

**SENATE, No. 3629**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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INTRODUCED SEPTEMBER 19, 2024

**Sponsored by:**

**Senator JOSEPH P. CRYAN**

**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.

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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, post,  
8 or otherwise make known opportunities for promotion that are  
9 advertised internally within the employer or externally on internet-based  
10 advertisements, postings, printed flyers, or other similar advertisements  
11 to all current employees in the affected department or departments of  
12 the employer's business prior to making a promotion decision. Any  
13 promotion for a current employee that is awarded on the basis of years  
14 of experience or performance shall not be subject to the notification  
15 requirements established in this subsection. Nothing in this subsection  
16 shall be construed to prohibit an employer from making a promotion on  
17 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, including,  
25 but not limited to, paid and unpaid leave, health care plans, and dental  
26 plans; and

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

28 Nothing in this subsection shall be construed to prohibit an employer  
29 from increasing the wages, benefits, and compensation identified in the  
30 job opening posting at the time of making an offer for employment to  
31 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 \$600  
34 for each subsequent violation, collectible by the Commissioner of Labor  
35 and Workforce Development in a summary proceeding pursuant to the  
36 "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et  
37 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 promotion  
41 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 transfer  
46 opportunity, as appropriate.

47 d. (1) Temporary help service firms and consulting firms registered  
48 with the Division of Consumer Affairs in the Department of Law and  
49 Public Safety shall not be required to provide, on job postings that are

1 posted for the purpose of identifying qualified applicants for potential  
2 future job openings and not for existing job openings:

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

4 (b) a general description of benefits and other compensation  
5 programs for which the employee would be eligible.

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

10 e. As used in this act:

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

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

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

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25 STATEMENT

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

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

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

46 An employer's failure to comply with the bill's provisions in  
47 connection with a particular job opening or transfer opportunity will  
48 be considered one violation regardless of the number of postings that

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1 list, or forums that advertise, that job opening or transfer opportunity,  
2 as appropriate.

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