

## New Jersey Workplace Notice Posting/Distribution Requirements Updated 2.1.17

## Mark Diana, Esq. Ogletree Deakins

## See links at end for required posters

State Posters	Current Version	Posting Requirements	Distribution Requirements	Acknowledgment Requirements	Additional Guidance
State Wage and Hour	MW-220	Must be posted in a	None	None	
Law Abstract	(R-1-17)	conspicuous place			
Child Labor Law	MW-129	Must be posted in a	None	None	
Abstract	(R-12-13)	conspicuous place			
N.J.S.A. 34:2-21.5					
Payment of Wages	MW-17 (R-10-13)	Must be posted in a conspicuous place	None	None	
Schedule of Minors'	MW-191	Must be posted in a	None	None	
Hours	(R-9-05)	conspicuous place			
N.J.S.A. 34:2-21.5					
Unemployment and	PR-1	Must be posted in a	None	None	
Temporary Disability Benefits	(R-1-14)	conspicuous place			
N.J.S.A. 43:21-49(a)(1)					
N.J.S.A. 43:21-6(a)(1)					

Family Leave Insurance N.J.A.C. 12:21-1.8  Conscientious Employee	PR-2 (R11-08)	Must be posted in a conspicuous place  Must be posted in a	Must be distributed (1) to new hires, (2) to any employee upon his/her first request for the notice, and (3) to employees who give their employer notice of a period of family leave.  Employers with 10 or	None	For distribution, the notice "may be transmitted by the employer to the employee in electronic form."
Protection Act (CEPA)	(8/11)	conspicuous place	more employees must distribute notice to all NJ	Tione	distribution, "written or electronic" notices may be
N.J.S.A. 34:19-7			employees annually.		used.
					Notice must be in English, Spanish and at the employer's discretion, any other language spoken by the majority of the employer's employees.
					Employers must also "use other appropriate means" to keep their employees informed about their rights under the law.
Reporting and Recordkeeping	MW-400 (11-11)	Must be posted in a conspicuous place	Must be distributed (1) to all new hires on and after	None	For posting, an internet site or intranet site can be used if
Requirements Under	(11 11)	conspicuous piace	November 8, 2011 and		the site is for exclusive use



State Wage, Benefit and Tax Laws N.J.A.C. 12:2-1.3			(2) to all employees hired prior to November 8, 2011.		by employees and all employees have access to it. For distribution, email can be used.
Gender Equity Protections  N.J.S.A. 34:11-56.12  N.J.A.C. 12:2-2.3	AD-290 (1/14)	Must be posted in a conspicuous place	Employers with 50 or more employees must distribute notice (1) to all new hires on and after January 7, 2014, (2) to all employees hired prior to January 7, 2014, (3) to any employee upon his/her first request for the notice, and (4) to all employees annually on or before December 31 of each year.	The distributed notice must be accompanied by an acknowledgment that the employee has received the notification and has read and understands its terms. The acknowledgment must be signed by the employee and returned to the employer within 30 days of its receipt.	For posting, an internet site or intranet site can be used if the site is for exclusive use by employees and all employees have access to it.  For distribution, an employer can use the following methods: (1) email; (2) printed material, including, but not limited to, a pay check insert, brochure or similar informational packet provided to new hires, an attachment to an employee manual or policy book;; or flyer distributed at an employee meeting; or (3) through an internet or intranet website, if the site is for the exclusive use of all employees, can be accessed by all employees, and the employer provides notice to the employees of its posting.  For the acknowledgment, it must be signed by the employee "in writing or by



					means of electronic verification."
Security and Financial Empowerment Act (SAFE Act) N.J.S.A. 34:11C-3	AD-289 (9/13)	Must be posted in a conspicuous place	None	None	Law only applicable to employers with 25 or more employees.  Employers must also "use other appropriate means" to keep their employees informed about their rights under the law.
Law Against Discrimination N.J.A.C. 13:8-1.2	rev.5.8.15	Must be posted in a conspicuous place	None	None	
Family Leave Act N.J.S.A. 34:11B-6	rev.9.6.16	Must be posted in a conspicuous place	None	None	Law only applicable to employers with 50 or more employees.  Employers must also "use other appropriate means" to keep their employees informed about their rights under the law.
Municipal Posters	Current Version	Posting Requirements	Distribution Requirements	Acknowledgment Requirements	Additional Guidance
Jersey City Sick Leave Law (applicable to Jersey	See link below	Must be posted in a conspicuous place	Must give each employee written notice regarding their rights under law (1)	None	Employers must provide a translation of the notices and posters in English and in any

City employers only)			at the commencement of employment or (2) as soon as practicable if already employed on effective date of law.		language that is the first language of at least 10% of the workforce, provided that the Jersey City Department of Health and Human Services has made available a translation of such notice into such language.  Currently posters are available in English, Arabic, Chinese, Hindi, Spanish, and Tagalog.  Employers may use the FAQ Flyer for both the posting and distribution requirements.
Newark Sick Leave Law (applicable to Newark employers only)	See link below	Must be posted in a conspicuous place	Must give each employee written notice regarding their rights under law (1) at the commencement of employment or (2) as soon as practicable if already employed on effective date of law.	None	The poster must be in English and any language that is the first language of at least 10% of the Employer's workforce.  The distributed notice must be in English and the primary language spoken by that Employee, so long as the primary language of that Employee is also the primary language of at least 10% of the Employer's workforce.



Passaic Sick Leave Law (applicable to Passaic employers only)	See link below	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.
East Orange Sick Leave Law (applicable to East Orange employers only)	See link below	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.
Bloomfield Sick Leave (applicable to Bloomfield employers only)	See link below	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.
Paterson Sick Leave Law (applicable to Paterson employers only)	See link below	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.
Irvington & Elizabeth Sick Leave Law (applicable to Irvington & Elizabeth employers only)	Not yet available	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.
Montclair Sick Leave Law (applicable to Montclair employers only)	See link below	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.
Trenton Sick Leave Law (applicable to Trenton employers only)	See link below	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.
New Brunswick Sick Leave Law (applicable to New Brunswick	See link below	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.



employers only)					
Morristown Sick Leave Law (applicable to Morristown employers only)	Not yet available	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.
Plainfield Sick Leave Law (applicable to Plainfield employers only)	See link below	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.	Same as the Newark Ordinance.

All NJDOL posters can be found at: http://lwd.state.nj.us/labor/lwdhome/content/employerpacketforms.html

All NJDCR posters can be found at: <a href="http://www.nj.gov/oag/dcr/posters.html">http://www.nj.gov/oag/dcr/posters.html</a>

Jersey City Sick Leave Poster: (available at: <a href="http://www.jerseycitynj.gov/uploadedFiles/For\_Businesses/Page\_1\_legal.pdf">http://www.jerseycitynj.gov/uploadedFiles/For\_Businesses/Page\_1\_legal.pdf</a>).

**Newark Sick Leave Poster:** (available at: <a href="http://www.ci.newark.nj.us/wp-content/uploads/2015/06/Paid-Sick-Leave-NEW-FAQs-Posters-2.pdf">http://www.ci.newark.nj.us/wp-content/uploads/2015/06/Paid-Sick-Leave-NEW-FAQs-Posters-2.pdf</a>).

Newark Sick Leave Notice: http://www.ci.newark.nj.us/wp-content/uploads/2015/06/Paid-Sick-Leave-Employee-Rights-Posters.pdf

Bloomfield Sick Leave Poster: (available at:

http://www.bloomfieldtwpnj.com/main/sites/default/files/press-release/files/Template%20Paid%20Sick%20Leave%20Notice.pdf).

East Orange Sick Leave Poster: (available at: www.eastorange-nj.gov/wp-content/uploads/2015/06/PaidSickLeave.pdf)

Montclair Sick Leave Poster: (available at: http://www.montclairnjusa.org/dmdocuments/Paid-Sick-Leave-Notice.pdf).

**Passaic Sick Leave Poster:** (available at: http://www.cityofpassaic.com/index.asp?SEC=BD3B38E9-18A3-4D03-B2C2-8FDA6F2331B1&DE=718B156B-8826-4D2E-A07E-1BDA778D2D19&Type=B\_BASIC).



**Passaic Sick Leave Notice:** (available at: http://www.cityofpassaic.com/vertical/sites/%7B3C98596C-C765-4FBD-89C6-506904D063B7%7D/uploads/HumanServices-SickLeaveOrd-Notice(eng).pdf).

Paterson Sick Leave Poster: (available at: http://www.patersonnj.gov/egov/docs/1428005994\_711059.pdf).

**Trenton Sick Leave Poster**: (available at: <a href="http://www.trentonnj.org/documents/Health-Human-services/Notice">http://www.trentonnj.org/documents/Health-Human-services/Notice</a>% 20Poster % 20of % 20Employee % 20Rights % 20to % 20Paid % 20Sick % 20Time % 20% 28English % 29.pdf).

**New Brunswick Sick Leave Poster**: (available at: http://thecityofnewbrunswick.org/planninganddevelopment/wp-content/uploads/sites/8/2015/12/Employer-Notice-English-1.pdf).

Plainfield Sick Leave Poster: (available at www.plainfieldnj.gov/.../Earned%20Sick%20Time%20Information-English%20ver.pdf).

**Irvington, Morristown, and Elizabeth**: Sample posters and written notices were not issued by these municipalities and thus employers should prepare their own, with the assistance of counsel.

10985878.1