

Management Alert



The Gender Equity Notice Is Finally Available - Timely Action Required

The New Jersey Department of Labor and Workforce Development ("NJDOLE") finally released the much-anticipated gender equity notice (the "Notice"), more than a year after Governor Chris Christie signed into law a bill (A2647) that requires employers to post and distribute notices advising their employees that they have the "right to be free from gender inequity or bias in pay, compensation, benefits, or other terms or conditions of employment." Employers with 50 or more employees -- regardless of whether those employees work inside or outside of New Jersey -- will be required to:

- Beginning January 6, 2014, conspicuously display the poster and distribute the Notice to all employees in each of the employer's New Jersey workplaces;
- No later than February 5, 2014, provide each employee in New Jersey who was hired on or before January 6, 2014, with a copy of the Notice;
- For employees in New Jersey hired after January 6, 2014, provide the Notice at the time of hiring;
- Distribute the Notice annually on or before December 31st of each year; and
- Beginning January 6, 2014, provide the Notice to each employee in New Jersey upon the first request.

Notices can be distributed to employees in New Jersey by the following methods:

- Email;
- 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"
- An internet or intranet website "if the site is for the exclusive use of all workers, can be accessed by all workers, and the employer provides notice to the workers of its posting."

Importantly, the Notice must be accompanied by an acknowledgment of receipt (signed or e-verified) by the employee, which must be returned within 30 days of receipt of the Notice. The law requires that the acknowledgement be signed *every time* the Notice is distributed. In addition, employers must post the Notice in English and Spanish and any other language the employer believes is the first language of a significant number of its workforce. Currently, the Notice is available only in English, but the Spanish version should be available shortly.

Within the next several weeks, employers should take the necessary steps to ensure timely compliance with the law. A copy of the Notice is available on the NJDOLE website [here](#). For more information regarding the Pay Equality Poster and Notice Law, see our earlier alert [here](#).

Additional New Jersey Poster Requirements

In addition to the gender equity notice discussed above, we think it prudent to remind employers that New Jersey law requires certain other posters to be displayed and/or distributed. In particular, employers should recall that on October 1, 2013 they were required to post the "New Jersey SAFE Act" poster -- informing employees that private employers in the state of New Jersey must provide certain victims of domestic violence and sexual assault up to 20 days of unpaid leave to participate in a range of activities -- in conspicuous locations around their workplace, and use other appropriate means, such as posting on the Company Intranet, distributing the notice to employees and new hires, or including this information in the employee handbook to keep employees informed of their rights. ([Click here](#) to read our earlier alert on the SAFE Act notice requirements).

The additional posters required under New Jersey law are as follows¹:

Poster	Requirements
New Jersey State Wage and Hour Law Abstract (MW-220) (N.J.S.A. 34:11-56a et seq.)	Must be displayed in a conspicuous place
New Jersey Child Labor Law Abstract (MW-129) (N.J.S.A. 34:2-21.1 et seq.; N.J.A.C. 12:58 et seq.)	Must be displayed in a conspicuous place
Employer Obligation to Maintain and Report Records (MW-400)	Must be displayed in a conspicuous place and distributed to each employee upon hire
New Jersey Payment of Wages (MW-17)	Must be displayed in a conspicuous place
Schedule of Hours of Minors Under 18 Years of Age (MW-191) (N.J.S.A. 34:2-21-5)	Must be displayed in a conspicuous place
Family Leave Insurance Poster (PR-2)	Must be displayed in a conspicuous place and distributed to each employee at the time of hiring, upon first request, or whenever an employee notifies you that he/she is taking family leave
New Jersey Family Leave Act Poster	Must be displayed in locations easily visible to all employees and applicants
New Jersey Unemployment Compensation and Temporary Disability Benefits Law (PR-1)	Must be displayed in a conspicuous place
CEPA Poster (AD-270)	Must be displayed in a conspicuous place. Additionally, employers with 10 or more employees must complete the "contact information" section of the poster; and distribute a copy of the notice to all employees on a yearly basis. The posting must be in both English, Spanish, and any other language predominantly spoken by your workforce.
New Jersey Anti-Discrimination Posters (N.J.S.A. 10:5-1 et seq.)	Must be displayed in locations easily visible to all employees and applicants
New Jersey Worker's Compensation Notice	Must be posted

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¹ New Jersey employers must also comply with a number of federal posting requirements. The majority of these requirements can be found [here](#).

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