

Employer Posting Requirements Under New Jersey Law

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January 2009

With the start of 2009, New Jersey employers may find it useful to review the notification requirements relating to employees' workplace rights and responsibilities under both state and federal law.

Employers are mandated under both New Jersey and federal law to display official posters informing employees of the law relating to their rights and responsibilities. An employer who fails to comply with these requirements may face monetary fines or other penalties. Generally, to comply with these regulations, an employer must post the most recent version of the posters in locations visible to all employees and applicants for employment. Employers should display these notices in areas accessible to all employees, such as a lunchroom, break-room or human resources office. New Jersey also requires that certain of the notices be distributed to employees. This article serves as a reminder and summary of New Jersey's notification requirements applicable to most employers.

The New Jersey Department of Labor and Workforce Development ("NJLW") provides employers with poster packets containing the required notices, which are available for downloading at:

<http://lwd.dol.state.nj.us/labor/employer/content/employerpocketforms>.

(Although some of the regulations specify that the notices be on legal size paper (8 ½ x 14 inches), the posters from the state's Web site print-out at letter size (8 ½ x 11) and are considered compliant. A New Jersey "all-in-one" poster may be purchased from a reputable supplier.)

Posters required by the New Jersey Division on Civil Rights are available for download at <http://www.nj.gov/oag/dcr/posters.html>.

available for downloading at the USDOL, at:
<http://www.dol.gov/osbp/sbrefa/poster/matrix.htm>.

Posters must be displayed in locations that are accessible and easily visible to all employees.

New Jersey requires the following posters:

<i>Statute</i>	
<i>Conscientious Employee Protection Act ("CEPA")</i>	The notice must be distributed annually and posted in both English and Spanish.
<i>Law Against Discrimination</i>	Although not required, many employers distribute their company's nondiscrimination and anti-harassment policy to employees annually and/or at anti-harassment training sessions.
<i>New Jersey Family Insurance Law</i>	Employers must provide employees with a written copy of the notification: (i) no later than December 15, 2008; (ii) at the time of the employee's hiring; (iii) whenever an employee provides notice of a potential claim; and (iv) upon the first request of the employee.
<i>New Jersey Wage Payment</i>	Notice advises employees of the law relating to the payment of wages, minimum hourly rates, overtime rates, acceptable deductions of wages and employee rights and employer penalties under the law.
<i>Unemployment and Temporary Disability Benefits</i>	Employers covered by the law must advise of benefits available to qualifying employees under disability insurance and unemployment compensation.
<i>Workers' Compensation Law</i>	Employers are required to advise employees of benefits available to workers injured on the job and information on the procedure for filing worker's compensation claims.
<i>Smoke Free Work Place Notice</i>	A person (including business) that has control over an indoor public or work space, must prominently post a sign at every entrance, which states that smoking is prohibited; lettering or nonsmoking symbol must be in a contrasting color from the sign's background, and it must advise that violators will be subject to a fine.
<i>New Jersey Child Labor Laws</i>	Employers that employ individuals under the age of 18 must keep the schedule of hours posted in a conspicuous area advising: (i) the names of minors under 18; (ii) schedule of hours; (iii) maximum daily and weekly hours; (iv) daily time record; and (v) daily meal times.

New Jersey also has posting requirements aimed at specific sectors of the labor force. For example, New Jersey employers whose workers are exposed or potentially exposed to hazardous chemicals must display notices providing a general overview of occupational health hazards, including hazard identification, exposure assessment and the provisions of the Worker and Community Right to Know Law. Employers associated with the sale, rental or lease of properties are required to advise of New Jersey's Law Against Discrimination in housing. Employers that provide services to the public including, but not limited to, restaurants, hotels, hospitals, movie theaters and shopping centers must advise patrons of New Jersey's Law Against Discrimination in public accommodations. These employers should display posters in areas readily accessible to the public (for example, near cash registers).

Employers are advised to check the NJDOL's Web site at least annually for any new, or changes to, required notices, as out-of-date notices are noncompliant and can also subject employers to fines. Employers should also remember the need to similarly comply with posting requirements under federal law, which most employer accomplish by purchasing an "all-in-one" poster from a reputable supplier.

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