

CHAPTER 272

AN ACT concerning paid first responders and post-traumatic stress disorder and supplementing Title 34 of the Revised Statutes and amending P.L.2025, c.134.

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

C.34:11E-1 Short title.

1. This act shall be known as the "New Jersey First Responders Post-Traumatic Stress Disorder Protection Act."

C.34:11E-2 Definitions.

2. As used in P.L.2025, c.272 (C.34:11E-1 et al.):

"Employee" means a first responder holding a position of paid employment with an employer.

"Employer" means a public entity that employs paid first responders.

"First responder" means a law enforcement officer; paid firefighter; paid member of a duly incorporated first aid, emergency, ambulance, or rescue squad association; paid emergency medical technician; paid paramedic; or paid 9-1-1 first responder dispatcher.

"Law enforcement officer" means a person employed as a permanent full-time member of any federal, State, county, or municipal law enforcement agency, department, or division of those governments who is statutorily empowered to act for the detection, investigation, arrest, conviction, detention, or rehabilitation of persons violating the criminal laws of this State or of the United States and statutorily required to successfully complete a training course approved by the Police Training Commission pursuant to P.L.1961, c.56 (C.52:17B-66 et seq.), or certified by the commission as being substantially equivalent to an approved course.

"Mental health professional" means a person who maintains a clinical practice and has been approved by an employer and employee and is a professional licensed by the Alcohol and Drug Counselor Committee, the State Board of Creative Arts and Activities Therapies, the State Board of Marriage and Family Therapy Examiners, the State Board of Medical Examiners, the Professional Counselor Examiners Committee, the Certified Psychoanalysts Advisory Committee, the State Board of Psychological Examiners, the State Board of Social Work Examiners, the New Jersey Board of Nursing, or any other entity created hereafter under Title 45 to license or otherwise regulate a mental health profession.

"Public entity" means the State, any county, municipality, district, public authority, public agency, and any other political subdivision or public body in the State.

C.34:11E-3 Protections against discrimination, retaliation related to leave, qualifying diagnosis of post-traumatic stress disorder.

3. a. An employer shall not discharge, harass, or otherwise discriminate or retaliate or threaten to discharge, harass, or otherwise discriminate or retaliate against an employee with respect to the compensation, terms, conditions, duties, or privileges of employment on the basis that the employee took or requested any leave related to a qualifying diagnosis of post-traumatic stress disorder. Following a period of leave related to a qualifying diagnosis of post-traumatic stress disorder, an employer shall reinstate an employee whose fitness to return to work has been documented by a mental health professional to the position and duties held by the employee prior to the leave.

b. A diagnosis of post-traumatic stress disorder is qualified under subsection a. of this section if:

(1) the diagnosis is memorialized in an order of a judge of the Division of Workers' Compensation concerning the employer and employee and the traumatic injury or exposure which makes up the basis for the claim, upon motion or after a plenary trial or by stipulation of the employer and employee; or

(2) the diagnosis is the result of an examination of the employee by a mental health professional who reports the diagnosis of post-traumatic stress disorder and determines that it arose:

(a) as a result of the employee experiencing or witnessing a traumatic event during and within the scope of the performance of regular or assigned duties of the employee; or

(b) due to vicarious trauma experienced by the employee as a result of the performance of regular or assigned duties of the employee.

C.34:11E-4 Division of Workers' Compensation action, relief, upon violation of protections, post-traumatic stress disorder.

4. a. An employee or former employee may institute an action in the Division of Workers' Compensation for relief upon a violation of any of the provisions of section 3 of P.L.2025, c.272 (C.34:11E-3). All remedies available in section 1 of P.L.2008, c.93 (C.34:15-28.2) shall be available to a prevailing plaintiff and may be ordered by a judge of compensation upon a violation of any of the provisions of section 3 of P.L.2025, c.272 (C.34:11E-3). The court may also order any or all of the following relief:

(1) an assessment of a civil fine of \$5,000 for the first violation of any of the provisions of section 3 of P.L.2025, c.272 (C.34:11E-3) and \$10,000 for each subsequent violation;

(2) an injunction to restrain the continued violation of any of the provisions of section 3 of P.L.2025, c.272 (C.34:11E-3);

(3) reinstatement of the employee to the same position or to a position equivalent to that which the employee held prior to unlawful discharge or retaliatory action;

(4) reinstatement of full fringe benefits and seniority rights;

(5) compensation for any lost wages, benefits, and other remuneration; or

(6) payment of reasonable costs and attorney's fees.

b. An action brought under this section shall commence within one year of the date of the alleged violation.

c. A private cause of action provided for in this section shall be the sole remedy for a violation of P.L.2025, c.272 (C.34:11E-1 et al.) and shall be limited to the remedies provided in section 1 of P.L.1966, c.157 (C.34:15-39.1).

5. Section 1 of P.L.2025, c.134 (C.34:15-31.15) is amended to read as follows:

C.34:15-31.15 Definitions.

1. As used in P.L.2025, c.134 (C.34:15-31.15 et seq.):

“Critical incident” means an event involving the firing of a weapon or an exchange of gun fire; serious bodily injury to or the death of a minor; a terrorist act; a hostage situation; serious bodily injury to or the death of another first responder employed in the same agency or unit, when that serious bodily injury or death occurred in the performance of that first responder’s official duties; a personal injury or wound; serious bodily injury received in the performance of the first responder’s official duties; the visual or audible witnessing of the death or maiming, or the visual or audible witnessing of the immediate aftermath of the death or maiming, of one or more persons; the response to or direct involvement in a criminal investigation of an offense involving violent crimes against minors; the need for rescue in the line of duty where one’s

life was in danger; or the response to or direct involvement in an investigation regarding the drowning or near drowning of a minor.

“First responder” means a paid 9-1-1 first responder dispatcher, law enforcement officer, paid firefighter, or paid member of a duly incorporated first aid, emergency, ambulance, or rescue squad association or any other individual who, in the course of that individual's employment, is dispatched to the scene of an emergency situation for the purpose of providing medical care or other assistance.

“Law enforcement officer” means a person who is employed as a sworn member of any State, county, or municipal law enforcement agency, department, division, or instrumentality of those governments who is statutorily empowered to act for the detection, investigation, arrest, conviction, detention, or rehabilitation of persons violating the criminal laws of the State.

“Mental health professional” means a person who maintains a clinical practice and has been approved by an employer and employee and is a professional licensed by the Alcohol and Drug Counselor Committee, the State Board of Creative Arts and Activities Therapies, the State Board of Marriage and Family Therapy Examiners, the State Board of Medical Examiners, the Professional Counselor Examiners Committee, the Certified Psychoanalysts Advisory Committee, the State Board of Psychological Examiners, the State Board of Social Work Examiners, the New Jersey Board of Nursing, or any other entity created hereafter under Title 45 to license or otherwise regulate a mental health profession.

“Minor” means a person under the age of 18 years.

"Paid firefighter" or "firefighter" means a full-time paid firefighter employed by a public fire department.

“Peer support team” means law enforcement officers trained by culturally competent mental health professionals to provide emotional and practical assistance to first responders.

"Public fire department" or "department" means any department of a municipality, county, fire district, or the State or any agency thereof having employees engaged in firefighting provided that such firefighting employees are included in a negotiating unit exclusively comprised of firefighting employees.

“Resiliency program officer” means a designated law enforcement officer who is responsible for the training and implementation of the New Jersey Resiliency Program for Law Enforcement (NJRP-LE) within the officer’s employing agency, pursuant to Attorney General Directive No. 2019-1.

6. This act shall take effect immediately.

Approved January 14, 2026.