

One Minute Memo®



'Tis the Season for New Jersey CEPA and Gender Equity Notices and Increased Minimum Wage

By Glenn J. Smith, Howard M. Wexler, Robert T. Szyba

Seyfarth Synopsis: *It is once again that time of year when we remind our clients with operations in New Jersey of their obligation to distribute certain required notices to their employees as well as an increase in the minimum wage.*

Employers with 10 or more employees, regardless of whether those employees work in New Jersey or outside the state, must distribute annually (not merely post) the required notice under the Conscientious Employee Protection Act (CEPA). The CEPA Notice, which must be provided in both English and Spanish to New Jersey employees, can be accessed [here](#). Please be sure to fill out the "Contact Information" section prior to distribution. This distribution may take the form of email, provided the subject employees typically have access to email in the course of their job duties. Otherwise, hardcopy distribution is required.

Second, on or before December 31, employers with 50 or more employees, regardless of whether those employees work in New Jersey or outside the state, must provide employees with a Gender Equity Notice, which can be accessed [here](#).

The Gender Equity Notice can be distributed to New Jersey employees by:

- 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 Gender Equity 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 also requires that the acknowledgement be signed every time that the Notice is distributed. While CEPA does not expressly require such a signed acknowledgement, employers may wish to consider it.

Finally, the minimum wage in New Jersey will increase to \$8.60 an hour effective January 1, 2018. As such, employers should be sure to post the updated minimum wage poster, which can be accessed [here](#).

Happy Holidays!

If you would like further information, please contact [Glenn J. Smith](mailto:gsmith@seyfarth.com) at gsmith@seyfarth.com, [Howard M. Wexler](mailto:hwexler@seyfarth.com) at hwexler@seyfarth.com, or [Robert T. Szyba](mailto:rszyba@seyfarth.com) at rszyba@seyfarth.com.

www.seyfarth.com

Attorney Advertising. This One Minute Memo is a periodical publication of Seyfarth Shaw LLP and should not be construed as legal advice or a legal opinion on any specific facts or circumstances. The contents are intended for general information purposes only, and you are urged to consult a lawyer concerning your own situation and any specific legal questions you may have. Any tax information or written tax advice contained herein (including any attachments) is not intended to be and cannot be used by any taxpayer for the purpose of avoiding tax penalties that may be imposed on the taxpayer. (The foregoing legend has been affixed pursuant to U.S. Treasury Regulations governing tax practice.)

Seyfarth Shaw LLP One Minute Memo® | December 15, 2017

©2017 Seyfarth Shaw LLP. All rights reserved. "Seyfarth Shaw" refers to Seyfarth Shaw LLP (an Illinois limited liability partnership). Prior results do not guarantee a similar outcome.