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Client Alert

New Jersey Winter Updates

NEW JERSEY SALARY TRANSPARENCY REQUIREMENTS

WHAT'S NEW: The state of New Jersey enacted a pay transparency law that requires most New Jersey employers to disclose the hourly wage, salary, or salary range, benefits, and any other compensation in advertisements for new jobs and transfer opportunities.

WHY IT MATTERS: **Effective June 1, 2025**, employers with at least 10 employees over 20 calendar weeks that accept job applications, employ workers, or conduct business in the state of New Jersey must disclose the hourly wage, salary or salary range, as well as "benefits and any other compensation programs for which the employee would be eligible [within the employee's first 12 months of employment]," on advertisements for new jobs and transfer opportunities.

The rule applies to internal and external job advertisements, including "postings, flyers, or other similar advertisements."

Additionally, the new rule requires employers to:

- "...make reasonable efforts to announce, post, or otherwise make known opportunities for promotion that are that are advertised internally within the employer or externally on the internet-based advertisements, postings, flyers, or other similar advertisements to all current employees in the affected department or departments of the employer's business prior to making a promotional decision."
- Promotions include "a change in job title and an increase in compensation." However, where promotions are based on "years of experience or performance" or "on an emergent basis due to an unforeseen event," then the new posting requirement does not apply.

Violations of the law will cost covered employers $300 for first time offenses, and $600 for additional offenses.

WHAT EMPLOYERS SHOULD DO: Employers should educate their Human Resources teams on the new rule so that job advertisements open to applicants and employees who are located in New Jersey are compliant with the law.

NEW JERSEY LAW AGAINST DISCRIMINATION EXTENDED TO REMOTE WORKERS

WHAT'S NEW: The New Jersey Attorney General and Division on Civil Rights (DCR) issued guidance that extends protections under the New Jersey Law Against Discrimination (NJLAD) to individuals who work for a New Jersey employer, regardless of where the employer resides and/or works.

WHY IT MATTERS: The protections afforded to employees under the NJLAD, including the rights to be free from discrimination "on the basis of actual or perceived sexual orientation, gender, gender identity, gender expression, age, race, color, national origin, ancestry, religion, disability, and other protected characteristics[,]" now extend to all employees working for a New Jersey employer and not only those who work in the state of New Jersey. Instead, per the guidance, the protections under the New Jersey Law Against Discrimination (NJLAD) applies to individuals,

regardless of “[w]hether an employee working for a New Jersey employer lives in New Jersey, commutes to work from another state, or works remotely from outside New Jersey.”

WHAT EMPLOYERS SHOULD DO: Employer should train managers on the protections afforded to employees under the NJLAD and review existing policies for compliance with the new guidance.

Please reach out to your Engage Human Resources Partner if you have any questions concerning this alert or other HR-related matters.