

## CHAPTER 130

**AN ACT** concerning requirements to report separations from employment under employee leasing agreements and amending P.L.2011, c.118.

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

1. Section 6 of P.L.2011, c.118 (C.34:8-68.1) is amended to read as follows:

C.34:8-68.1 Responsibilities of client company.

6. a. Except to the extent otherwise expressly provided by an applicable employee leasing agreement, a client company shall be solely responsible for the quality, adequacy, or safety of the goods or services produced or sold in the client company's business; for directing, supervising, training, and controlling the work of the covered employees with respect to the business activities of the client company; for the acts, errors, or omissions of covered employees with regard to those activities; and for accurately reporting wages to the employee leasing company.

b. Except to the extent otherwise expressly provided by an applicable employee leasing agreement, a client company shall not be liable for the acts, errors, or omissions of an employee leasing company, or of any covered employee when the covered employee is acting under the express direction and control of the employee leasing company, and an employee leasing company shall not be liable for the acts, errors, or omissions of a client company or of any covered employee when the covered employee is acting under the express direction and control of the client company.

c. Except to the extent otherwise expressly provided by an applicable employee leasing agreement or other employment contract, insurance contract, or bond, a covered employee shall not be considered, solely as the result of being a covered employee, an employee of the employee leasing company for purposes of general liability insurance, fidelity bonds, surety bonds, employer's liability which is not covered by workers' compensation, or other liability insurance carried by the employee leasing company.

d. Notwithstanding any provisions of R.S.43:21-6 and R.S.43:21-16 to the contrary, a client company shall be solely responsible for complying with the reporting requirements concerning a separation from employment imposed on employers pursuant to subsection (a) of R.S. 43:21-6, and shall be solely liable for any penalty for failure to provide information concerning a separation from employment imposed pursuant to subsection (b) of R.S. 43:21-16.

2. This act shall take effect immediately.

Approved August 21, 2025.