New Jersey State Postings

Always Designing for People

New Jersey 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 offence 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 placed by a way of a valid written contract between the parent and a surrogate (gestational carrier) is included in this definition.

Enforced by: NJ Department of Labor and Workforce Development
Division of Temporary Disability Insurance
PO Box 387,
Trenton, NJ 08625-0387

nj.gov/labor
Office of Constituent Relations
PO Box 110, Trenton, NJ 08625-0110
609-777-2200.

The New Jersey Department of Labor and Workforce Development is an equal opportunity employer with equal opportunity programs. Auxiliary aids and services are available upon request to individuals with disabilities.

Display this poster in a conspicuous place (4/19)

State Family Leave Insurance Plan ("mini-plan")

You can get programs information and an application for family leave benefits (form FL-1) online at: njfamilyleavebenefits.gov; by phone at 609-292-7060, or by mail: Division of Family Leave Insurance, P.O. Box 387, Trenton, NJ 08625-0387.

New mothers who receive temporary disability benefits through the state plan for their pregnancy will get instructions on how to file for family leave benefits after the child is born.

Private Family Leave Insurance Plan ("private plan")

An employer may provide family leave insurance through a private insurance carrier, if this Division approves the plan. If your employer has an approved private plan, your employer must provide information about coverage and provide the forms to apply for benefits.

Who pays for Family Leave Insurance?

Payroll contributions from employees finance this program. Family leave insurance coverage under the state plan will require contributions to be deducted from employee wages. The deductions must be noted on the employee's pay envelope, paychecks, or on some other form of notice. In 2019, the taxable wage base for family leave insurance benefits is the same as the taxable wage base for unemployment and temporary disability insurance.

Conscientious Employee Protection Act "Whistleblower Act"

Employer retaliatory action; protected employee actions; employee responsibilities

1. New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following:
   a. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the employer or another employer, with which there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
   b. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the employer or another employer, with which there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care; or
   c. Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
   d. Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
   e. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:
      (1) is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;
      (2) is fraudulent or criminal; or
      (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. N.J.S.A. 34:19-3.
2. The protection against retaliation, when a disclosure is made to a public body, does not apply unless the employee has brought the activity, policy or practice to the attention of a supervisor of the employee by written notice and given the employer a reasonable opportunity to correct the activity, policy or practice. However, the protection against retaliation remains if the employee reasonably believes that the activity, policy or practice is known to one or more supervisors of the employer or where the employee fears physical harm as a result of the disclosure, provided that the situation is emergency in nature.

CONTACT INFORMATION

Your employer has designated the following contact person to receive written notifications, pursuant to paragraph 2 above (N.J.S.A. 34:19-4):

Name: _____

Address: _____

Telephone Number: _____

This notice must be conspicuously displayed.

Once each year, employers with 10 or more employees must distribute notice of this law to their employees.

If you need this document in a language other than English or Spanish, please call 609-292-7832.

(10/18)

This Notice Must Be Posted in a Conspicuous Place

New Jersey SAFE Act N.J.S.A. 34:11C-1 et seq.

Leave of absence to address domestic or sexual violence

The New Jersey Security and Financial Empowerment Act ("NJ SAFE Act") provides that certain employees are eligible to receive an unpaid leave of absence, for up to 20 days in 12-month period, to address circumstances resulting from domestic violence or a sexually violent offense.

Eligible Employees

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 an employer in the State that employs 25 or more employees.

Covered Reasons for NJ SAFE Act Leave

NJ SAFE Act leave may be taken for the purpose of engaging in any of the following activities by (1) an employee who is a victim of domestic violence or a sexually violent offense, or (2) an employee whose parent-in-law, sibling, grandparent, grandchild, child, parent, spouse, domestic partner, or civil union partner, or 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, is a victim of domestic violence or a sexually violent offense:

(1) Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence
(2) Obtaining services from a victim services organization
(3) Obtaining psychological or other counseling
(4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety from future domestic violence or sexual violence or to ensure the economic security
(5) Seeking legal assistance or remedies to ensure health and safety
(6) Attending, participating in or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.

When NJ SAFE Act Leave May Be Taken

Leave under the NJ SAFE Act must be used in the 12-month period immediately following an instance of domestic violence or a sexually violent offense. The unpaid leave must be taken at least one day at a time, and may be taken intermittently.

NJ SAFE Act and Other Leave Laws

Unpaid leave under the NJ SAFE Act shall run concurrently with any paid vacation leave, personal leave, or medical or sick leave, or any family temporary disability leave benefits, that the employee elects to use during any part of the 20-day period of unpaid leave. Such unpaid leave taken under the NJ SAFE Act does not affect both the NJ SAFE Act and the Family Leave Act, N.J.S.A. 34:11B-1 et seq., or the federal Family and Medical Leave Act, 29 U.S.C. 2601 et seq., the leave shall count simultaneously against the employee's entitlement under each respective law.

Notice and Documentation of NJ SAFE Act Leave

Employees eligible to take leave under the NJ SAFE Act must, if the recipient of the leave is foreseeable, provide the employer with written notice of the need for the leave, with as much advance notice as practicable, except when it precludes prior notice. The employee must provide the employer with written notice as far in advance as reasonable and practicable under the circumstances. The employer has the right to require the employee to provide the employer with documentation of the domestic violence or sexually violent offense that is the basis for the leave. The employer must retain any documentation provided to it by the employee in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is required by a federal or State law, rule or regulation.

Prohibition Against Retaliation Under the NJ SAFE Act

The NJ SAFE Act also prohibits an employer from discharging, harassing or otherwise discriminating 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 authorize the release of information deemed confidential under the NJ SAFE Act. Learn more at njsaferelocation.com.

Seeking a Remedy Under the NJ SAFE Act

To obtain relief for a violation of the NJ SAFE Act, an aggrieved person must file a private cause of action in the Superior Court within one year of the date of the alleged violation. Learn more at njcourts.gov.

Need Additional Support?

You and your loved ones deserve help coping with and finding safety from domestic or sexual violence. For additional support, contact:

New Jersey Coalition Against Sexual Assault Hotline
1-800-601-7200

New Jersey Domestic Violence Hotline
1-800-572-0502 (TTY)

Women's Referral Central
1-800-322-8360

New Jersey Department of Labor and Workforce Development (4/22)

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 in 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 in order for a disparity in compensation based on sex to be actionable under the EPA, it must be for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.

There are strict time limits for filing charges of employment discrimination. For further information, contact the EEOC at 800-669-4000 or at 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 (NJDCR) or directly in court. Remedies under the LAD may include an order restraining unlawful discrimination, back pay, and compensatory and punitive damages.

Another State law, N.J.S.A. 34:11-56.1 et seq., prohibits discrimination in the rate or method of compensation by an employee because of his or her sex. Claims under this wage discrimination law may be filed with the New Jersey Department of Labor and Workforce Development (NJDLWD) or directly in court. Remedies under this law may include the full amount of the salary or wages owed, plus an additional equal amount as liquidated damages.

Please be mindful that in order for a disparity in compensation based on sex to be actionable under the State, it must be for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.

There are strict time limits for filing charges of employment discrimination. For further information, contact the NJDCR at 609-292-4605 or at www.njcivilrights.gov. For information concerning N.J.S.A. 34:11-56.1 et seq., contact the Division of Wage and Hour Compliance within the NJDLWD at 609-292-2305 or at http://wd.dol.state.nj.us.

This notice must be conspicuously displayed. (1/14)

New Jersey Department of Labor and Workforce Development

Post this notice in a conspicuous place.

This notice is for ready reference only. For full text, consult N.J.S.A. 34:2-21.1 et seq. and N.J.A.C. 12:58 et seq.

New Jersey Child Labor Law Abstract

Kind of Employment	Minimum Age	Hours of Work Not to Exceed [1, 2, 3]	Prohibited Hours	Certificate or Permit Required [3]
Theatrical: Professional employment in a theatrical production, including stage, motion pictures, and television performances and rehearsals.	None, but minors under 16 must be accompanied at all times by an adult who is a parent, guardian, or representative of employer.	**Under 16:** No more than 2 shows or productions[4] daily or 8 weekly, 5 hours daily, 24 hours weekly, plus a weekly theatrical rehearsal time. Combined hours of school and work not to exceed 8 hours daily.[7]	**Under 16** Before 7 a.m. After 11:30 p.m.[5]	**Under 16** Special Theatrical Permit
	16 & 17 years old [4, 5, 6]	8 hours daily 40 hours weekly 6 days a week		**16-17 years old** Employment Certificate
Agriculture: No restrictions on work performed outside school hours in connection with farming or farm products.	**12 years old** Outside school hours	10 hours daily 6 days a week	None	**12-15 years old only** Special Agricultural Permit
	16 years old During school hours	10 hours daily 6 days a week		
Newspaper Carriers: Minors who deliver, solicit, sell and collect for newspapers outside of school hours on residential routes.	**11 years old**	Combined hours of school and work not to exceed 6 hours daily, 40 hours weekly, 7 days	**11-13 years old** Before 6 a.m. After 7 p.m **14-17 years old** Before 5:30 a.m. After 8 p.m.	**11-17 years old** NJ publishers may issue Special Newspaper Carrier Permit or local issuing officer may issue: Special Permit (11-15 years old) Employment Certificate (16-17 years old).
Street Trades: Minors who sell, offer for sale, solicit, collect for, display, or distribute any articles, goods, merchandise, commercial service, posters, circulars, newspapers or magazines or in blacking shoes on any street or other public place or from house to house.	**14 years old** Outside school hours	When school is in session: 3 hours per day 18 hours per week.	During school vacation: 8 hours per day 40 hours per week 6 days per week.	**14-15 years old** Before 7 a.m. After 7 p.m.	Special Street Trades Permit or Employment Certificate
	16 years old [4]	During school hours	During school vacation: 10 hours per day 50 hours per week 6 days per week.	**16-17 years old** Before 6 a.m. After 11 p.m.	Employment Certificate
General Employment: Includes manufacturing establishments, golf caddying, private boarding stables, offices, gas stations, garages, and other places of work or gainful occupations unless otherwise specified.	**14 years old**	When school is in session: 3 hours per day 18 hours per week.	When school is not in session: 8 hours per day 40 hours per week. 6 days per week.	**14-15 years old** Before 7 a.m. After 7 p.m.[8]	Employment Certificate
	16 years old	8 hours per day 40 hours per week 6 days per week	During summer vacation: 10 hours per day 50 hours per week 6 days per week.	**16-17 years old** Before 6 a.m. After 11 p.m. Exception: 1. School vacation season. 2. Days not preceding a school day, with special written permission of parent or guardian.)	Employment Certificate
Restaurant and Seasonal	Same as for General Employment except that minors at least 16 years old may be employed after midnight during regular school vacation season, if work begins before 11 p.m. on the previous day, or on work date that do not begin at or school day, with special written permission from a parent or guardian. May not be employed after 3 a.m. or before 6 a.m. on a day before a school day.				
Public Bowling Alleys	Same as for General Employment except that minors at least 16 years old may be employed as pinsetters, lane attendants, or buspersons until 11:30 p.m. — but during the school term the minor must have a special permit.				
Domestic Services in Private Homes: No restriction on work performed outside school hours in connection with minor's own home and directly for the minor's parent or legal guardian.	**16 years old** Outside of school hours	**No Restrictions** Except minors under 16 are limited to 3 hours per day, 18 hours per week when school is in session	None	Employment Certificate
	16 years old During school hours			
Messengers for Communication Companies Under Supervision and Control of the F.C.C.	**16 years old** Outside of school hours	**No Restrictions**	None	Employment Certificate
	16 years old During school hours			
Factory	**16 years old**	8 hours per day 40 hours per week 6 days per week	During summer vacation: 10 hours per day 50 hours per week 6 days per week.	When school is in session: After 10 p.m. During school vacation season: Before 6 a.m. and After 10 p.m.	Employment Certificate

NOTES

[1] A minor who is at least 17 years old and a graduate of a vocational school approved by the Commissioner of Education may engage in those pursuits in which the minor inquired in said vocational school during three hours permitted for persons 16 years of age and over, if an employment certificate (or a certified copy)accompanies the minor's diploma.

[2] When schools in the minor's district are not in session, no certificate or permit is required for minors at least 14 years old employed at agricultural fairs, horse, dog, or farm shows that last no more than 10 days.

[3] No certificate is required for minors 15 and older during school vacation for first 14 days of employment in food service, restaurant, retail operations, or seasonal amusement occupations.

[4] Does not apply to minors 16 or 17 years of age employed during June, July, August, or September by a summer resident camp, conference or retreat operated by a nonprofit or religious corporation or association, unless the employment is primarily general maintenance work or food service activities.

[5] When schools in the minor's district are not in session, no certificate or permit is required for minors at least 16 years old employed at agricultural fairs, horse, dog, or farm shows that last no more than 10 days.

[6] Where the preliminary employment is reasonably severable into discrete shows or productions.

[7] In **Theatrical** employment, the combined time spent on a set or on call and performance time shall not exceed 6 hours in any one day.

[8] In certain cases of **Theatrical** employment, the commissioner has the authority to change the hours of the day when a minor may work, but not the total number of hours.

[9] In **General Employment,** 14- and 15-year-old minors may work until 9 p.m., with written permission of parent or guardian, from the last day of the minor's school year until Labor Day.

[10] In **Theatrical** employment, during school vacation; 10 hrs. per day, 50 hrs. per week, 6 days per week.

[11] In **Street Trades**, during school vacation; 10 hrs. per day, 50 hrs. per week, 6 days per week.

[12] In **Street Trades**, during school vacation; 10 hrs. per day, 50 hrs. per week, 6 days per week.

[13] In **General Employment**, 14- and 15-year-old minors may work until 9 p.m., with written permission of parent or guardian, from the last day of the minor's school year until Labor Day.

[14] In **Theatrical** employment, during school vacation; 10 hrs. per day, 50 hrs. per week, 6 days per week.

[15] In **Street Trades**, during school vacation; 10 hrs. per day, 50 hrs. per week, 6 days per week.

[16] **Summer Vacation**: period beginning on last day of a minor's school year and ending on Labor Day.

Punishment for Violations of Child Labor Law

Whoever employs or permits or suffers any minor to be employed or to work in violation of this act, or of any order or ruling issued under the provisions of this act, or obstructs the Department of Labor and Workforce Development, its officers or agents, or any other person authorized to inspect places of employment under this act, and whoever, having under his control or custody any minor, permits or suffers him to be employed or to work in violation of this act, shall be guilty of a misdemeanor. If a defendant acts knowingly, an offense under this section will be a crime of the fourth degree. Otherwise it will be a disorderly persons offense and the defendant will, upon conviction, be punished by a fine of at least $100 (up to $2,000) for an initial violation, and at least $200 (up to $4,000) for each subsequent violation.

Each day during which any violation of this act continues will constitute a separate and distinct offense, and the employment of any minor in violation of the act will, with respect to each minor so employed, constitute a separate and distinct offense.

As an alternative to or in addition to any other sanctions provided by law for violations of P.L. 1940, c.153 (C.34:2-21.1 et seq.), when the Commissioner of Labor and Workforce Development finds that an individual has violated that act, the commissioner is authorized to assess and collect administrative penalties of up to $500 for a first violation, up to $1,000 for a second violation, and up to $2,500 for each subsequent violation, specified in a schedule of penalties to be promulgated as a rule or regulation by the commissioner in accordance with the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-1 et seq.). When determining the amount of the penalty imposed because of a violation, the commissioner will consider factors including the history of an employer's previous violations, the seriousness of the violation, the good faith of the employer, and the size of the employer's business.

No administrative penalty will be levied pursuant to this section unless the Commissioner of Labor and Workforce Development provides the alleged violator with notification of the violation and of the amount of the penalty by certified mail and an opportunity to request a hearing before the commissioner or his designee within 15 days of receiving the notice.

If a hearing is requested, the commissioner will issue a final order upon such hearing and a finding that a violation has occurred. If no hearing is requested, the notice will become a final order upon expiration of the 15-day period. Payment of the penalty is due when a final order is issued or when the notice becomes a final order. Any penalty imposed pursuant to this section may be recovered with costs in a summary proceeding commenced by the commissioner pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

General Information

Breaks

Minors under 18 years-old must get a 30-minute meal break after 5 consecutive hours of work.

Working during school hours

Minors under 16 may not work during the hours they are required to attend school.

Employment certificate *(also called working papers)* **& age certificate**

Minors who are gainfully employed must have an employment certificate. Some employers may also ask for an age certificate from minors between the ages of 18 and 21. This lets employers a minor is old enough to do certain types of work.

To get working papers or an age certificate, minors must apply in person to the issuing officer of the school district where they live.

Read working papers carefully. They contain information that is important to you. Papers are valid only for the period of time and conditions stated thereon.

Required Records

Employers must keep certain records for all employees under age 18. Required records are:

• Name • address • date of birth • start and ending hours obtain by work and meal periods • number of hours worked each day • wages paid to each minor.

Required records for **Newspaper Carriers** are:

• Name • address • date of birth • date they began and stopped delivering newspapers • number of newspapers sold • general description of the route area served.

These records are not required to be kept for:

• those engaged in domestic service in private homes
• those engaged in agricultural pursuits • minors 16–18 years old employed by a summer resident camp, conference or retreat operated by a nonprofit or religious corporation or association during June, July, August or September.

Minimum Wage Requirements

The minimum wage rate does not apply to minors under 18 years of age except as provided in N.J.A.C. 12:56-1, 12:56-14 and N.J.A.C. 12:57, Wage Orders for Minors.

NOTE: Employers subject to the Fair Labor Standards Act (FSLA) would be required to pay the federal minimum wage to minors not covered by a wage order.

Work Prohibited to Minors

Exemplars in some of these prohibitions apply:

> to work done by students under the supervision and instruction of officers or teachers

> to work done by minors who are at least 17 years old, doing work related to their major field of study, under the conditions of the special vocational school graduate permit

> to work done by minors in junior achievement programs.

The kind of work that is prohibited in these programs may do is limited by the Department of Education. Employers should check these prohibitions with the coordinator of each program.

No minor under 18 years of age may be employed, suffered, or permitted to work in, about, or in connection with the following:

Making or packing paints, colors, white lead, or red lead
Handling compressed or liquefied gases, toxic, injurious quantities of toxic or noxious dust, gases, vapors or fumes
Work involving exposure to benzol or any benzol compound that is volatile or can penetrate the skin
Making, transporting or using explosives or highly inflammable substances.
The wording "the manufacture, transportation or use of explosives or highly inflammable substances" as used in the prohibited occupations section of the Child Labor Act does not include filling the gasoline tanks of gasoline motor-driven vehicles by using a hose connected to automatic or manual-powered pumping equipment commonly used for that purpose in gasoline service stations.

This Interpretation does not in any way affect any prohibition contained in the Child Labor Law concerning power-driven or hazardous machinery or hazardous occupations.

PROHIBITED SUBSTANCES

• Carcinogenic substances • Corrosive material
• Pesticides • Toxic or hazardous substances
• Radioactive substances and ionizing radiation

PROHIBITED TYPES OF WORK

Demolishing buildings, ships, or heavy machinery
Fabricating or assembling ships
Fueling aircraft, either commercial or private
Oiling, wiping, or cleaning machinery in motion or assisting therein
Operating or repairing elevators or other hoisting apparatus
Poling nude or without generally accepted attire
Servicing single-piece or multi-piece rim wheels
Serving beverages out of any bar service area, including outside bars at pools or other recreational facilities
Transporting payrolls other than within the employer's premises
Construction work (exemptions include minors doing volunteer work in affordable housing).
"Construction work" means:
- erecting, alterating, repairing, renovating, demolishing or removing any building or structure
- excavating, filling and grading sites
- excavating, repairing or paving roads and highways, and
- any function performed within 30 feet of the above operations.

"Construction work" does *not* include the repair or painting of fences, buildings and structures up to 12 feet tall.

Most occupations in slaughtering, meat packing, processing, or rendering, including operating slicing machines used in delicatessens and restaurants for cutting or slicing any food product.

PROHIBITED MACHINES/EQUIPMENT

No minor under 16 years of age may be employed, permitted, or suffered to work in, about, or in connection with power-driven machinery.

Power-driven machinery include, but is not limited to:

Calendar rolls or mining rolls in rubber manufacturing
Centrifugal extractors or mangles in laundries or dry cleaning establishments
Circular saws, band saws, guillotine shears
Compactors
Conveyors and related equipment
Corn pickers, power hay balers, power field choppers, including work in or on same
Corrugating, crimping or embossing machines
Cutting machines that have a guillotine action
Dough brakes or mixing machines in bakeries or cracker machinery
Grinding, abrasive, polishing or buffing machines; however, apprentices operating under conditions of a bona fide apprenticeship may grind their own tools.
Paper lace machines
Power lawn mowers
Power woodworking and metal working tools
Power-driven woodworking machinery operating or helping to operate; however, apprentices in a bona fide apprenticeship may use such machines under competent instruction and supervision
Punch presses or stamping machines if the clearance between the ram and the die or the stripper exceeds 1/4 inch
Steam boilers with more than 15 pounds of pressure.

Power-driven machinery does *not* include:

Agricultural machines when used on farms such as standard type poultry feeders, egg washers, egg cookers, and milking machines
Cash register conveyor belt in a supermarket or retail establishment for minors at least 15 years old working as cashiers or baggers
Standard domestic type machines or appliances when used in domestic or business establishments
Standard office type machines
Standard type passenger elevator (attended or unattended).

PROHIBITED PLACES

Any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, or sold for consumption on the premises (however, minors at least 16 years old may work as pinsetters, lane attendants, or busperson in public bowling alleys, and in restaurants or in the executive offices, maintenance departments, or pool or beach areas of a hotel, motel or guest house — but may not prepare, sell or serve alcoholic beverages, or prepare photographs, or work in any dancing or theatrical exhibition or performance which is not part of a theatrical production where alcoholic beverages are sold on the premises, while so employed. Minors at least 14 years of age may be employed as golf caddies and pool attendants).

Any place or condition operated or maintained for immoral purposes or a disorderly house

Junk or scrap metal yards, which means any place where old iron, metal, paper, cordage, and other refuse is collected and deposited or both and sold or may be treated so as to be reused in some form or discarded or where automobiles or machines are demolished for the purpose of salvaging metal or parts

Mines or quarries

Ore reduction works, smelters, hot rolling mills, furnaces, foundries, forging shops, or any other place where metals are heated, melted or treated

Pool and billiard rooms

Video stores where X-rated movies are rented or sold.

PROHIBITIONS for ACTORS & PERFORMERS

Appearing as a rope or wire walker or rider, gymnast, acrobat, boxer, contortionist, acrobat, rider of a horse or other animal unless the minor is trained to safely ride such horse or animal or rider of any vehicle other than that generally used by a minor of the same age

Appearing in any illegal, indecent, or immoral exhibition, practice, or theatrical production

Any practice, exhibition or theatrical production dangerous to the life, limb, health or morals of a minor

Appearance or exhibition of any physically deformed or mentally deficient minor.

OTHER PROHIBITED

Indecent or immoral exposure.

Enforced by:
NJ Department of Labor and Workforce Development
Division of Wage and Hour Compliance, PO Box 389, Trenton NJ 08625-0389 • 609-292-2305

nj.gov/labor

Office of Constituent Relations
PO Box 110, Trenton, NJ 08625-0110

If you need this document in Braille or large print, call 609-292-2305.

TTY users can contact this department through the New Jersey Relay: 7-1-1

(2/23)

New Jersey Department of Labor and Workforce Development

Chapter 194, Laws of New Jersey, 2009, Relating to Employer Obligation to Maintain and Report Records

Regarding Wages, Benefits, Taxes and Other Contributions and Assessments Pursuant to State Wage, Benefit and Tax Laws

Wage Payment Law (N.J.S.A. 34:11-4.1 et seq.) and Wage and Hour Law (N.J.S.A. 34:11-56a et seq.)

Each employer must keep a record of each employee which contains the following information:

1. The name of the employee;
2. The address of the employee;
3. The birth date of the employee if the employee is under the age of 18;
4. The total hours worked by the employee each day and each workweek;
5. The earnings of each employee, including the regular hourly wage, gross to net amounts with itemized deductions, and the basis on which wages are paid;
6. Regarding each employee who receives gratuities, the total gratuities received by the employee during the payroll week;
7. Regarding each employee who receives gratuities, daily or weekly reports completed by the employee containing the following information:
   (a) the employee's name;
   (b) the employee's address;
   (c) the employee's Social Security number;
   (d) the name and address of the employer;
   (e) the calendar day or week covered by the report, and
   (f) the total amount of gratuities received; and
8. Regarding each employee for whom the employer claims credit for food or lodging as a cash substitute for the employee when paid wages or lodging supplied by the employer, information substantiating the cost of furnishing such food or lodging, including but not limited to the nature and amount of any expenditures entering into the computation of the fair value of the food or lodging and the date required to compute the amount of the depreciated investment in any assets allocable to the furnishing of the lodging, including the date of acquisition or construction, the original cost, the rate of depreciation and the total amount of accumulated depreciation on such assets.

The employer may use any system of time keeping provided that it is a complete, true and accurate record.

The employer must keep the wage and hour records described above for a period of six years.

The employer must keep the wage and hour records described above at the place of employment or in a central office in New Jersey.

Prevailing Wage Act (N.J.S.A. 34:11-56.25 et seq.)

The Prevailing Wage Act applies to employers only under certain circumstances.

Specifically, it applies only when an employer enters into a contract in excess of the prevailing wage contract threshold amount for any public work (as the term "public work" is defined at N.J.S.A. 34:11-56.26) to which any public body is a party or for public work to be done on a property or premises owned by a public body or leased or to be leased by a public body.

Each public works contractor must submit to the public body or lessor which contracted for the public works project a certified payroll record containing the following employee information:

1. Name;
2. Address;
3. Social Security number;
4. Craft or trade;
5. Actual hourly rate of pay;
6. Actual daily, overtime and weekly hours worked in each craft or trade;
7. Gross pay;
8. Itemized deductions;
9. Net pay paid to the employee;
10. Any fringe benefits paid to approved plans, funds or programs on behalf of the employee; and
11. Fringe benefits paid in cash to the employee.

Each public works contractor must, within 10 days of payment of wages, submit the certified payroll record to the public body or the lessor which contracted for the public works project.

Each public works contractor which employs one or more apprentices on a public works project must maintain with its records written evidence that the apprentice or apprentices are registered in an approved apprenticeship program while performing work on the project.

Temporary Disability Insurance and Family Leave Insurance information: Each employer must retain all records pertaining to any election to discontinue a private plan for temporary disability insurance and/or family leave insurance benefits and must make such records available for inspection by the Division of Temporary Disability Insurance for a one-year period from the date that the private plan is terminated.

Each employer having a private plan for temporary disability insurance and/or family leave insurance must, within 10 days after the Division of Temporary Disability Insurance has mailed the employer a request for information with respect to a period of disability, furnish the Division with any information requested or known to the employer which may bear upon the eligibility of the claimant.

Each employer having two or more approved private plans in effect during a calendar half-year or any portion thereof must, on or before the 30th day following the close of the calendar half-year, file a report showing the amount of taxable wages paid during such calendar half-year to employees while covered under each such private plan.

Each employer who provides temporary disability insurance to its employees through a self-insured private plan must, for the six-month periods ending June 30 and December 31 of each calendar year during which the self-insured private plan is in effect, file a statement with the Division of Temporary Disability Insurance, on or before the 30th day following the end of the respective six-month period showing:

1. The number of claims received during the six-month period;
2. The number of claims accepted during the six-month period;
3. The amount of benefits paid during the six-month period; and
4. Such other information as the Division of Temporary Disability Insurance may require with respect to the financial stability of the self-insurer to meet the self-insured's obligations under the plan.

On or before the 30th day following the close of each calendar year during which a self-insured private plan for temporary disability insurance is in effect, the employer must file a report with the Division of Temporary Disability Insurance showing:

1. The amount of funds available at the beginning of that year for payment of family leave insurance benefits;
2. The amount contributed by workers during that year;
3. The amount contributed by the employer during that year;
4. The amount of disability benefits paid during that year;
5. Direct cost of administration of the plan during that year; and
6. The number of employees covered by the plan as of December 31.

Each employer who provides family leave insurance to its employees through a self-insured private plan must for the one-year period ending December 31 of each calendar year during which a self-insured private plan is in effect file a statement with the Division of Temporary Disability Insurance, on or before the 30th day following the end of the one-year period showing the following information with regard to each of the following types of claims: care of a sick child, care of a sick spouse, care of a sick domestic partner, care of a sick civil union partner, care of a sick parent, bonding by biological parent with a newborn child, bonding by domestic partner or civil union partner of biological parent with a newborn child, bonding by individual with newly adopted child:

1. The number of claims for family leave insurance benefits received during the one-year period;
2. The number of claims for family leave insurance benefits accepted during the one-year period;
3. The number of workers who received family leave insurance benefits during the one-year period;
4. The amount of family leave insurance benefits paid during the one-year period;
5. The average weekly family leave insurance benefit during the one-year period;
6. The amount of sick leave, vacation leave or other fully paid time, which resulted in reduced benefit duration during the one-year period;
7. With respect to family leave insurance benefits to be used for sick family members, the amount of intermittent family leave insurance benefits paid during the one-year period; and
8. The average duration of family leave insurance benefits, in days, during the one-year period.

The information reported in 1. through 8. above must be broken down by sex and by age group, beginning at 25 years and under and increasing in increments of 10.

On or before the 30th day following the close of each calendar year during which a self-insured private plan for family leave insurance is in effect, the employer must file a report with the Division of Temporary Disability Insurance showing:

1. The amount of funds available at the beginning of that year for payment of family leave insurance benefits;
2. The amount contributed by workers during that year;
3. The direct cost of administration of the plan during that year;
4. The number of employees covered by the plan as of December 31; and
5. Such other information as the Division of Temporary Disability Insurance may require with respect to the financial ability of the self-insurer to meet the self-insured's obligation under the plan.

Unemployment Compensation Law (N.J.S.A. 43:21-1 et seq.), Temporary Disability Benefits Law (N.J.S.A. 43:21-25 et seq.) and Family Leave Insurance Benefits Law, P.L. 2008, c. 17.

Payroll records: Each employing unit must maintain a record for each worker engaged in employment, which record must contain the following information about the worker:

1. Full name, address and Social Security number;
2. Total remuneration paid in each pay period showing separately cash, including commissions and bonuses; the cash value of all compensation in any medium other than cash; gratuities received regularly in the course of employment if reported by the employee, or if not so reported, the minimum wage rate prescribed under applicable laws of this State or of the United States, or the amount of remuneration actually received by the employee, whichever is higher; and service charges collected by the employer and distributed to workers in lieu of gratuities and tips;
3. An entry under the heading "special payments" of the amount of any special payments, such as bonuses and gifts, which have been paid during the pay period but which relate to employment in a prior period. The following shall be shown separately under this heading: cash payments, cash value of other remuneration, the nature of such payments, the period during which the services were performed for which special payments were paid;
4. The date hired, rehired and returned to work after temporary layoff;
5. The date separated from employment and the reason for separation;
6. Such information as may be necessary to determine remuneration on a calendar week basis;
7. The number of base weeks (as the term "base week" is defined in N.J.S.A. 43:21-19(t)) and wages.

All records referred to in 1. through 7. above must be kept safe and readily accessible at the New Jersey place of employment of the employing unit.

All records referred to in 1. through 7. above must be retained for the current calendar year and for the four preceding calendar years.

Once an employer becomes inactive, the employer must keep all records referred to in 1. through 7. above for the subsequent six quarters.

Wage reporting: Each employer (other than employers of domestic service workers) must electronically file an NJ-927, "Employer Report of Wages Paid," with the Division of Revenue, within the Department of the Treasury, within 30 days after the end of each quarter. The WR-30 lists the name, Social Security number and wages paid to each employee and the number of base weeks worked by the employee during the calendar quarter.

Each employer of domestic service workers (as the term "domestic service worker" is defined at N.J.A.C. 12:16-13.7(b)) must file an annual, rather than quarterly, WR-30 with the Division of Revenue, within the Department of the Treasury.

Contribution reporting: Each employer (other than employers of domestic service workers) must electronically file an NJ-927, "Employer's Quarterly Report," with the Division of Revenue, within the Department of the Treasury, and remit the corresponding payment for unemployment compensation, workforce fund, workforce development partnership fund, temporary disability insurance and family leave insurance contribution payments, within 30 days after the end of each quarter. The NJ-927 lists the total of all wages paid, the wages paid in excess of the taxable maximum, the taxable wages on which contributions are due, the number of workers employed during the pay period, the number of workers insured under a "private plan" for temporary disability insurance and the number of workers insured under a "private plan" for family leave insurance.

Each employer of domestic service workers (as the term "domestic service worker" is defined in N.J.A.C. 12:16-13.1(s)) must file an annual, rather than quarterly, NJ-927R, "Domestic Employer's Annual Report," with the Division of Revenue, within the Department of the Treasury.

For possible failure to meet the record keeping or reporting requirements of the ...	Phone	Email	Mail
Wage Payment Law Wage & Hour Law Prevailing Wage Act	609-292-2305	wagehour@dol.nj.gov	New Jersey Department of Labor & Workforce Development Division of Wage and Hour Compliance P.O. Box 389 • Trenton, NJ