

ASSEMBLY, No. 4683

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED SEPTEMBER 12, 2024

Sponsored by:

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



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 or
12 departments of the employer's business prior to making a promotion
13 decision. Any promotion for a current employee that is awarded on
14 the basis of years of experience or performance shall not be subject to
15 the notification requirements established in this subsection. Nothing in
16 this subsection shall be construed to prohibit an employer from making
17 a promotion on an emergent basis due to an unforeseen event.

18 b. An employer shall disclose in each posting for new jobs and
19 transfer opportunities that are advertised by the employer either
20 externally or internally the hourly wage or salary, or a range of the
21 hourly wage or salary, and:

22 (1) any supplemental compensation for which the position is
23 eligible;

24 (2) a description of the benefits provided for the position,
25 including, but not limited to, paid and unpaid leave, health care plans,
26 and dental plans; and

27 (3) any retirement plans offered through the employer.

28 Nothing in this subsection shall be construed to prohibit an
29 employer from increasing the wages, benefits, and compensation
30 identified in the job opening posting at the time of making an offer for
31 employment to an applicant.

32 c. (1) Any employer who violates this act shall be subject to a civil
33 penalty in an amount not to exceed \$300 for the first violation, and
34 \$600 for each subsequent violation, collectible by the Commissioner
35 of Labor and Workforce Development in a summary proceeding
36 pursuant to the "Penalty Enforcement Law of 1999,"
37 P.L.1999, c.274 (C.2A:58-10 et seq.).

38 (2) An employer's failure to comply with subsection a. of this
39 section for one promotional opportunity shall be considered one
40 violation for all listings of a particular promotion, even if that
41 promotion is listed on multiple forums.

42 (3) An employer's failure to comply with subsection b. of this
43 section for all postings for a particular job opening or transfer
44 opportunity shall be considered one violation regardless of the number
45 of postings that list, or forums that advertise, that job opening or
46 transfer opportunity, as appropriate.

47 d. (1) Temporary help service firms and consulting firms
48 registered with the Division of Consumer Affairs in the Department of

1 Law and Public Safety shall not be required to provide, on job postings
2 that are posted for the purpose of identifying qualified applicants for
3 potential future job openings and not for existing job openings:

4 (a) the hourly wage or salary, or range of hourly wage or salary; or
5 (b) a general description of benefits and other compensation
6 programs for which the employee would be eligible.

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

11 e. As used in this act:

12 "Employer" means any person, company, corporation, firm, labor
13 organization, or association which has 10 or more employees over 20
14 calendar weeks and does business, employs persons, or takes
15 applications for employment within this State, including the State, any
16 county or municipality, or any instrumentality thereof. The term shall
17 include job placement and referral agencies and other employment
18 agencies.

19 "Promotion" means a change in job title and an increase in
20 compensation.

21

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

24

25

26

STATEMENT

27

28 This bill requires employers to make reasonable efforts to
29 announce, post, or otherwise make known opportunities for
30 promotion that are advertised internally within the employer or
31 externally on internet-based advertisements, postings, printed
32 flyers, or other similar advertisements to all current employees in
33 the affected department or departments of the employer's business
34 prior to making a promotion decision.

35 The bill requires employers to disclose in each posting for new
36 jobs and transfer opportunities that are advertised by the employer
37 either externally or internally the hourly wage or salary, or a range
38 of the hourly wage or salary, and (1) any supplemental
39 compensation for which the position is eligible; (2) a description of
40 the benefits provided for the position, including, but not limited to,
41 paid and unpaid leave, health care plans, and dental plans; and (3)
42 any retirement plans offered through the employer.

43 An employer's failure to comply with the bill's provisions in
44 connection with a particular promotional opportunity will be
45 considered one violation for all listings of that promotion, even if
46 that promotion is listed on multiple forums.

47 An employer's failure to comply with the bill's provisions in
48 connection with a particular job opening or transfer opportunity will

A4683 QUIJANO

4

1 be considered one violation regardless of the number of postings
2 that list, or forums that advertise, that job opening or transfer
3 opportunity, as appropriate.

4 The Commissioner of Labor and Workforce Development may
5 enforce the provisions of the bill in a summary proceeding, and an
6 employer who violates the bill will be subject to a civil penalty in
7 an amount not to exceed \$300 for the first violation, and \$600 for
8 each subsequent violation.