



# Workplace Whistleblower

*Perspectives on whistleblower situations that employers frequently face*

## It's That Time Again - Annual CEPA Notices Required For NJ Employees

*By Ada W. Dolph, Christopher H. Lowe and Howard M. Wexler*

Every year we like to remind our clients with operations in New Jersey of their annual obligation to distribute Conscientious Employee Protection Act (CEPA) notices to their employees.

Those employers who have 10 or more employees regardless of whether those employees work in New Jersey or outside the state must distribute (not merely post) the [required notice](#) under CEPA. The notice must be provided in both English and Spanish. Employers must fill out the requisite information on the "Contact Information" section prior to distribution.

Distribution may be done by email, provided the employees typically have access to email in the course of their regular job duties. While CEPA does not expressly require a signed acknowledgement, employers may wish to consider it or some other form of acknowledgement to ensure there is proof of compliance. Indeed, a failure to comply with CEPA's notice and distribution requirement can result in civil fines of up to \$10,000 for a first violation and \$20,000 for each subsequent violation.

New Jersey is the only state to require *private* employers to provide individualized employee notices of whistleblower rights under state law. Outside of New Jersey, the majority of states either have no notice requirement or require only public sector employers to take further steps to notify public employees.

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