

**SOMERSET HOME FOR TEMPORARILY  
DISPLACED CHILDREN**  
*Employee Manual*

**APPENDIX I**

Required Federal and State of New Jersey Employee Notices

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# EMPLOYEE RIGHTS

## UNDER THE FAIR LABOR STANDARDS ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

### FEDERAL MINIMUM WAGE

**\$5.85** PER HOUR

BEGINNING JULY 24, 2007

**\$6.55** PER HOUR

BEGINNING JULY 24, 2008

**\$7.25** PER HOUR

BEGINNING JULY 24, 2009

#### OVERTIME PAY

At least  $1\frac{1}{2}$  times your regular rate of pay for all hours worked over 40 in a workweek.

#### YOUTH EMPLOYMENT

An employee must be at least **16** years old to work in most non-farm jobs and at least **18** to work in non-farm jobs declared hazardous by the Secretary of Labor.

Youths **14** and **15** years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs under the following conditions:

**No more than**

- **3** hours on a school day or **18** hours in a school week;
- **8** hours on a non-school day or **40** hours in a non-school week.

Also, work may not begin before **7 a.m.** or end after **7 p.m.**, except from June 1 through Labor Day, when evening hours are extended to **9 p.m.** Different rules apply in agricultural employment. For more information, visit the YouthRules! Web site at [www.youthrules.dol.gov](http://www.youthrules.dol.gov).

#### TIP CREDIT

Employers of "tipped employees" must pay a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee's tips combined with the employer's cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference. Certain other conditions must also be met.

#### ENFORCEMENT

The Department of Labor may recover back wages either administratively or through court action, for the employees that have been underpaid in violation of the law. Violations may result in civil or criminal action.

Civil money penalties of up to \$11,000 per violation may be assessed against employers who violate the youth employment provisions of the law and up to \$1,100 per violation against employers who willfully or repeatedly violate the minimum wage or overtime pay provisions. This law prohibits discriminating against or discharging workers who file a complaint or participate in any proceedings under the Act.

#### ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa and the Commonwealth of the Northern Mariana Islands.
- Some state laws provide greater employee protections; employers must comply with both.
- The law requires employers to display this poster where employees can readily see it.
- Employees under 20 years of age may be paid \$4.25 per hour during their first 90 consecutive calendar days of employment with an employer.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.



For additional information:

**1-866-4-USWAGE**

(1-866-487-9243)

TTY: 1-877-889-5627



**WWW.WAGEHOUR.DOL.GOV**

# Equal Employment Opportunity is

## THE LAW

### Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under the following Federal authorities:

### **RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

### **INDIVIDUALS WITH DISABILITIES**

Section 503 of the Rehabilitation Act of 1973, as amended, prohibits job discrimination because of disability and requires affirmative action to employ and advance in employment qualified individuals with disabilities who, with reasonable accommodation, can perform the essential functions of a job.

### **VIETNAM ERA, SPECIAL DISABLED, RECENTLY SEPARATED, AND OTHER PROTECTED VETERANS**

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C., 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment qualified Vietnam era veterans, qualified special disabled veterans, recently separated veterans, and other protected veterans. A recently separated veteran is any veteran during the three-year period beginning on the date of such veteran's discharge or release from active duty in the U.S. military, ground, naval or air service.

### **RETALIATION**

Retaliation is prohibited against a person who files a charge of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP), Employment Standards Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, DC 20210, (202) 693-0101 or call an OFCCP regional or district office listed in most telephone directories under U.S. Government, Department of Labor. For individuals with hearing impairment, OFCCP's TTY number is (202) 693-1337.

### Private Employment, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under the following Federal laws:

### **RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN**

Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy and sexual harassment) or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

### **DISABILITY**

Title I and Title V of the Americans with Disabilities Act of 1990 (ADA), as amended, protect qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, classification, referral, and other aspects of employment on the basis of disability.

The law also requires that covered entities provide qualified applicants and employees with disabilities with reasonable accommodations, unless such accommodations would impose an undue hardship on the employer.

### **AGE**

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination on the basis of age in hiring, promotion, discharge, compensation, terms, conditions or privileges of employment.

### **SEX (WAGES)**

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act of 1964, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in payment of wages to women and men

performing substantially equal work, in jobs that require equal skill, effort and responsibility under similar working conditions, in the same establishment.

### **RETALIATION**

Retaliation is prohibited against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes discrimination under these Federal laws.

If you believe that you have been discriminated against under any of the above laws, and to ensure that you meet strict procedural timelines to preserve the ability of EEOC to investigate your complaint and to protect your right to file a private lawsuit, you should immediately contact:

The U.S. Equal Employment Opportunity Commission (EEOC), Washington, DC 20507 or an EEOC field office by calling toll free (1-800) 669-4000. For individuals with hearing impairments, EEOC's toll free TTY number is 1-800 669-6820.

### Programs or Activities Receiving Federal Financial Assistance

### **RACE, COLOR, SEX, NATIONAL ORIGIN**

In addition to the protection of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs.

Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal assistance.

### **INDIVIDUALS WITH DISABILITIES**

Section, 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance in the federal government, public or private agency. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of a job.

If you believe you have been discriminated against in a program of any institution which receives Federal assistance, you should contact immediately the Federal agency providing such assistance.

# EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

## Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

## Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

## Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

## Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

## Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

## Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

## Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

## Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

## Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

## Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

## Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.**



For additional information:  
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)



**U.S. DEPARTMENT OF LABOR**

**EMPLOYMENT STANDARDS ADMINISTRATION**

**Wage and Hour Division  
Washington, D.C. 20210**



# **NOTICE**

## **EMPLOYEE POLYGRAPH PROTECTION ACT**

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

### **PROHIBITIONS**

Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

### **EXEMPTIONS\***

Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities.

The Act permits *polygraph* (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers.

The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer.

## **EXAMINEE RIGHTS**

Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

## **ENFORCEMENT**

The Secretary of Labor may bring court actions to restrain violations and assess civil penalties up to \$10,000 against violators. Employees or job applicants may also bring their own court actions.

## **ADDITIONAL INFORMATION**

Additional information may be obtained, and complaints of violations may be filed, at local offices of the Wage and Hour Division. To locate your nearest Wage-Hour office, telephone our toll-free information and help line at 1 - 866 - 4USWAGE ( 1 - 866 - 487 - 487 - 9243). A customer service representative is available to assist you with referral information from 8am to 5 pm in your time zone; or if you have access to the internet, you may log onto our Home page at [www.wagehour.dol.gov](http://www.wagehour.dol.gov).

## **THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.**

*\*The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.*

**U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION**  
Wage and Hour Division  
Washington, D.C. 20210

**WH Publication 1462  
June 2003**

# Job Safety and Health

## It's the law!

**OSHA**  
Occupational Safety  
and Health Administration  
U.S. Department of Labor

### EMPLOYEES:

- You have the right to notify your employer or OSHA about workplace hazards. You may ask OSHA to keep your name confidential.
- You have the right to request an OSHA inspection if you believe that there are unsafe and unhealthful conditions in your workplace. You or your representative may participate in that inspection.
- You can file a complaint with OSHA within 30 days of retaliation or discrimination by your employer for making safety and health complaints or for exercising your rights under the *OSH Act*.
- You have the right to see OSHA citations issued to your employer. Your employer must post the citations at or near the place of the alleged violations.
- Your employer must correct workplace hazards by the date indicated on the citation and must certify that these hazards have been reduced or eliminated.
- You have the right to copies of your medical records and records of your exposures to toxic and harmful substances or conditions.
- Your employer must post this notice in your workplace.
- You must comply with all occupational safety and health standards issued under the *OSH Act* that apply to your own actions and conduct on the job.

### EMPLOYERS:

- You must furnish your employees a place of employment free from recognized hazards.
- You must comply with the occupational safety and health standards issued under the *OSH Act*.

This free poster available from OSHA –  
*The Best Resource for Safety and Health*



Free assistance in identifying and correcting hazards or complying with standards is available to employers, without citation or penalty, through OSHA-supported consultation programs in each state.

**1-800-321-OSHA**  
[www.osha.gov](http://www.osha.gov)

OSHA 3165-12-06R



# YOUR RIGHTS UNDER USERRA THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

**USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.**

## REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- ☆ you ensure that your employer receives advance written or verbal notice of your service;
- ☆ you have five years or less of cumulative service in the uniformed services while with that particular employer;
- ☆ you return to work or apply for reemployment in a timely manner after conclusion of service; and
- ☆ you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

## RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- ☆ are a past or present member of the uniformed service;
- ☆ have applied for membership in the uniformed service; or
- ☆ are obligated to serve in the uniformed service;

then an employer may not deny you:

- ☆ initial employment;
- ☆ reemployment;
- ☆ retention in employment;
- ☆ promotion; or
- ☆ any benefit of employment

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

## HEALTH INSURANCE PROTECTION

- ☆ If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- ☆ Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

## ENFORCEMENT

- ☆ The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- ☆ For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its **website at <http://www.dol.gov/vets>**. An interactive online USERRA Advisor can be viewed at **<http://www.dol.gov/elaws/userra.htm>**.
- ☆ If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- ☆ You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: <http://www.dol.gov/vets/programs/userra/poster.htm>. Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.



**U.S. Department of Labor  
1-866-487-2365**



**U.S. Department of Justice**



**Office of Special Counsel**



**1-800-336-4590**

Publication Date—July 2008

# New Jersey Department of Labor and Workforce Development

To be posted in a conspicuous place

## New Jersey State Wage And Hour Law Abstract

N.J.S.A. 34:11-56a et seq.

### Statutory Minimum Rate

Employees are to be paid not less than:

\$7.15 an hour effective October 1, 2006

Except that full-time students may be employed by the college or university at which they are enrolled at not less than 85% of the effective minimum wage rate.

### Overtime

Overtime is payable at the rate of 1½ times the employee's regular hourly rate for hours worked in excess of 40 in any week except where otherwise specifically provided by wage order.

Exempt from the overtime entitlement are executive, administrative, and professional employees; employees engaged in labor on a farm or relative to raising or care of livestock; and employees of a common carrier of passengers by motorbus.

### Wage Order And Regulations

Employees in the occupations found below are covered by this wage order and regulations and must be paid not less than the statutory rate.

First processing farm products

Hotel and motel

Food service occupations (restaurant)

Seasonal amusement

These regulations are contained in N.J.A.C. 12:56-11.1 et seq.

### Exemptions

Exempt from the statutory rate are outside salesmen, salesmen of motor vehicles, part time employees primarily engaged in the care and tending of children in the home of the employer, and minors under 18 (**except** that minors under 18 in the first processing of farm products, hotels, motels, restaurants, mercantile, laundry, cleaning, dyeing, light manufacturing, apparel and beauty culture occupations are covered by the wage order rates as above and vocational school graduates with special permits under the Child Labor Law **are covered** by the statutory rate).

Summer camps, conferences and retreats operated by any nonprofit or religious corporation or association are exempt from minimum and overtime rates during the months of June, July, August and September.

### Labor On A Farm At Piece-Rate

Employees engaged on a piece-rate basis to labor on a farm shall be paid for each day worked not less than the minimum hourly wage rate multiplied by the total number of hours worked.

### Penalties

Any employer who violates any provisions of this act shall be guilty of a disorderly persons violation and upon conviction shall be punished by a fine of not less than \$100 nor more than \$1,000.

As an alternative to or in addition to any other sanctions provided by law for violations, the Commissioner is authorized to assess and collect administrative penalties, up to a maximum of \$250 for a first violation and up to a maximum of \$500 for each subsequent violation.

The employer shall also pay the Commissioner an administrative fee equal to not less than 10% or more than 25% of any payment due to employees.

Penalties for violation of this order are provided for by N.J.S.A. 34:11-56a22.

Enforced by:  
NJ Department of Labor and Workforce Development  
Division of Wage and Hour Compliance  
PO Box 389  
Trenton, New Jersey 08625-0389



Additional copies of this poster or any other required posters may be obtained by contacting the New Jersey Department of Labor and Workforce Development, Office of Constituent Relations, PO Box 110, Trenton, New Jersey 08625-0110, 609/777-3200.

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.

**To be posted in a conspicuous place**

## **Chapter 173, Laws of New Jersey, 1965: Relating to Payment of Wages**

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### **All Employers Must Pay Wages to All Employees in Full at Least Twice a Calendar Month.**

Executive and supervisory employees, however, may be paid at least once a calendar month.

Payment shall be made on regular paydays designated in advance.

When a payday falls on a non-work day payment shall be made on the immediately preceding work day, unless otherwise provided for in a collective bargaining agreement.

The end of the pay period for which payment is made on a regular payday shall be not more than 10 working days before such regular payday.

If payment is by check, suitable arrangements must be made for cashing the check without difficulty and for the full amount.

- Employees leaving or terminated for any reason, including labor disputes, shall be paid all wages due not later than the regular payday for the period in which the termination occurred.
- An additional 10 days may be allowed in the event of a labor dispute involving payroll employees.
- Employees paid on an incentive system shall be paid a reasonable approximation of wages due until exact amounts can be computed.
- Payment may be made through regular channels or by mail if requested.

It shall be unlawful to make any agreement for payment other than as provided, except to pay at shorter intervals or to pay wages in advance.

Wages due a deceased employee may be paid to the survivors in the order of preference as outlined in the statute.

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### **No Deductions Shall Be Made From Employees' Wages Except:**

Amounts authorized by New Jersey or United States Law or payments to correct payroll errors.

Contributions or payments authorized by employees either in writing or under a collective bargaining agreement for:

Employee welfare • insurance • hospitalization • medical or surgical or both • pension • retirement • profit-sharing and company operated thrift plans • plans establishing individual retirement annuities on a group or individual basis • individual retirement accounts at any State or federally chartered bank • savings and loan association • Security option or purchase plans to buy marketable securities • Employee personal savings accounts • credit union • savings fund societies • building and loan or savings and loan • Christmas • vacation or other savings funds • U.S. government bonds.

Purchase of company products or employer loans in accordance with a periodic payment schedule contained in the original purchase or loan agreement • Safety equipment • Contributions for organized and recognized charities • Rental of work clothing or uniforms or for the laundering or dry cleaning of work clothing or uniforms • Labor union dues and fees.

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### **All Employers Shall:**

Notify employees at time of hiring of rate of pay and regular paydays.

Notify employees of changes in pay rates or paydays prior to the changes.

Furnish each employee with statement of deductions each pay period.

Make and keep records for employees, including wages and hours, and make such records available for inspection.

The Commissioner of Labor and Workforce Development shall enforce and administer the provisions of this act and the Commissioner or an authorized representative shall have the power to make all necessary inspections of establishments and records.

Any employer who knowingly and willfully violates any provision of this act shall be guilty of a disorderly persons offense and upon conviction shall be punished by a fine of not less than \$100 nor more than \$1,000. Each day during which any violation of this act continues shall constitute a separate and distinct offense.

As an alternative to or in addition to any other sanctions provided by law for violations, the Commissioner is authorized to assess and collect administrative penalties, up to a maximum of \$250 for a first violation and up to a maximum of \$500 for each subsequent violation.

The employer shall also pay the Commissioner an administrative fee equal to not less than 10% or more than 25% of any payment due to employees.

**Please Note:** The Division of Wage and Hour Compliance does not investigate or inquire into the legal status of any worker. The Division applies New Jersey's labor laws without regard to a worker's legal status. The Division does not share information with "Immigration".

Enforced by:

New Jersey Department of  
Labor and Workforce Development  
Division of Wage and Hour Compliance  
PO Box 389  
Trenton, New Jersey 08625-0389

Additional copies of this poster or any other required poster may be obtained by contacting the New Jersey Department of Labor and Workforce Development, Office of Constituent Relations, PO Box 110, Trenton, New Jersey 08625-0110, 609/777-3200.

If you need this document in braille or large print, call 609/292-2305. TTY users can contact this department through New Jersey Relay 7-1-1.



# New Jersey Department of Labor and Workforce Development

This notice is to be posted 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

34:2-21.1 to 34:2-21.64 N.J.S.A. and Rules and Regulations

Kind of Employment	Minimum Age	Hours of Work <sup>1,3</sup>	Prohibited Hours	Certificate or Permit Required <sup>2</sup>
<b>Theatrical:</b> Professional employment in a theatrical production, including stage, motion pictures, and television performances and rehearsals.	<b>None:</b> Minors under 16 must be accompanied at all times by an adult who is a parent, guardian, or representative of employer.	<b>Under 16:</b> Not more than 2 shows or productions <sup>4</sup> daily or 8 weekly, 5 hours daily, 24 hours weekly, 6 days a week, (includes rehearsal time. Combined hours of school and work not to exceed 8 hours daily.) <sup>5</sup> <b>16 &amp; 17 years old:</b> 8 hours daily <sup>6,8</sup> 40 hours weekly 6 days a week	<b>Under 16</b> Before 7 a.m. After 11:30 p.m. <sup>6</sup> <b>16 &amp; 17 years old</b> Before 6 a.m. After 11:30 p.m. <sup>6</sup>	<b>Under 16</b> Special Theatrical Permit <b>16 &amp; 17 years old</b> Employment Certificate
<b>Agriculture:</b> 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.	<b>12 years old</b> Outside school hours <b>16 years old</b> During school hours	10 hours daily 6 days a week 10 hours daily 6 days a week	<b>None</b>	<b>12 thru 15 years old</b> only Special Agricultural Permit
<b>Newspaper Carriers:</b> Minors who deliver, solicit, sell and collect for newspapers outside of school hours on residential routes.	<b>11 years old</b>	Combined hours of school and work not to exceed 8 hours daily, 40 hours weekly, 7 days.	<b>11 thru 13 years old</b> Before 6 a.m. After 7 p.m. <b>14 thru 17 years old</b> Before 5:30 a.m. After 8 p.m.	<b>11 thru 17 years old</b> N.J. publishers may issue Special Newspaper Carrier Permit or local issuing officer may issue: Special Permit (11 thru 15 years old) or Employment Certificate (16 and 17 years old).
<b>Street Trades:</b> Minors who sell, offer for sale, solicit for, 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.	<b>14 years old</b> Outside school hours <b>16 years old</b> During school hours	3 hours per day, 18 hours per week when school is in session. During school vacation, 8 hours per day, 40 hours per week, 6 days per week. 8 hours per day, 40 hours per week, 6 days per week.	<b>14 &amp; 15 years old</b> Before 7 a.m. After 7 p.m. <b>16 &amp; 17 years old</b> Before 6 a.m. After 11 p.m.	Special Street Trades Permit or Employment Certificate Employment Certificate
<b>General Employment:</b> Includes mercantile establishments, golf caddy, private bowling alleys, offices, gas stations, garages, and other places or means of gainful occupations unless otherwise specified.	<b>14 years old</b> <b>16 years old</b>	3 hours per day, 18 hours per week when school is in session. During school vacation, 8 hours per day, 40 hours per week, 6 days per week. 8 hours per day, 40 hours per week, 6 days per week.	<b>14 &amp; 15 years old</b> Before 7 a.m. After 7 p.m. <sup>7</sup> <b>16 &amp; 17 years old</b> 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 Employment Certificate
<b>Restaurant and Seasonal</b>	Same as for General Employment except that minors at least 16 years of age may be employed <b>after midnight</b> during regular school vacation season providing work began before 11 p.m. of the previous day, or on work days which do not begin on a school day, with special written permission from parent or guardian. Maynot be employed after 3 a.m. or before 6 a.m. of a day before a school day.			
<b>Public Bowling Alleys</b>	Same as for General Employment except that minors who are at least 16 years of age may be employed as pinsetters, lane attendants, or busboys until 11:30 p.m. but if it is during the school term the minor must have a <b>special permit</b> .			
<b>Domestic Services in Private Homes:</b> 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.	<b>14 years old</b> Outside school hours <b>16 years old</b> During school hours	<b>No Restrictions</b> (Except minors under 16 limited to 3 hours per day, 18 hours per week, when school is in session )	<b>None</b>	Employment Certificate
<b>Messengers for Communications Companies Under Supervision and Control of F.C.C.</b>	<b>14 years old</b> Outside school hours <b>16 years old</b> During school hours	<b>No Restrictions</b>	<b>None</b>	Employment Certificate
<b>Factory</b>	<b>16 years old</b>	8 hours daily 40 hours weekly 6 days a week	Before 6 a.m. After 10 p.m. during school vacation season. After 11 p.m. when school is in session.	Employment Certificate

<sup>1</sup> A minor who is at least 17 years of age and a graduate of a vocational school approved by the Commissioner of Education may engage in those pursuits in which the minor majored in said vocational school during those hours permitted for persons 18 years of age and over, provided an employment certificate is issued and accompanied by the minor's diploma or a certified copy thereof.

<sup>2</sup> No certificate or permit required for minors at least 14 years of age employed when schools in the minor's district are not in session at agricultural fairs, horse, dog, or farm shows the duration of which do not exceed 10 days. No certificate 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.

<sup>3</sup> Does not apply to employment of a minor 16 or 17 years of age during the months of 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.

<sup>4</sup> Where the professional employment is reasonably separable into discrete shows or productions.

<sup>5</sup> In **Theatrical** employment the combined time spent on a set or on call and performance time shall not exceed a total of eight hours in any one day.

<sup>6</sup> In certain cases of **Theatrical** employment the commissioner has the authority to amend the hours of the day during which a minor may work but not the total hours.

<sup>7</sup> In **General Employment** 14- and 15-year-old minors may work until 9 p.m. with written permission of parent or guardian during period of time beginning on last day of 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 an offense. If a defendant acts knowingly, an offense under this section shall be a crime of the fourth degree. Otherwise it shall be a disorderly persons offense and the defendant shall, upon conviction for a violation, be punished by a fine of not less than \$100 nor more than \$2,000 for an initial violation and not less than \$200 nor more than \$4,000 for each subsequent violation. Each day during which any violation of this act continues shall constitute a separate and distinct offense, and the employment of any minor in violation of the act shall, with respect to each minor so employed, constitute a separate and distinct offense.

more than \$500 for a first violation, not more than \$1,000 for a second violation, and not more than \$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 shall consider factors which include the history of previous violations by the employer, the seriousness of the violation, the good faith of the employer, and the size of the employer's business. No administrative penalty shall 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 following the receipt of the notice. If a hearing is requested, the commissioner shall issue a final order upon such hearing and a finding that a violation has occurred. If no hearing is requested, the notice shall 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.).

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 not

## General Information

Minors under 18 years of age must receive a 30-minute meal period after 5 consecutive hours of work.

Minors under 16 years of age may not be employed during the hours they are required to attend school.

Minors who are gainfully employed must have "working papers." These are secured from the issuing officer of the school district where a minor resides. A minor must apply in person.

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.

An age certificate may be required by an employer of a minor who is between the ages of 18 and 21. This certificate is obtained from the issuing officer and protects the employer against the possibility of age misrepresentation.

## Prohibited Occupations

**Exemptions to some of these prohibitions apply to work done by pupils in public or private schools under supervision and instruction of officers or teachers, or to a minor who is at least 17 years of age employed in the type of work in which the minor majored under the conditions of the special vocational school graduate permit or to minors in junior achievement programs.** The Department of Education, however, does limit the prohibited occupations which minors in these programs may perform. Employers should check with the coordinator of each program to determine these prohibitions.

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

Power-driven machinery includes, but is not limited to the following:

Conveyors and related equipment,  
Power lawnmowers,  
Power woodworking and metal working tools.

Power-driven machinery shall not include:  
Cash register conveyor belt in a supermarket or retail establishment for minors at least 15 years of age working as cashiers or baggers.

Standard office type machines.  
Standard domestic type machines or appliances when used in domestic or business establishments.

Agricultural machines when used on farms such as standard type poultry feeders, egg washers, egg coolers, and milking machines.

An attended or unattended standard type passenger elevator.

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

The manufacture or packing of paints, colors, white lead, or red lead,  
The handling of dangerous or poisonous acids or dyes; injurious quantities of toxic or noxious dust, gases, vapors or fumes,  
Work involving exposure to benzol or any benzol compound which is volatile or which can penetrate the skin,  
The manufacture, transportation or use of 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 the filling of the gasoline tanks of gasoline motor-driven vehicles by use of a hose which is a part of the type of 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.**

Oiling, wiping, or cleaning machinery in motion or assisting therein.

Operation or helping in the operation of power-driven woodworking machinery, provided that apprentices operating under conditions of a bona fide apprenticeship may operate such machines under competent instruction and supervision.

Grinding, abrasive, polishing or buffing machines, provided that apprentices operating under conditions of a bona fide apprenticeship may grind their own tools.

Punch presses or stamping machines if the clearance between the ram and the die or the stripper exceeds one-fourth inch.

Cutting machines having a guillotine action.  
Corrugating, crimping or embossing machines.  
Paper lace machines.

Dough brakes or mixing machines in bakeries or cracker machinery.  
Calendar rollers or mixing rolls in rubber manufacturing.  
Centrifugal extractors or mangles in laundries or dry cleaning establishments.

Ore reduction works, smelters, hot rolling mills, furnaces, foundries, forging shops, or any other place in which the heating, melting or heat treatment of metals is carried on.

Mines or quarries.  
Steam boilers carrying a pressure in excess of fifteen pounds.

## Records Requirements

For all minors under the age of 18, except those engaged in domestic service in private homes, and in agricultural pursuits, and for those minors between 16 and 18 years of age employed during the months of June, July, August or September by a summer resident camp, conference or retreat operated by a nonprofit or religious corporation or association.

Name, address, date of birth, hours of beginning and ending daily work periods and meal periods, number of hours worked each day, and wages paid to each minor.

For **Newspaper Carriers:** Name, address, date of birth, date he or she commenced and ceased delivering newspapers, number of newspapers sold, and a general description of the area of the route served.

Construction work (exemptions include minors doing volunteer work in affordable housing).

Construction work shall mean the erection, alteration, repair, renovation, demolition or removal of any building or structure; the excavation, filling and grading of sites; the excavation, repair or paving of roads and highways; and any function performed within 30 feet of the above operations. Construction work shall not mean the repair or painting of fences, buildings and structures not exceeding twelve feet in height.

Fabrication or assembly of ships.  
Operation or repair of elevators or other hoisting apparatus.

Any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, or sold for consumption on the premises (except minors at least 16 years of age may be employed as pinsetters, lane attendants, or busboys 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 not in the preparation, sale or serving of alcoholic beverages, nor in the preparation of photographs, nor 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; and minors at least 14 years of age may be employed as golf caddies and pool attendants).

Pool and billiard rooms.  
The transportation of payloads other than within the premises of the employer.

Corn pickers, power hay balers, power field choppers, including work in or on same.  
A junk or scrap metal yard, which is defined as any place where old iron, metal, paper, cordage, and other refuse may be collected and deposited or both sold or may be treated so as to be again used in some form or discarded or where automobiles or machines are demolished for the purpose of salvaging of metal or parts.

Any place or condition operated or maintained for immoral purposes or a disorderly house.  
The fueling of aircraft, either commercial or private.  
Demolition of buildings, ships, or heavy machinery.  
Corrosive material.  
Compactors.  
Carcinogenic substances.

Circular saws, band saws, guillotine shears.  
Indecent or immoral exposure.  
Posing nude or without generally accepted attire.  
Work in video stores where X-rated movies are rented or sold.

Pesticides.  
Radioactive substances and ionizing radiation.  
Toxic or hazardous substances.

Most occupations in slaughtering, meat packing, processing, or rendering, including the operations of slicing machines used in delicatessens and restaurants for cutting or slicing any food product.  
The service of single-piece or multi-piece rimwheels.  
The service of beverages out of any bar service area, including, but not limited to, outside bars at pools or other recreational facilities.

**Prohibitions: Actors and Performers**  
Appearing as a rope or wire walker or rider, gymnast, wrestler, 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.

Oiling, wiping, or cleaning machinery in motion or assisting therein.

Operation or helping in the operation of power-driven woodworking machinery, provided that apprentices operating under conditions of a bona fide apprenticeship may operate such machines under competent instruction and supervision.

Grinding, abrasive, polishing or buffing machines, provided that apprentices operating under conditions of a bona fide apprenticeship may grind their own tools.

Punch presses or stamping machines if the clearance between the ram and the die or the stripper exceeds one-fourth inch.

Cutting machines having a guillotine action.  
Corrugating, crimping or embossing machines.  
Paper lace machines.

Dough brakes or mixing machines in bakeries or cracker machinery.  
Calendar rollers or mixing rolls in rubber manufacturing.  
Centrifugal extractors or mangles in laundries or dry cleaning establishments.

Ore reduction works, smelters, hot rolling mills, furnaces, foundries, forging shops, or any other place in which the heating, melting or heat treatment of metals is carried on.

Mines or quarries.  
Steam boilers carrying a pressure in excess of fifteen pounds.

Additional copies of this poster or any other required posters may be obtained by contacting the New Jersey Department of Labor and Workforce Development, Office of Constituent Relations, PO Box 110, Trenton, New Jersey 08625-0110; (609) 777-3200.

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.

If you need this document in braille or large print, call (609) 292-2305. TTY users can contact this department through New Jersey Relay: 7-1-1.

**Enforced by:**  
Division of Wage and Hour Compliance  
Department of Labor and Workforce Development  
PO Box 389  
Trenton, New Jersey 08625-0389



# New Jersey Law Prohibits Discrimination in Employment

**ON THE BASIS OF:** Race, Creed, Color, National Origin, Age, Ancestry, Nationality, Marital or Domestic Partnership or Civil Union Status, Sex, Gender Identity or Expression, Disability, Liability for Military Service, Affectional or Sexual Orientation, Atypical Cellular or Blood Trait, Genetic Information (including the refusal to submit to genetic testing)

**BY:** Private or State and Local Government Employers, Employment Agencies, or Labor Unions

**WITH RESPECT TO:** Hiring, Promotion, Transfer, Demotion, Termination, Salary, Benefits, Other Privileges, Conditions or Terms of Employment, Layoff, Harassment, Apprenticeship and Training Programs, Job Referrals, or Union Membership

**OR:** In Retaliation for Filing a Complaint, Participating or Testifying in Any Proceedings or for Opposing Any Acts Forbidden under the New Jersey Law Against Discrimination

**REMEDY MAY INCLUDE:** An Order Restraining Unlawful Discrimination, Back Pay, Damages for Pain and Humiliation Experienced as a Result of Unlawful Discrimination, Punitive Damages, and Attorney's Fees

*It is also unlawful to publish employment advertisements which discriminate against persons in violation of the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq.*

**Violations Should Be Reported To the Nearest Office  
of the NJ Division on Civil Rights or Call Toll Free at 866-405-3050**

**Atlantic City**  
26 S. Pennsylvania Avenue, 3<sup>rd</sup> Floor  
Atlantic City, NJ 08401  
(609) 441-3100 (Phone)  
(609) 441-7648 (TTY)

**Camden**  
One Port Center  
2 Riverside Drive, 4<sup>th</sup> Floor  
Camden, NJ 08103  
(856) 614-2550 (Phone)  
(856) 614-2574 (TTY)

**Jersey City**  
574 Newark Avenue, 3<sup>rd</sup> Floor  
Jersey City, NJ 07306  
(201) 798-5168 (Phone)

**Newark**  
31 Clinton Street, 3<sup>rd</sup> Floor  
Newark, NJ 07102  
(973) 648-2700 (Phone)  
(973) 648-4678 (TTY)

**Paterson**  
100 Hamilton Plaza, 8<sup>th</sup> Floor  
Paterson, NJ 07501  
(973) 977-4500 (Phone)  
(973) 977-1955 (TTY)

**Trenton**  
140 East Front Street, 6<sup>th</sup> Floor  
Trenton, NJ 08625  
(609) 292-4605 (Phone)  
(609) 292-1785 (TTY)

[www.NJCivilRights.org](http://www.NJCivilRights.org)

*The regulations of the New Jersey Division on Civil Rights require that all employers, employment agencies and labor organizations who are covered by the New Jersey Law Against Discrimination shall display this official poster in places easily visible to all employees and applicants. N.J.A.C. 13:8-1.2.*



Anne Milgram  
Attorney General



Jon S. Corzine  
Governor



# The New Jersey Family Leave Act

The New Jersey Family Leave Act (N.J.S.A. 34:11B-1, et seq.) requires that most employees who have worked at least 1,000 hours during the previous 12 months for an employer which employs 50 or more employees are eligible to receive an unpaid leave of absence for a period not to exceed 12 weeks in a 24 month period.

Leave under the NJ Family Leave Act may be taken in connection with the birth or adoption of a child, or for the care of a family member (child, parent, spouse or one partner in a civil union couple) with a serious health condition. Leave may not be taken under this act for the employee's own health condition.

Family leave granted under the Family Leave Act is in addition to, and separate from, any rights granted under the state "Temporary Disability Benefits Law." Employees may also be eligible for additional leave under the federal Family and Medical Leave Act.

Employees eligible to take leave under the NJ Family Leave Act must provide prior notice to the employer. The employer has the right to request that an employee provide a certification issued by a health care provider in order to ensure that the employee meets the eligibility requirements.

**Violations Should Be Reported To the Nearest Office  
of the NJ Division on Civil Rights or Call Toll Free at 866-405-3050**

#### **Atlantic City**

26 S. Pennsylvania Avenue, 3<sup>rd</sup> Floor  
Atlantic City, NJ 08401  
(609) 441-3100 (Phone)  
(609) 441-7648 (TTY)

#### **Camden**

One Port Center  
2 Riverside Drive, 4<sup>th</sup> Floor  
Camden, NJ 08103  
(856) 614-2550 (Phone)  
(856) 614-2574 (TTY)

#### **Jersey City**

574 Newark Avenue, 3<sup>rd</sup> Floor  
Jersey City, NJ 07306  
(201) 798-5168 (Phone)

#### **Newark**

31 Clinton Street, 3<sup>rd</sup> Floor  
Newark, NJ 07102  
(973) 648-2700 (Phone)  
(973) 648-4678 (TTY)

#### **Paterson**

100 Hamilton Plaza, 8<sup>th</sup> Floor  
Paterson, NJ 07501  
(973) 977-4500 (Phone)  
(973) 977-1955 (TTY)

#### **Trenton**

140 East Front Street, 6<sup>th</sup> Floor  
Trenton, NJ 08625  
(609) 292-4605 (Phone)  
(609) 292-1785 (TTY)

[www.NJCivilRights.org](http://www.NJCivilRights.org)



Anne Milgram  
Attorney General



Jon S. Corzine  
Governor

**CIVIL RIGHTS**

J. Frank Vespa-Papaleo  
Director

# NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

(To be posted in a conspicuous place)

## **This employer is subject to the Family Leave Insurance provisions of the New Jersey Temporary Disability Benefits Law.**

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Beginning July 1, 2009, New Jersey law will provide up to six (6) weeks of Family Leave Insurance benefits. Benefits are payable to covered employees from either the New Jersey State Plan or an approved employer-provided private plan to:

- **Bond with a child** during the first 12 months after the child's birth, if the covered individual or the domestic partner or civil union partner of the covered individual, is a biological parent of the child, or the first 12 months after the placement of the child for adoption with the covered individual.
- **Care for a family member with a serious health condition** supported by a certification provided by a health care provider. Claims may be filed for six consecutive weeks, for intermittent weeks or for 42 intermittent days during a 12 month period beginning with the first date of the claim.

Family member means a child, spouse, domestic partner, civil union partner or parent of a covered individual.

Child means a biological, adopted, or foster child, stepchild or legal ward of a covered individual, child of a domestic partner of the covered individual, or child of a civil union partner of the covered individual, who is less than 19 years of age or is 19 years of age or older but incapable of self-care because of mental or physical impairment.

### **New Jersey State Plan**

Employees covered under the New Jersey State Plan can obtain information pertaining to the program and an application for Family Leave Insurance benefits (Form FL-1), after June 1, 2009, by visiting the Department of Labor and Workforce Development's web site at [www.nj.gov/labor](http://www.nj.gov/labor), by telephoning the Division of Temporary Disability Insurance's Customer Service Section at (609) 292-7060, or by writing to the Division of Temporary Disability Insurance, PO Box 387, Trenton, NJ 08625-0387.

If an employee is receiving State Plan temporary disability benefits for pregnancy, after the child is born, the Division will mail the employee information on how to file a claim for Family Leave Insurance benefits to bond with the newborn child. If a claim is filed to have Family Leave Insurance benefits begin immediately after the employee recovers from her pregnancy-related disability, she will be paid at the same weekly benefit amount as she was paid for her pregnancy-related disability claim and no waiting period will be required.

### **Private Plan**

An employer can elect to provide workers with Family Leave Insurance benefits coverage under a private plan approved by the Division of Temporary Disability Insurance. The Division will not approve a private plan requiring employee contributions unless a majority of the employees, covered by the private plan, have agreed to private plan coverage by written election. Employers will provide information regarding the private plan and the proper forms to claim benefits to employees covered under the private plan.

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### **Financing of the Program**

This program is financed by employee contributions. Beginning January 1, 2009, employers are authorized to deduct the contributions from employee wages for all employees covered under the State Plan. These deductions must be noted on the employee's pay envelope, paycheck or on some other form of notice. The taxable wage base for Family Leave Insurance benefits is the same as the taxable wage base for Unemployment and Temporary Disability Insurance.

Employees covered under an approved private plan will not have contributions deducted from wages for Family Leave Insurance benefits coverage unless a majority of the workers consent to contribute to the approved private plan. If employees consent to contribute to the private plan, the contributions cannot exceed those paid by workers covered under the State Plan.

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

Additional copies of this poster or any other required posters may be obtained free of charge by contacting the New Jersey Department of Labor and Workforce Development, Office of Constituent Relations, PO Box 110, Trenton, New Jersey 08625-0110 - (609) 777-3200 or from our website: [www.nj.gov/labor](http://www.nj.gov/labor).

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

If you need this document in Braille or large print, call (609) 292-2680. TTY users can contact this department through New Jersey Relay: 7-1-1.



NEW JERSEY DEPARTMENT OF LABOR  
AND WORKFORCE DEVELOPMENT

# The New Jersey Department of Labor and Workforce Development

(To be posted in a conspicuous place)

## Your employer is subject to the New Jersey Unemployment Compensation and Temporary Disability Benefits Laws.

### Unemployment Insurance

Benefits are payable to workers who lose their jobs or who are working less than full time because of a lack of full-time work and who meet the eligibility requirements of the law.

If you become totally or partially unemployed, file a claim for unemployment insurance benefits as soon as possible. You may file your claim by telephoning a Reemployment Call Center, or if you meet certain requirements, via the Internet at [www.njuifile.net](http://www.njuifile.net). There are three Reemployment Call Centers that serve areas of the state based on residential ZIP codes. Before you call, please have available your Social Security number and the complete name and address of each employer that you worked for during the past 18 months.

Union City Call Center	(serves northeast NJ)	(201) 601-4100
Freehold Call Center	(serves northwest & central NJ)	(732) 761-2020
Cumberland Call Center	(serves southern NJ)	(856) 507-2340

### Disability Insurance

Benefits are payable to eligible workers for disabilities (including pregnancy) not compensable under the Workers' Compensation Law, from either an employer-provided private plan or the New Jersey State Plan.

#### Private Plan\*

An employer may provide disability insurance coverage under a Private Plan, but the consent of a majority of the workers is required, if the workers are to share in its cost. If you become disabled, request your employer to supply you with the proper form to be used in claiming benefits under the Private Plan.

#### New Jersey State Plan\*

If you are covered under the New Jersey State Plan and become disabled, obtain Form DS-1, "Claim for Disability Benefits," from your employer, any One-Stop Career Center, or by contacting the Division of Temporary Disability Insurance, PO Box 387, Trenton, New Jersey 08625-0387 (telephone 609-292-7060). Or you can obtain a form through our website at [www.nj.gov/labor](http://www.nj.gov/labor). Go to Benefits, Temporary Disability.

**Important:** Complete and mail all forms promptly. You may lose some or all of your benefits if you file your claim more than 30 days after the start of your disability.

\* If you no longer have a job with your last employer upon recovery from a period of disability, you should file for unemployment benefits. You may be entitled to an unemployment insurance claim based on wages earned before your disability began.

### Financing of Programs

These programs are financed by a payroll tax paid by employers and workers. Your employer is authorized to deduct the worker contributions (tax) from your wages. These deductions must be noted on your pay envelope, paycheck or on some other form of notice. The amount of taxable wages changes from year to year.

The deduction may be allocated at varying rates to the Unemployment Insurance Trust Fund, the Health Care Subsidy Fund, and the Workforce Development / Supplemental Workforce Funds. Workers covered by the State Plan for disability insurance contribute to the Temporary Disability Benefits Trust Fund. If an approved Private Plan is non-contributory, no contributions can be deducted from workers' wages for disability insurance.

Your employer also pays contributions which are based in part on their employment experience.

Enforced by:  
New Jersey  
Department of Labor and Workforce Development  
Unemployment & Disability Insurance  
PO Box 058  
Trenton, New Jersey 08625-0058



Additional copies of this poster or any other required posters may be obtained by contacting the New Jersey Department of Labor and Workforce Development, Office of Constituent Relations, PO Box 110, Trenton, New Jersey 08625-0110, (609) 777-3200.

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.

If you need this document in braille or large print, call (609) 292-7162. TTY users can contact this department through New Jersey Relay: 7-1-1.

# 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 whom 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 whom 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, disclosure is not required where 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 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.



# New Jersey Law Prohibits Discrimination

## in places of Public Accommodation

**ON THE BASIS OF:** Race, Creed, Color, National Origin, Ancestry, Nationality, Marital or Domestic Partnership or Civil Union Status, Sex, Gender Identity or Expression, Affectional or Sexual Orientation, or Disability

**BY:** A Proprietor, Manager, Owner, Superintendent, Lessee, Agent or Employee

**WITH RESPECT TO:** The Services, Facilities, Privileges, or Accommodations Provided by Public Accommodations (whether or not it has a building, headquarters, office or other place). Public Accommodations include, but are not limited to, schools, government buildings, courts, restaurants, taverns, libraries, hotels, gymnasiums, theaters and hospitals.

**REMEDY MAY INCLUDE:** An Order Restraining Unlawful Discrimination, Reimbursement for Financial Loss, Damages for Pain and Humiliation Experienced as a Result of Unlawful Discrimination, Punitive Damages, and Attorney's Fees

**Violations Should Be Reported To the Nearest Office  
of the NJ Division on Civil Rights or Call Toll Free at 866-405-3050**

**Atlantic City**

26 S. Pennsylvania Avenue, 3<sup>rd</sup> Floor  
Atlantic City, NJ 08401  
(609) 441-3100 (Phone)  
(609) 441-7648 (TTY)

**Camden**

One Port Center  
2 Riverside Drive, 4<sup>th</sup> Floor  
Camden, NJ 08103  
(856) 614-2550 (Phone)  
(856) 614-2574 (TTY)

**Jersey City**

574 Newark Avenue, 3<sup>rd</sup> Floor  
Jersey City, NJ 07306  
(201) 798-5168 (Phone)

**Newark**

31 Clinton Street, 3<sup>rd</sup> Floor  
Newark, NJ 07102  
(973) 648-2700 (Phone)  
(973) 648-4678 (TTY)

**Paterson**

100 Hamilton Plaza, 8<sup>th</sup> Floor  
Paterson, NJ 07501  
(973) 977-4500 (Phone)  
(973) 977-1955 (TTY)

**Trenton**

140 East Front Street, 6<sup>th</sup> Floor  
Trenton, NJ 08625  
(609) 292-4605 (Phone)  
(609) 292-1785 (TTY)

[www.NJCivilRights.org](http://www.NJCivilRights.org)

*The regulations of the New Jersey Division on Civil Rights require that all places of public accommodation who are covered by the New Jersey Law Against Discrimination shall display this official poster in places easily visible to all persons seeking or using the accommodations. N.J.A.C. 13:8-1.4.*



Anne Milgram  
Attorney General



Jon S. Corzine  
Governor



J. Frank Vespa-Papaleo  
Director

# NOTICE

The undersigned employer hereby gives notice that the payment of compensation to employees and their dependents has been secured in accordance with the provisions of the Employer's Liability Insurance Law, Title 34, Chapter 15, Article 5, Revised Statutes, New Jersey, by insuring with the

## NEW JERSEY MANUFACTURERS INSURANCE COMPANY

for the period

**BEGINNING**

11/26/2008

**ENDING**

11/26/2009

**EMPLOYER**

SOMERSET HOME FOR TEMPORARILY DISPLACED CHILDREN

*In accordance with the above cited law notice of compliance  
must be posted and maintained conspicuously in and about the employer's workplaces.*