collective bargaining agreement for:

- Employee welfare • insurance • hospitalization • medical or surgical or both • pension • retirement • profit-sharing plans • group or individual retirement annuity plans • individual retirement accounts at any state or federally chartered bank, savings bank, or savings and loan association • company-operated thrift plans • security option or security purchase plans to buy marketable securities • employee personal savings accounts such as a credit union, savings fund society, savings and loan or building and loan association • Christmas, vacation or other savings funds • purchase of company products or employer loans in accordance with the payment schedule contained in the original purchase or loan agreement • safety equipment • U.S. government bonds • costs and fees to replace employee identification for access to sterile or secured areas of airports • contributions for organized and recognized charities • rental of work clothing or uniforms or for laundering or dry cleaning of work clothing or uniforms • labor union dues and fees • health club membership fees • child care services.

All Employers Must:

- Notify employees when they are hired the rate of pay and the regular payday.
- Notify employees of changes in pay rates or paydays prior to the changes.
- Give each employee a statement of deductions each pay period.
- Make and keep records for employees, including wages and hours, and make such records available for inspection.
- Provide employees when they are hired a required notice (form MW-400) describing the employer’s obligation to maintain and report records regarding wages, benefits, taxes and other contributions and assessments.

The Commissioner of Labor and Workforce Development will enforce and administer the provisions of this act. The Commissioner or an authorized representative has the power to make all necessary inspections of establishments and records.

Any employer who knowingly and willfully violates any provision of this act is guilty of a disorderly persons offense. Upon conviction, such employer will be punished by a fine of at least $100 but not more than $1,000. Each day during which any violation of this act continues will constitute a separate and distinct offense.

As an alternative to or in addition to any other sanctions allowed by law for violations, the Commissioner is authorized to assess and collect administrative penalties, up to $250 for a first violation and up to $500 for each subsequent violation. The employer will also pay the Commissioner an administrative fee equal to at least 10% but not more than 25% of any payment due to employees.

The Commissioner may, after giving the employer or successor firm notice and an opportunity for a hearing in accordance with the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), issue a written determination directing any appropriate agency to suspend any one or more licenses that are held by the employer or successor firm, for a period of time determined by the Commissioner.

Note: The Division of Wage and Hour Compliance applies New Jersey’s labor laws without regard to a worker’s legal status. The Division does not investigate or inquire into the legal status of any worker. The Division does not share information with “Immigration.”
Capítulo 173, Leyes del Estado de New Jersey, 1965: Relacionado al
Pago de Salarios

Es Deber de Todo Patrono el de Pagar Sueldos Integros a sus Empleados Por lo Menos Dos Veces Cada Mes

Sin embargo, los empleados ejecutivos y los supervisores pueden cobrar sus salarios con regularidad una vez al mes. Los pagos deberán ser efectuados regularmente los días previamente designados.

Cuando el día de pago corresponda a un día que no se trabaja, dicho pago habrá de efectuarse el último día laborable a menos que se provea de otra manera según un contrato de unión.

El fin del período de pago por el cual se efectúa el pago el día indicado como el día normal de pago, no se extenderá más allá de los 10 días anteriores a tal día normal de pago.

Si se hace el pago por cheque, se harán los arreglos necesarios para que se pueda cambiar el cheque por la cantidad entera y sin dificultad para el empleado.

- Cuando el empleado abandona o termina el empleo por cualquier motivo, incluyendo disputas laborales, será pagado el salario entero que se le debe no más tarde del día normal de pago por el período en el cual sucedió la terminación.
- Se podrán permitir 10 días adicionales para procesar el pago en el caso de que una disputa laboral envuelva a los empleados que procesan el pago.
- A los empleados a quienes se pagan a base de incentivo se les pagará un estimado razonable de salarios debidos hasta que las cantidades exactas se puedan calcular.
- El pago se podrá hacer por los medios normales o por correo si se pide.

Será ilegal hacer cualquier acuerdo relacionado al pago diferente al que la ley provee, excepto para pagar a plazos más cortos o para pagar por adelantado.

Los salarios debidos a un empleado fallecido se podrán pagar a los sobrevivientes en la orden de preferencia, según aparece explicado en el estatuto.

No se harán descuentos de los salarios de los empleados exceptuando:

- Cantidades autorizadas por la Ley de New Jersey o por la Ley de los Estados Unidos o pagos para corregir errores en el pago de salarios. Contribuciones o pagos autorizados por empleados sea por escrito o sea según un contrato de unión para:
  - Bienestar del empleado • el seguro • hospitalización • médico o quirúrgico o ambos • pensión • jubilación • planes de participación en los beneficios y de ahorros administrados por la compañía • y planes para establecer fondos de jubilación individual en una base del grupo o del individuo o cuentas de jubilación individual en cualquier banco aprobado por el gobierno estatal o federal o asociación de ahorros y préstamos • Opciones para comprar valores o planes para comprar valores en el mercado libre • Cuentas personales de ahorros de los empleados • unión de crédito • sociedades de fondos de ahorros • fondos de • erección de edificios y préstamos • ahorros y préstamos • vacación de Navidad u otros fondos de ahorros o bonos del Ministerio de Hacienda de los Estados Unidos.
- La compra de productos de la compañía o préstamos del empleado de acuerdo con un horario de pagos periódicos según el contrato original sobre la compra o el préstamo •

Equips de seguridad • costos y honorarios por reemplazar las identificaciones de los empleados para el acceso a zonas de aeroportos que son estéreis o aseguradas • Contribuciones para canades organizadas y debidamente reconocidas • El alquiler de ropa para el trabajo o uniformes o para la lavada o el lavado en seco de ropa para el trabajo o uniformes • Las cuotas y pagos de unión • cuotas de membresía en gimnasios • servicios de cuidado infantil.

Todo Patrono Deberá:
- Notificar a los empleados en el momento de ofrecerle el trabajo cuanto les va a pagar y el día normal de pago.
- Notificar a los empleados de los cambios en el pago y en el día normal de pago antes de efectuarse estos cambios.
- Proveer a cada empleado un comprobante con cada pago indicando el pago en bruto, el pago neto y los descuentos.
- Hacer y mantener documentos para los empleados, incluyendo horas y salarios, y presentar estos documentos para inspección.
- Proveer a los empleados al momento de la contratación el aviso obligatorio (formulario número MW-400) en el que se describa la obligación del empleador de mantener registros e informar en materia de salarios, beneficios, impuestos y otras contribuciones y evaluaciones.

El Comisionado del Trabajo esforzará y administrará las provisiones de esta ley. El Comisionado o un representante autorizado tendrá el poder de hacer todas las inspecciones necesarias de establecimientos y documentos.

Cualquier patrono que, a sabiendas y deliberadamente, viole cualquier provisión de esta ley será culpable de un delito menor y al ser declarado culpable le será impuesta una multa no menor de $100 ni mayor de $1,000. Cada día durante el cual cualquier violación de esta ley contiña constituirá una ofensa distinta y aparte.

Como una alternativa a o además de cualesquier otras sanciones proveídas por la ley por violaciones, el Comisionado está autorizado para imponer y colectar penalidades administrativas, hasta un máximo de $250 por la primera violación y hasta un máximo de $500 por cada subsiguiente violación.

El patrono pagará al Comisionado también un pago administrativo que lleque a no menos de 10 por ciento ni más de 25 por ciento de cualquier pago de salarios que se haga como resultado de una investigación del Comisionado o de su representante autorizado.

El Comisionado puede, luego de disponer el envío de una notificación al empleado o empresa sucesora y de brindar la oportunidad de tener una audiencia de conformidad con las disposiciones de la “Ley de Procedimientos Administrativos (Administrative Procedure Act)”, P.L.1968, c.410 (C.52:14B-1 et seq.), emitir una decisión por escrito impartiendo instrucciones a la agencia pertinente para que proceda a suspender una o más licencias en posesión del empleado o empresa sucesora, por el período de tiempo que determine el Comisionado.

Por Favor Tome Nota: La División de Cumplimiento de Horarios y Salarios no investiga ni hace preguntas acerca del estado legal de ningún trabajador. La División aplica las leyes laborales de New Jersey de manera equitativa sin importar el estado legal del trabajador. La División no comparte información con “Inmigración”.

Esforzada por: Division of Wage and Hour Compliance NJ Department of Labor and Workforce Development
PO Box 389 • Trenton, NJ 08625-0389 • 609-292-2305
Este y otros pósers requeridos por el empleador están disponibles en línea gratis en nj.gov/labor.

MW-17S (4/22)
The New Jersey Security and Financial Empowerment Act ("NJ SAFE Act"), P.L. 2013, c.82, provides that certain employees are eligible to receive an unpaid leave of absence, for a period not to exceed 20 days in a 12-month period, to address circumstances resulting from domestic violence or a sexually violent offense. To be eligible, the employee must have worked at least 1,000 hours during the immediately preceding 12-month period. Further, the employee must have worked for an employer in the State that employs 25 or more employees for each working day during each of 20 or more calendar workweeks in the then-current or immediately preceding calendar year.

Leave under the NJ SAFE Act may be taken by an employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19, or a victim of a sexually violent offense, as that term is defined in N.J.S.A. 30:4-27.6. Leave may also be taken by an employee whose child, parent, spouse, domestic partner, or civil union partner is a victim of domestic violence or a sexually violent offense.

Leave under the NJ SAFE Act may be taken for the purpose of engaging in any of the following activities as they relate to an incident of domestic violence or a sexually violent offense:

1. Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee’s child, parent, spouse, domestic partner or civil union partner
2. Obtaining services from a victim services organization for the employee or the employee’s child, parent, spouse, domestic partner, or civil union partner
3. Obtaining psychological or other counseling for the employee or the employee’s child, parent, spouse, domestic partner or civil union partner
4. Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety from future domestic violence or sexual violence or to ensure the economic security of the employee or the employee’s child, parent, spouse, domestic partner or civil union partner
5. Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee’s child, parent, spouse, domestic partner, or civil union partner, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence or sexual violence; or
6. Attending, participating in or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee’s child, parent, spouse, domestic partner, or civil union partner, was a victim.

Leave under the NJ SAFE Act must be used in the 12-month period immediately following an instance of domestic violence or a sexually violent offense. The unpaid leave may be taken intermittently in intervals of no less than one day. The unpaid leave shall run concurrently with any paid vacation leave, personal leave, or medical or sick leave that the employee elects to use or which the employer requires the employee to use during any part of the 20-day period of unpaid leave. If the employee requests leave for a reason covered by both the NJ SAFE Act and the Family Leave Act, N.J.S.A. 34:11B-1 et seq., or the federal Family and Medical Leave Act, 20 U.S.C. 2601 et seq., the leave shall count simultaneously against the employee’s entitlement under each respective law.

Employees eligible to take leave under the NJ SAFE Act must, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave. The employee must provide the employer with written notice as far in advance as reasonable and practicable under the circumstances. The employer has the right to require the employee to provide the employer with documentation of the domestic violence or sexually violent offense that is the basis for the leave. The employer must retain any documentation provided to it in this manner in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is authorized by a federal or State law, rule or regulation.

The NJ SAFE Act also prohibits an employer from discharging, harassing or otherwise discriminating or retaliating or threatening to discharge, harass or otherwise discriminate against an employee with respect to the compensation, terms, conditions or privileges of employment on the basis that the employee took or requested any leave that the employee was entitled to under the NJ SAFE Act, or on the basis that the employee refused to authorize the release of information deemed confidential under the NJ SAFE Act.

To obtain relief for a violation of the NJ SAFE Act, an aggrieved person must file a private cause of action in the Superior Court within one year of the date of the alleged violation.

This notice must be conspicuously displayed.
Unemployment Insurance

Benefits are payable to workers who lose their jobs or who are working less than full time because of a lack of full-time work and who meet the eligibility requirements of the law.

If you become totally or partially unemployed, file a claim for unemployment insurance benefits as soon as possible. The easiest, quickest way is to file online at myunemployment.nj.gov. You can also file a claim over the phone by contacting our Reemployment Call Centers at one of these numbers listed below. Note, if you were a maritime employee in the last 18 months or live outside of the United States, you must file your claim over the phone. Be prepared to have information about yourself, your employer and your work history available when filing your claim.

Cumberland Call Center ....856-507-2340  Union City Call Center ......201-601-4100
Freehold Call Center....732-761-2020  Out of State.................1-888-795-6672

Disability Insurance

Benefits are payable to New Jersey workers who suffer a non-work-related illness, injury, or other medical condition that prevents them from working. Temporary disability insurance coverage includes new and expecting mothers during their final weeks of pregnancy and recovery. If you become disabled and wish to apply for disability benefits, start by asking whether your employer participates in the state disability insurance plan or has a private insurance plan.

New Jersey State Disability Insurance Plan* (“state plan”)
If you are covered under the state insurance plan, you may apply for disability benefits (or download a paper application — Form DS-1) online at myleavebenefits.nj.gov. Applying online is faster.

Submit the completed paper application by fax to: 609-984-4138 or mail to: Division of Temporary Disability Insurance
PO Box 387
Trenton, New Jersey 08625-0387

For more information, visit myleavebenefits.nj.gov or call 609-292-7060.

Private Disability Insurance Plan (“private plan”)
New Jersey employers have the option of providing coverage to their employees through an approved private plan instead of the state plan. If you are covered under a private plan, your employer's insurance carrier is responsible for processing and paying benefits on your disability claim. If you become disabled, ask your employer for the form you need to claim benefits under the private plan.

Who pays for Unemployment & Temporary Disability Programs?
These programs are paid for by payroll taxes paid by employers and employees. Your employer is authorized to deduct worker contributions (tax) from your wages. The deductions must be noted on your pay envelope, paycheck, or on some other form of notice. The amount of wages that are taxable changes from year to year.

The deduction may be allocated at varying rates to the Unemployment Insurance Trust Fund, the Temporary Disability Insurance Fund and the Workforce Development/Supplemental Workforce Funds. If an approved private plan is non-contributory, no contributions can be deducted from workers’ wages for disability insurance.

Your employer’s contributions are based in part on their employment experience.
STATUTORY MINIMUM WAGE RATE
Employees are to be paid not less than the New Jersey minimum wage in accordance with the schedule below.

<table>
<thead>
<tr>
<th>Date</th>
<th>Most Employers</th>
<th>Seasonal &amp; Small Employers (fewer than 6)</th>
<th>Agricultural Employers</th>
<th>Cash Wage for Tipped Workers</th>
<th>Wage for Long-Term Care Facility Direct Care Staff Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-1-2020</td>
<td>$11</td>
<td>$10.30</td>
<td>$10.30</td>
<td>$3.13</td>
<td>$11, $14 as of 11/1/20</td>
</tr>
<tr>
<td>1-1-2021</td>
<td>$12</td>
<td>$11.10</td>
<td>$10.30</td>
<td>$4.13</td>
<td>$15</td>
</tr>
<tr>
<td>1-1-2022</td>
<td>$13</td>
<td>$11.90</td>
<td>$11.05</td>
<td>$5.13</td>
<td>$16</td>
</tr>
<tr>
<td>1-1-2023</td>
<td>$14.13</td>
<td>$12.93</td>
<td>$12.01</td>
<td>$5.26</td>
<td>$17.13</td>
</tr>
<tr>
<td>1-1-2024*</td>
<td>$15.13</td>
<td>$13.93</td>
<td>$12.81</td>
<td>$5.26</td>
<td>$18.13</td>
</tr>
</tbody>
</table>

* The minimum wage rates for 2024 will be at least the amounts listed above, but could be higher based on the Consumer Price Index (CPI).

OVERTIME
Overtime is payable at the rate of 1.5 times the employee's regular hourly rate for hours worked in excess of 40 in any week except where otherwise specifically provided by wage order.

Exempt from the overtime entitlement are:
- executive, administrative, and professional employees
- employees engaged in labor on a farm or relative to raising or care of livestock; and
- limousine drivers.

WAGE ORDER REGULATIONS
Employees in the occupations found below are covered by this wage order and regulations and must be paid not less than the statutory minimum wage rate.
- First processing of farm products
- Hotel and motel
- Food service (restaurant industry)
- Seasonal amusement

These regulations are contained in N.J.A.C. 12:56-11.1 et seq.

EXEMPTIONS
Exempt from the statutory minimum wage rate are full-time students employed by the college or university at which they are enrolled at not less than 85% of the effective minimum wage rate; outside sales person; sales person of motor vehicles; part time employees primarily engaged in the care and tending of children in the home of the employer; and minors under 18 (EXCEPT that minors under 18 in the first processing of farm products, hotels, motels, restaurants, retail, beauty culture, laundry, cleaning, dyeing, light manufacturing and apparel occupations are covered by the wage order rates as above and vocational school graduates with special permits under the Child Labor Law are covered by the statutory rate).

Employees at summer camps, conferences and retreats operated by any nonprofit or religious corporation or association are exempt from minimum and overtime rates during the months of June, July, August and September.

LABOR ON A FARM AT PIECE-RATE
Employees engaged on a piece-rate basis to labor on a farm shall be paid for each day worked not less than the minimum hourly wage rate multiplied by the total number of hours worked.

PENALTIES
Any employer who violates any provisions of this act shall be guilty of a disorderly persons violation and upon conviction shall be punished by a fine of not less than $100 nor more than $1,000.

As an alternative to or in addition to any other sanctions provided by law for violations, the Commissioner is authorized to assess and collect administrative penalties, up to a maximum of $250 for a first violation and up to a maximum of $500 for each subsequent violation.

The employer shall also pay the Commissioner an administrative fee equal to not less than 10% or more than 25% of any payment due to employees.

Penalties for violation of this order are set forth in N.J.S.A. 34:11-56a22.
WHAT IS MISCLASSIFICATION?

- Misclassification is the practice of an employer improperly classifying employees as independent contractors.

- Misclassification may illegally deprive workers of basic rights, protections, and benefits guaranteed to employees such as the right to be paid the minimum wage, the right to overtime pay, time and mode of pay protections, the protection against illegal deductions from pay, unemployment compensation, temporary disability benefits, family leave insurance benefits, workers’ compensation, family leave and earned sick leave.

- Often when workers are paid in cash “off the books”, it may be a method to hide misclassification or other employment related legal obligations.

AM I AN EMPLOYEE OR AN INDEPENDENT CONTRACTOR?

- Under New Jersey’s Unemployment Compensation Law, Wage and Hour Law, Wage Payment Law, Wage Collection Law, Temporary Disability Benefits Law (including sections providing for Family Leave Insurance) and Earned Sick Leave Law, if you perform a service and are paid, you are presumed to be an employee, unless the employer can prove all three of the following:

  (A) You have been and will continue to be free from control or direction over performance of the service, both under a contract of service and in fact; and

  (B) The service is either outside the usual course of the business for which such service is performed, or the service is performed outside of all the places of business of the enterprise for which such service is performed; and

  (C) You are customarily engaged in an independently established trade, occupation, profession or business.
• This is referred to in New Jersey as the “ABC test” for independent contractor status.

• Please go to www.myworkrights.nj.gov to learn about the factors considered for each of the three above tests.

---

DO I HAVE TO PROVE THAT I AM AN EMPLOYEE?

• No. If you worked and were paid, you are presumed to be an employee. It is the employer’s burden to show that all three parts of the ABC test are met.

• If the employer can’t meet its burden to establish all three parts of the ABC test, then you are deemed to be an employee, entitled to the rights, protections, and benefits of an employee under the above-cited New Jersey laws.

• If you believe you are misclassified, email misclass@nj.dol.gov.

---

DOES IT MATTER IF I RECEIVED AN IRS FORM 1099, AS OPPOSED TO IRS FORM W-2?

• No. It does not matter which federal tax form the employer uses to report earnings.

• What matters are the facts surrounding your working relationship with the employer and the application of the ABC test to those facts.

---

IF MY EMPLOYER HAD ME SIGN AN INDEPENDENT CONTRACTOR AGREEMENT BEFORE HIRING ME, DOES THAT MAKE ME AN INDEPENDENT CONTRACTOR?

• No. Your employment status is determined based on an analysis of all the facts surrounding your relationship with the employer under the ABC test.

• NJ DOL would review the agreement you signed but your employment relationship would not be determined by this agreement alone.

• New Jersey courts have ruled that to consider only the agreement, if one exists, and not the totality of the facts surrounding your relationship with the presumed employer, would be to “place form over substance,” which the courts say is wrong.

---

WHAT HAPPENS WHEN IT IS FOUND BY A STATE AGENCY OR COURT THAT AN EMPLOYER HAS MISCLASSIFIED AN EMPLOYEE AS AN INDEPENDENT CONTRACTOR?

In addition to the award of a remedy or remedies to make the misclassified employee or the State agency whole for the employer’s violation of the underlying New Jersey wage, benefit or tax law (for example, the award of back pay to the misclassified employee who has been illegally deprived of the statutory minimum wage or overtime premium pay in violation of the State Wage and Hour law, or whose pay was subject to illegal deductions in violation of the State Wage Payment law), New Jersey law also empowers the Department of Labor and Workforce Development to take actions and impose penalties against an employer who has misclassified employees including:

• A penalty paid by the employer to the misclassified employee of not more than 5 percent of the worker’s gross earnings over the past 12 months.

• A penalty of up to $250 per misclassified employee for a first violation and up to $1,000 per misclassified employee for each subsequent violation.
• For violation of State wage, benefit or tax laws in connection with the misclassification of employees, the imposition of
  › A stop-work order.
  › The suspension or revocation of any one or more licenses that are held by the employer and that are necessary to operate the employer’s business.
  › Additional penalties and fees payable to the Department and where wages are owed to the employee, an additional amount in liquidated damages payable to the employee equal to not more than 200 percent of the wages owed.

AM I PROTECTED FROM RETALIATION BY MY EMPLOYER FOR REPORTING MISCLASSIFICATION?
• Employees are protected from retaliation by their employers for having made an inquiry or complaint to the employer, to the Commissioner of Labor or to an authorized representative regarding any possible violation by the employer of any State wage, benefit or tax law, including those inquiries or complaints that involve misclassification, or because the employee caused to be instituted or is about to cause to be instituted any proceeding under or related to State wage, benefit or tax law, or because the employee has testified or is about to testify in such a proceeding.

• Where such retaliation has occurred, the Department is authorized by law to issue an administrative penalty against the employer; however, only the courts are authorized by law to order reinstatement and/or back pay.

REPORTING MISCLASSIFICATION
If you have been misclassified and would like to file a claim, you can do so here: https://wagehour.dol.state.nj.us/default.htm

To seek further information:

  EMAIL:  
  misclass@dol.nj.gov

  CALL:   
  609-292-2321

  FAX:   
  609-292-7801

  WRITE:  
  Employer Accounts
  Subject – Misclassification
  NJ Department of Labor and Workforce Development
  1 John Fitch Plaza P.O. Box 942
  Trenton, NJ 08625-0942

• Whichever way you chose to reach out, multilingual staff will be able to assist you and translation assistance made available as needed

• You can also visit www.myworkrights.nj.gov to learn more about misclassification.

DISPLAY THIS POSTER IN A CONSPICUOUS PLACE
Regarding Wages, Benefits, Taxes and Other Contributions and Assessments Pursuant to State Wage, Benefit and Tax Laws

Employer Obligation to Maintain and Report Records

Employer Obligation to Maintain and Report Records

Workers’ Compensation Law (N.J.S.A. 34:15-1 et seq.)

Upon the happening of an accident or the occurrence of any occupational disease, an employer who has insurance coverage or utilizes a third-party administrator shall promptly furnish the insurance carrier or the third-party administrator with accident or occupational disease information.

Within three weeks after an accident or upon knowledge of the occurrence of an occupational disease, every insurance carrier, third-party administrator, statutory non-insured employer, including the State, counties, municipalities and school districts, and duly authorized self-insured employer not utilizing a third-party administrator shall file a report described as an "first notice of accident" on electronic data interchange media with the Division of Workers’ Compensation through the Compensation Rating and Inspection Bureau in a format prescribed by the Director of the Division of Workers’ Compensation. When filed by an insurance carrier or third-party administrator, the report must include the accident form, the insurance carrier’s or third-party administrator’s name, the company’s address, and the number of employees and/or policyholders. If the employer disagrees with any of these notices with the report, the employer may prepare and sign an amended report and file the amended report with the Division of Workers’ Compensation.

Each employer of domestic service workers (as the term “domestic service worker” is defined at N.J.A.C. 12:16-13.7(b)) must file an annual, rather than quarterly, report or report to the Division of Temporary Disability Insurance. Each employer must file with the Division a “Certificate of Coverage” indicating the type of coverage and the number of workers insured under the certificate.

On or before the 30th day following the close of the calendar year during which the self-insured private plan for temporary disability insurance is in effect, the employer must file a report with the Division of Temporary Disability Insurance showing:

- The employer’s Federal Employer Identification Number;
- The number of employees who received family leave insurance benefits during the one-year period;
- The number of employees who received family leave insurance benefits accepted during the one-year period;
- The number of employees who received family leave insurance benefits paid during the one-year period;
- The average weekly family leave insurance benefit paid during the one-year period;
- The amount of sick leave, vacation leave or other fully paid time, which reduced in worked hours during the one-year period.

Workers’ Compensation Law (N.J.S.A. 34:15-1 et seq.)

Regional Obligations

Each public works contractor must, within 10 days of payment of wages, provide to each worker each of the following:

- The name of the employee;
- The address of the employee;
- The name of the employer;
- The description of the job performed;
- The amount of wages earned and the hours worked.

Within three weeks after an accident or upon knowledge of the occurrence of an occupational disease, every insurance carrier, third-party administrator, statutory non-insured employer, including the State, counties, municipalities and school districts, and duly authorized self-insured employer not utilizing a third-party administrator shall file a report described as an "first notice of accident" on electronic data interchange media with the Division of Workers’ Compensation through the Compensation Rating and Inspection Bureau in a format prescribed by the Director of the Division of Workers’ Compensation. When filed by an insurance carrier or third-party administrator, the report must include the accident form, the insurance carrier’s or third-party administrator’s name, the company’s address, and the number of employees and/or policyholders. If the employer disagrees with any of these notices with the report, the employer may prepare and sign an amended report and file the amended report with the Division of Workers’ Compensation.

Each employer of domestic service workers (as the term “domestic service worker” is defined at N.J.A.C. 12:16-13.7(b)) must file an annual, rather than quarterly, report or report to the Division of Temporary Disability Insurance. Each employer must file with the Division a “Certificate of Coverage” indicating the type of coverage and the number of workers insured under the certificate.

On or before the 30th day following the close of the calendar year during which the self-insured private plan for temporary disability insurance is in effect, the employer must file a report with the Division of Temporary Disability Insurance showing:

- The number of employees who received family leave insurance benefits during the one-year period;
- The number of employees who received family leave insurance benefits accepted during the one-year period;
- The number of employees who received family leave insurance benefits paid during the one-year period;
- The average weekly family leave insurance benefit paid during the one-year period;
- The amount of sick leave, vacation leave or other fully paid time, which reduced in worked hours during the one-year period.

Workers’ Compensation Law (N.J.S.A. 34:15-1 et seq.)


Records to be kept by every employer are kept to all pertinent records for the three years following the calendar year in which the income is produced, or as specified by the Division of Taxation. Such records must include the following:

- The employer’s Federal Employer Identification Number;
- The number of employees who received family leave insurance benefits during the one-year period;
- The number of employees who received family leave insurance benefits accepted during the one-year period;
- The number of employees who received family leave insurance benefits paid during the one-year period;
- The average weekly family leave insurance benefit paid during the one-year period;
- The amount of sick leave, vacation leave or other fully paid time, which reduced in worked hours during the one-year period.

Workers’ Compensation Law (N.J.S.A. 34:15-1 et seq.)


Records to be kept by every employer are kept to all pertinent records for the three years following the calendar year in which the income is produced, or as specified by the Division of Taxation. Such records must include the following:

- The employer’s Federal Employer Identification Number;
- The number of employees who received family leave insurance benefits during the one-year period;
- The number of employees who received family leave insurance benefits accepted during the one-year period;
- The number of employees who received family leave insurance benefits paid during the one-year period;
- The average weekly family leave insurance benefit paid during the one-year period;
- The amount of sick leave, vacation leave or other fully paid time, which reduced in worked hours during the one-year period.

Workers’ Compensation Law (N.J.S.A. 34:15-1 et seq.)


Records to be kept by every employer are kept to all pertinent records for the three years following the calendar year in which the income is produced, or as specified by the Division of Taxation. Such records must include the following:

- The employer’s Federal Employer Identification Number;
- The number of employees who received family leave insurance benefits during the one-year period;
- The number of employees who received family leave insurance benefits accepted during the one-year period;
- The number of employees who received family leave insurance benefits paid during the one-year period;
- The average weekly family leave insurance benefit paid during the one-year period;
- The amount of sick leave, vacation leave or other fully paid time, which reduced in worked hours during the one-year period.

Workers’ Compensation Law (N.J.S.A. 34:15-1 et seq.)


Records to be kept by every employer are kept to all pertinent records for the three years following the calendar year in which the income is produced, or as specified by the Division of Taxation. Such records must include the following:

- The employer’s Federal Employer Identification Number;
- The number of employees who received family leave insurance benefits during the one-year period;
- The number of employees who received family leave insurance benefits accepted during the one-year period;
- The number of employees who received family leave insurance benefits paid during the one-year period;
- The average weekly family leave insurance benefit paid during the one-year period;
- The amount of sick leave, vacation leave or other fully paid time, which reduced in worked hours during the one-year period.

Workers’ Compensation Law (N.J.S.A. 34:15-1 et seq.)


Records to be kept by every employer are kept to all pertinent records for the three years following the calendar year in which the income is produced, or as specified by the Division of Taxation. Such records must include the following:

- The employer’s Federal Employer Identification Number;
- The number of employees who received family leave insurance benefits during the one-year period;
- The number of employees who received family leave insurance benefits accepted during the one-year period;
- The number of employees who received family leave insurance benefits paid during the one-year period;
- The average weekly family leave insurance benefit paid during the one-year period;
- The amount of sick leave, vacation leave or other fully paid time, which reduced in worked hours during the one-year period.

Workers’ Compensation Law (N.J.S.A. 34:15-1 et seq.)


Records to be kept by every employer are kept to all pertinent records for the three years following the calendar year in which the income is produced, or as specified by the Division of Taxation. Such records must include the following:

- The employer’s Federal Employer Identification Number;
- The number of employees who received family leave insurance benefits during the one-year period;
- The number of employees who received family leave insurance benefits accepted during the one-year period;
- The number of employees who received family leave insurance benefits paid during the one-year period;
- The average weekly family leave insurance benefit paid during the one-year period;
- The amount of sick leave, vacation leave or other fully paid time, which reduced in worked hours during the one-year period.

Workers’ Compensation Law (N.J.S.A. 34:15-1 et seq.)


Records to be kept by every employer are kept to all pertinent records for the three years following the calendar year in which the income is produced, or as specified by the Division of Taxation. Such records must include the following:

- The employer’s Federal Employer Identification Number;
- The number of employees who received family leave insurance benefits during the one-year period;
- The number of employees who received family leave insurance benefits accepted during the one-year period;
- The number of employees who received family leave insurance benefits paid during the one-year period;
- The average weekly family leave insurance benefit paid during the one-year period;
- The amount of sick leave, vacation leave or other fully paid time, which reduced in worked hours during the one-year period.

Workers’ Compensation Law (N.J.S.A. 34:15-1 et seq.)


Records to be kept by every employer are kept to all pertinent records for the three years following the calendar year in which the income is produced, or as specified by the Division of Taxation. Such records must include the following:

- The employer’s Federal Employer Identification Number;
- The number of employees who received family leave insurance benefits during the one-year period;
- The number of employees who received family leave insurance benefits accepted during the one-year period;
- The number of employees who received family leave insurance benefits paid during the one-year period;
- The average weekly family leave insurance benefit paid during the one-year period;
- The amount of sick leave, vacation leave or other fully paid time, which reduced in worked hours during the one-year period.
Employer retaliatory action; protected employee actions; employee responsibilities

1. New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following:

a. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the employer or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;

b. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the employer or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care; or

c. Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.

d. Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.

e. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:

   (1) is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;

   (2) is fraudulent or criminal; or

   (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. N.J.S.A. 34:19-3.

2. The protection against retaliation, when a disclosure is made to a public body, does not apply unless the employee has brought the activity, policy or practice to the attention of a supervisor of the employee by written notice and given the employer a reasonable opportunity to correct the activity, policy or practice. However, disclosure is not required where the employee reasonably believes that the activity, policy or practice is known to one or more supervisors of the employer or where the employee fears physical harm as a result of the disclosure, provided that the situation is emergency in nature.

CONTACT INFORMATION

Your employer has designated the following contact person to receive written notifications, pursuant to paragraph 2 above (N.J.S.A. 34:19-4):

Name: Kathleen Heid
Address: 1617 Hurffville Road
         Deptford, NJ 08096
Telephone Number: 856-232-9000 ext 5006 or 856-232-0366

This notice must be conspicuously displayed.

Once each year, employers with 10 or more employees must distribute notice of this law to their employees. If you need this document in a language other than English or Spanish, please call 609-292-7832.
La Ley de protección al empleado consciente
“Ley de protección del denunciante”

Acciones de represalia del empleador; protección de las acciones del empleado

1. La ley de New Jersey prohíbe que los empleadores tomen medidas de represalia contra todo empleado que haga lo siguiente:
   a. Divulgue o amenace con divulgar, ya sea a un supervisor o a una agencia pública toda actividad, directriz o norma del empleador o de cualquier otro empleador con el que exista una relación de negocios y que el empleado tiene motivos fundados para pensar que violan alguna ley, o en el caso de un trabajador licenciado o certificado de la salud y que tiene motivos fundados para pensar que se trata de una manera inadecuada de atención al paciente;
   b. Facilite información o preste testimonio ante cualquier agencia pública que conduzca una investigación, audiencia o indagación sobre la violación de alguna ley, regla o reglamento que el empleador o algún otro empleador con el que exista una relación de negocios; o en el caso de un trabajador licenciado o certificado de la salud que facilite información o preste testimonio ante cualquier agencia pública que conduzca una investigación, audiencia o indagación sobre la calidad de la atención al paciente; o
   c. Ofrece información concerniente al engaño o la tergiversación con accionistas, inversionistas, usuarios, pacientes, clientes, empleados, ex empleados, retirados o pensionados del empleador o de cualquier agencia gubernamental.
   d. Ofrece información con respecto a toda actividad que se pueda percibir como delictiva o fraudulenta, toda directiva o práctica engañosa o de tergiversación que el empleado tenga motivos fundados para pensar que pudieran estafar a accionistas, inversionistas, usuarios, pacientes, clientes, empleados, ex empleados, retirados o pensionados del empleador o de cualquier agencia gubernamental.
   e. Se opone o se niega a participar en alguna actividad, directriz o práctica que el empleado tiene motivos fundados para pensar que:
      (1) viola alguna ley, o regla o reglamento que dicta la ley o en el caso de un empleado licenciado o certificado en cuidado de la salud que tiene motivos fundados para pensar que constituya atención inadecuada al paciente;
      (2) es fraudulenta o delictiva; o
      (3) es incompatible con algún mandato establecido por las directrices públicas relacionadas con la salud pública, la seguridad o el bienestar o la protección del medio ambiente. Artículo 34:19-3 de las Leyes comentadas de New Jersey de protección del empleado consciente (N.J.S.A., por sus siglas en inglés)

2. No se puede acoger a la protección contra la represalia, cuando se hace una divulgación a un organismo público, a no ser que el empleado le informe al empleador de tal actividad, política o norma a través de un aviso por escrito y le haya dado al empleador una oportunidad razonable para corregir tal actividad, política o norma. Sin embargo, no es necesaria la divulgación en los casos en que el empleado tenga indicios razonables para creer que un supervisor o más de un supervisor del empleador tienen conocimiento de tal actividad, política o norma o en los casos en los que el empleado teme que tal divulgación pueda traer como consecuencia daños físicos a su persona siempre y cuando la naturaleza de la situación sea la de una situación de emergencia.

Información del Contacto
Su empleador ha designado a la siguiente persona para recibir notificaciones de acuerdo al párafo 2, de la ley (N.J.S.A. 34:19-4):

Nombre: Kathleen Heid
Dirección: 1617 Hurffville Road
          Deptford, New Jersey 08096
Número de teléfono: 856-232-9000 ext 5006 or 856-232-0366

Este aviso se debe exponer a la vista de todos.
Anualmente, patronos con 10 o más empleados, deberán distribuir notificación de esta ley a todos sus empleados.
Si necesita este documento en algún otro idioma que no sea inglés o español, sírvase llamar al 609-292-7832.
WHAT IS PWFA?
The Pregnant Workers Fairness Act (PWFA) is a federal law that, starting June 27, 2023, requires covered employers to provide “reasonable accommodations” to a qualified worker’s known limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause the employer an “undue hardship.” An undue hardship is defined as causing significant difficulty or expense.

"Reasonable accommodations" are changes to the work environment or the way things are usually done at work.

WHAT ARE SOME POSSIBLE ACCOMMODATIONS FOR PREGNANT WORKERS?
- Being able to sit or drink water
- Receiving closer parking
- Having flexible hours
- Receiving appropriately sized uniforms and safety apparel
- Receiving additional break time to use the bathroom, eat, and rest
- Taking leave or time off to recover from childbirth
- Being excused from strenuous activities and/or exposure to chemicals not safe for pregnancy

WHAT OTHER FEDERAL EMPLOYMENT LAWS MAY APPLY TO PREGNANT WORKERS?
Other laws that apply to workers affected by pregnancy, childbirth, or related medical conditions, include:
- Title VII which prohibits employment discrimination based on sex, pregnancy, or other protected categories (enforced by the U.S. Equal Employment Opportunity Commission (EEOC))
- The ADA which prohibits employment discrimination based on disability (enforced by the EEOC)
- The Family and Medical Leave Act which provides unpaid leave for certain workers for pregnancy and to bond with a new child (enforced by the U.S Department of Labor)
- The PUMP Act which provides nursing mothers a time and private place to pump at work (enforced by the U.S. Department of Labor)

Learn more at [www.EEOC.gov/Pregnancy-Discrimination](http://www.EEOC.gov/Pregnancy-Discrimination).