

POSTER COMPLIANCE DATE 01/2021

**Wage and Hour Law Abstract**  
**N.J.S.A. 34:11-56a et seq.**

Department of Labor and Workforce Development

**Statutory Minimum Wage Rate**

Employees to be paid not less than the New Jersey minimum wage in accordance with the schedule below.

Date	Most Employers	Seasonal & Small Employers (fewer than 6)	Agricultural Employers	*Cash Wage for Tipped Workers
January 1, 2019	\$8.85	\$8.85	\$8.85	\$5.13
July 1, 2019	\$10.00	NO CHANGE	NO CHANGE	\$5.63
January 1, 2020	\$11.00	\$10.20	\$10.20	\$5.13
January 1, 2021	\$12.00	\$11.10	\$10.44	\$4.73
January 1, 2022	\$13.00	\$11.90	\$10.90	\$5.13
January 1, 2023	\$14.00	\$12.70	\$11.70	NO CHANGE
January 1, 2024	\$15.00	\$13.50	\$12.50	NO CHANGE
January 1, 2025	TBD	\$14.30	\$13.40	TBD
January 1, 2026	TBD	\$15.00	\$14.20	TBD
January 1, 2027	TBD	TBD	\$15.00	TBD

\*Cash wage plus tips must equal the minimum wage

**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 exemption 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 and 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.

Food service (restaurant industry)	Seasonal amusement
Hotel and motel	

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

Display this poster in a conspicuous place

REV. 01/2021

**NOTICE:** This state has its own minimum wage law. Employers are also required to display the federal Employees Rights Under the Fair Labor Standards Act posting, which indicates the federal minimum wage. Where federal and state rates both apply to an employee, the U.S. Department of Labor dictates that the employee is entitled to the higher minimum wage rate.

THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY.

# The New Jersey Family Leave Act

The New Jersey Family Leave Act entitles certain employees to take up to 12 weeks of family leave in a 24-month period without losing their jobs. With some exceptions, employers must provide this type of leave if:

- The EMPLOYER has at least 50 employees (or at least 30 employees as of June 30, 2019), or is a government entity, regardless of size.
- The EMPLOYEE has worked for that employer for at least one year, and has worked at least 1,000 hours during the last 12 months.
- The LEAVE OF ABSENCE 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, OR to care for a family member, or someone who is the "equivalent" of family, who has a serious health condition.

Note that the New Jersey Family Leave Act **does not** provide leave for the employee's own health condition. Employees may be eligible for additional leave under the federal Family and Medical Leave Act.

Except when emergent circumstances require shorter notice, the employee must give the employer the following notice before taking Family Leave:

- For intermittent leave, at least 15 days' notice;
- For consecutive leave to care for a newborn or a child placed for foster care or adoption, at least 30 days' notice; and
- For consecutive leave to care for a family member with a serious health condition, notice "in a reasonable and practicable manner."
- In emergent circumstances, the employee should give the employer as much notice as possible.

To ensure that the employee meets the eligibility requirements, the employer may require the employee to provide a certification from a health care provider regarding the family member's serious health condition, the date of a newborn's birth or the date of placement for adoption or foster care.

To get more information or to determine whether you can file a complaint with DCR, visit [www.NJCivilRights.gov](http://www.NJCivilRights.gov) or contact one of the regional offices listed below:

<b>Northwestern Regional Office</b> 31 Clinton Street Newark, NJ 07102 Phone: (973) 648-2700 Fax: (973) 648-4405	<b>Central Regional Office</b> 140 East Front Street P.O. Box 090 Atlantic City, NJ 08401 Phone: (609) 292-4605 Fax: (609) 984-3812	<b>Southern Regional Office</b> 5 Executive Campus Suite 107 Cherry Hill, NJ 08003 Phone: (856) 486-4080 Fax: (856) 486-2255	<b>South Shore Regional Office</b> 1325 Boardwalk Tennessee Ave. & Boardwalk Cherry Hill, NJ 08003 Phone: (609) 292-4605 Fax: (609) 441-3578
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**DIVISION OF CIVIL RIGHTS**  
State regulations require all employers covered by the New Jersey Family Leave Act to display this official poster in places easily visible to all employees. N.J.A.C. 13:8-2.2

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**Sick Leave**  
Department of Labor and Workforce Development  
**Earned Sick Leave**  
**Notice of Employee Rights**  
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 or Bonus Year:** \_\_\_\_\_ **End or Bonus 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 the 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 you began employment, whichever is later. However, your employer can provide benefits that are more generous than those required under the law, and can permit you to use sick leave at an earlier date.

**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.

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

- Your need for diagnosis, care, treatment, or recovery from 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 are a family member **but not the victim of domestic violence or sexual violence** and need time for treatment, counseling, or to prepare for legal proceedings of the law, and
- 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 does 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

Enforced by: NJ Department of Labor and Workforce Development  
Division of Wage and Hour Compliance, P.O. Box 387, Trenton, NJ 08625-0387-409-292-2305  
This and other required employee posters are available free online at [nj.gov/labor](http://nj.gov/labor), or from the Office of Constituent Relations, P.O. Box 110, Trenton, NJ 08625-0110-609-777-3200.  
If you need a translation in Braille or large print, call 609-292-2305. TTY users can contact this department through the New Jersey Relay 7-1-1.

**Display this poster in a conspicuous place**

REV. 04/2019

**Family Leave**  
Department of Labor and Workforce Development  
**Your employer is subject to the Family Leave Insurance**  
**provisions of the New Jersey Temporary Disability Benefits Law**  
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.

**Advance Notice**  
If you 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 you 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 their 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 with the Division of Labor and Workforce Development
- 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 at the place, or any other adverse employment action taken for 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/complaint\\_filing](http://nj.gov/labor/wagehour/complaint_filing), use [class.html](http://class.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](http://nj.gov/labor)

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REV. 01/2019

**Gender Inequity**  
Department of Labor and Workforce Development  
**Right to be Free of Gender Inequity or Bias in Pay, Compensation, Benefits or Other Terms and Conditions of 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 out 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 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 information, contact the EEOC at 800-669-4000 or at [www.eeoc.gov](http://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 (NJDRC) or directly in court. Remedies under the LAD may include an order restraining unlawful discrimination, back pay, and compensatory and punitive damages.

Private or State and Local Government Employers, Employment Agencies, or Labor Unions

Hiring, Promotion, Transfer, Demotion, Termination, Salary, Benefits, Other Privileges, Conditions or Terms of Employment, Layoff/Harassment, Apprenticeship and Training Programs, Job Referrals, or Union Membership

In Retaliation for Filing a Complaint, Participating or Testifying in Any Proceedings or for Opposing Any Acts Forbidden under the New Jersey Law Against Discrimination

An Order Restraining Unlawful Discrimination, Back Pay, Damages for Pain and Humiliation Experienced as a Result of Unlawful Discrimination, Punitive Damages, and Attorney's Fees

It is also unlawful to publish employment advertisements which discriminate against persons in violation of the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq.

Violations should be reported to the nearest office of the NJ Division on Civil Rights at 866-405-3050 (Toll-Free) or online [www.NJCivilRights.gov](http://www.NJCivilRights.gov)

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rev. 4.8.19

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rev. 4.8.19

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REV. 01/2019

**SAFE Act**  
Department of Labor and Workforce Development  
**SAFE Act**  
The New Jersey Security and Financial Empowerment Act ("NJ SAFE Act"), PL 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 conditions 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 the employer in the State that employs 25 or more employees for each 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:25-15, or a victim of a sexually violent offense, as that term is defined in N.J.S.A. 30:4-2.6. 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.

The NJ SAFE Act also prohibits an employer from discriminating, harassing or otherwise discriminating against 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 take such leave.

To obtain relief for a violation of the NJ SAFE Act, an aggrieved person may 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.**

AD-289

NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT  
**LWD**  
LABOR AND WORKFORCE DEVELOPMENT  
[nj.gov/labor](http://nj.gov/labor)

**SAFE Act**  
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The New Jersey Security and Financial Empowerment Act ("NJ SAFE Act"), PL 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 conditions 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 the employer in the State that employs 25 or more employees for each 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:25-15, or a victim of a sexually violent offense, as that term is defined in N.J.S.A. 30:4-2.6. 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.

The NJ SAFE Act also prohibits an employer from discriminating, harassing or otherwise discriminating against 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 take such leave.

To obtain relief for a violation of the NJ SAFE Act, an aggrieved person may 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.**

AD-289

NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT  
**LWD**  
LABOR AND WORKFORCE DEVELOPMENT  
[nj.gov/labor](http://nj.gov/labor)

**SAFE Act**  
Department of Labor and Workforce Development  
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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. 2