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New Jersey Department of Labor and Workforce Development Issues New Posting Requirement for New Jersey Employers:

Employers Must Maintain and Report Records Regarding Wages, Benefits, Taxes and Other Contributions

By [Lawren H. Briscoe, Esq.](#)

The New Jersey Department of Labor and Workforce Development recently issued a new notice-posting requirement, applicable to all New Jersey employers. Under this new mandate, which went into effect November 7, 2011, New Jersey employers are required to: (a) post the newly published notice, "Employer Obligation to Maintain and Report Records" conspicuously in the workplace, and (b) provide each New Jersey employee with a copy of the notice by December 7, 2011.

The six-page mandatory notice summarizes the record-keeping requirements under the following New Jersey statutes: the Wage Payment Law, the Wage and Hour Law, the Prevailing Wage Act, the Unemployment Compensation Law, the Temporary Disability Benefits and Family Leave Insurance Law, the Workers' Compensation Law and the Gross Income Tax Act. It also provides a list of contact numbers for questions and complaints regarding an employer's failure to meet the requirements of these statutes.

The notice can be found [here](#).

Any new employee hired after November 7, 2011, must be provided a written copy of the notice at the time of hiring. The notice may be distributed to employees by hard copy or via electronic mail. The notice also should be conspicuously posted at each employer worksite, either by displaying it alongside other required workplace postings in a readily visible and accessible location or on an employer-run Internet or intranet site that is used exclusively by employees and to which all employees have access. Failure to comply with these distribution and posting requirements carries a fine of up to \$1,000, in addition to possible criminal penalties.

In addition to ensuring that all posting and distribution requirements have been satisfied under this new posting requirement, employers should also ensure that they are in compliance with similar distribution and posting requirements set forth under New Jersey's Conscientious Employee Protection Act (CEPA) and Paid Family Leave Act.

The Paid Family Leave Act requires that a notice advising employees of their rights under the act be conspicuously displayed at each worksite. The notice must be provided to employees (1) at the time of hire, (2) upon notification by an employee that the employee is taking time off to bond with a newborn or newly adopted child or to care for a seriously ill family member, or (3) at any time, upon the first request of an employee.

A copy of the notice can be found [here](#).

Similarly, CEPA requires employers with 10 or more employees to: (1) conspicuously display and annually distribute to all employees, written or electronic notices of its employees' protections and obligations, rights and procedures; and (2) provide the notice in both English



Contact Us

[Lawren H. Briscoe, Esq.](#)
973.422.6706
lbriscoe@lowenstein.com

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and Spanish and, at the employer's discretion, in any other language spoken by the majority of the employer's employees. The notices may be distributed through any written or electronic means that provides for direct receipt by employees, including email, memos to employees or with employee paychecks.

A copy of the notice can be found [here](#).

If you have any questions about the new notice-posting requirement please call [Lawren Briscoe](#) or any member of the firm's [Employment & Labor Practice Group](#), at (973) 597 2500. We also would be pleased to assist you with other employment practices and workplace compliance issues.

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www.lowenstein.com

New York
1251 Avenue of the Americas
New York, NY 10020
212.262.6700

Palo Alto
590 Forest Avenue
Palo Alto, CA 94301
650.433.5800

Roseland
65 Livingston Avenue
Roseland, NJ 07068
973.597.2500

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