

[First Reprint]

**ASSEMBLY, No. 4151**

**STATE OF NEW JERSEY**  
**221st LEGISLATURE**

INTRODUCED APRIL 4, 2024

**Sponsored by:**

**Assemblyman JOE DANIELSEN**

**District 17 (Middlesex and Somerset)**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Assemblywoman TENNILLE R. MCCOY**

**District 14 (Mercer and Middlesex)**

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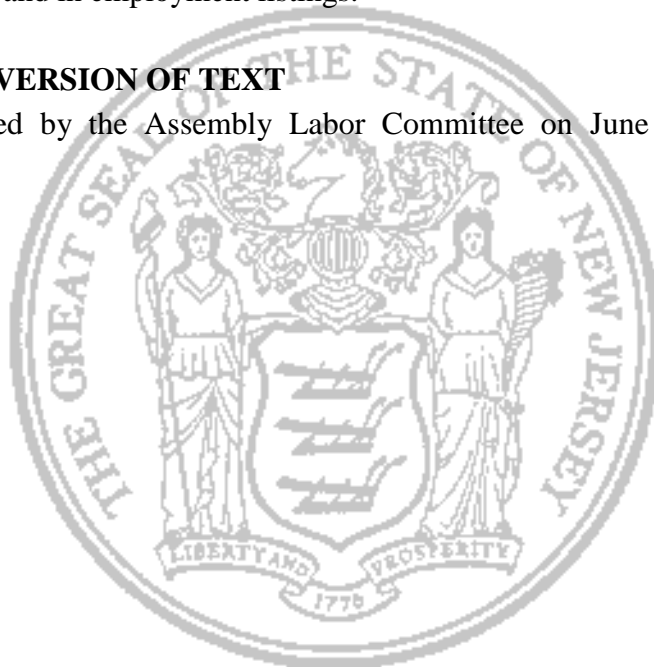
**Assemblywoman Carter, Assemblymen Sampson, Wimberly, Miller,  
Assemblywomen Katz and Speight**

**SYNOPSIS**

Requires transparency concerning compensation with promotional opportunities and in employment listings.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Labor Committee on June 6, 2024, with amendments.



**(Sponsorship Updated As Of: 9/26/2024)**

1 AN ACT concerning transparency in employment listings and  
2 supplementing Title 34 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. a. An employer shall make reasonable efforts to announce,  
8 post, or otherwise make known opportunities for promotion that are  
9 advertised internally within the employer or externally on internet-  
10 based advertisements, postings, printed flyers, or other similar  
11 advertisements to all current employees in the affected department  
12 or departments of the employer's business prior to making a  
13 promotion decision. Any promotion for a current employee that is  
14 awarded on the basis of years of experience or performance shall  
15 not be subject to the notification requirements established in this  
16 subsection. <sup>1</sup>**[**Each failure to announce, post, or otherwise make  
17 known one opportunity for promotion as defined in this section  
18 shall constitute a separate violation of this subsection.**]**<sup>1</sup> Nothing in  
19 this subsection shall be construed to prohibit an employer from  
20 making a promotion on an emergent basis due to an unforeseen  
21 event.

22 b. An employer shall disclose in each posting for  
23 <sup>1</sup>**[**promotions,**]**<sup>1</sup> new jobs<sup>1</sup>**[,**<sup>1</sup> and transfer opportunities that are  
24 advertised by the employer either externally or internally the hourly  
25 wage or salary, or a range of the hourly wage or salary, and a  
26 <sup>1</sup>**[**listing] general description<sup>1</sup> of benefits and other compensation  
27 programs for which the employee would be eligible <sup>1</sup>**[**within the  
28 employee's first 12 months of employment**]**<sup>1</sup>. <sup>1</sup>**[**Each failure to  
29 include the information required in this subsection in a particular  
30 job posting shall constitute a separate violation of this subsection.**]**<sup>1</sup>  
31 Nothing in this subsection shall be construed to prohibit an  
32 employer from increasing the wages, benefits, and compensation  
33 identified in the job <sup>1</sup>opening<sup>1</sup> posting at the time of making an  
34 offer for employment to an applicant.

35 c. <sup>1</sup>**(1)**<sup>1</sup> Any employer who violates this act shall be subject to a  
36 civil penalty in an amount not to exceed <sup>1</sup>**[\$1,000]** \$300<sup>1</sup> for the  
37 first violation, <sup>1</sup>**[\$5,000 for the second violation]**<sup>1</sup> and <sup>1</sup>**[\$10,000]**  
38 \$600<sup>1</sup> for each subsequent violation, collectible by the  
39 Commissioner of Labor and Workforce Development in a summary  
40 proceeding pursuant to the "Penalty Enforcement Law of 1999,"  
41 P.L.1999, c.274 (C.2A:58-10 et seq.).

42 <sup>1</sup>**(2)** An employer's failure to comply with subsection a. of this  
43 section for one promotional opportunity shall be considered one

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly ALA committee amendments adopted June 6, 2024.

1 violation for all listings of a particular promotion, even if that  
2 promotion is listed on multiple forums.

3 (3) An employer's failure to comply with subsection b. of this  
4 section for all postings for a particular job opening or transfer  
5 opportunity shall be considered one violation regardless of the  
6 number of postings that list, or forums that advertise, that job  
7 opening or transfer opportunity, as appropriate.<sup>1</sup>

8 d. (1) Temporary help service firms and consulting firms  
9 registered with the Division of Consumer Affairs in the Department  
10 of Law and Public Safety shall not be required to provide, on job  
11 postings that are posted for the purpose of identifying qualified  
12 applicants for potential future job openings and not for existing job  
13 openings:

14 (a) the hourly wage or salary, or range of hourly wage or salary;  
15 or

16 (b) a <sup>1</sup>**["listing]** general description<sup>1</sup> of benefits and other  
17 compensation programs for which the employee would be eligible  
18 <sup>1</sup>**["within the employee's first 12 months of employment"]**<sup>1</sup>.

19 (2) Temporary help service firms or consulting firms shall be  
20 required to provide the pay and benefit information listed in  
21 paragraph (1) of this subsection to an applicant for temporary  
22 employment at the time of interview or hire for a specific job  
23 opening.

24 e. As used in this act:

25 "Employer" means any person, company, corporation, firm,  
26 labor organization, or association which has 10 or more employees  
27 over 20 calendar weeks and does business, employs persons, or  
28 takes applications for employment within this State, including the  
29 State, any county or municipality, or any instrumentality thereof.  
30 The term shall include job placement and referral agencies and  
31 other employment agencies.

32 "Promotion" means a change in job title and an increase in  
33 compensation.

34

35 2. This act shall take effect on the first day of the seventh  
36 month next following the date of enactment.