

ASSEMBLY, No. 2238

STATE OF NEW JERSEY

222nd LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2026 SESSION

Sponsored by:

Assemblywoman SHANIQUE SPEIGHT

District 29 (Essex and Hudson)

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

SYNOPSIS

Provides certain employment protections for certified doulas.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 5/7/2026)

1 AN ACT concerning certain employment protections for certified
2 doulas and 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:

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7 1. a. An employer shall not discharge, harass, or otherwise
8 discriminate or retaliate or threaten to discharge, harass, or
9 otherwise discriminate or retaliate against an employee with respect
10 to the hiring, compensation, terms, conditions, or privileges of
11 employment on the basis that the employee fails to report for work
12 as a result of the employee's duty as a certified doula to attend a
13 birth for a client who is in active labor provided the employee
14 provides the employer with advance notice at least one hour before
15 the need to attend a birth in the employee's capacity as a certified
16 doula. If advance notice is not feasible, the employee shall provide
17 notice as soon as practicable.

18 b. No employer shall be required to pay any employee for any
19 work time that the employee misses while serving as a certified
20 doula pursuant to subsection a.; provided, however, a certified
21 doula may charge the absence as a vacation day or a sick day, if the
22 certified doula has such days available.

23 c. Upon a violation of subsection a. of this section, an
24 employee or former employee may institute a civil action in the
25 Superior Court for relief. All remedies available in common law
26 tort actions shall be available to a prevailing plaintiff. The court
27 may also order any or all of the following relief:

28 (1) an assessment of a civil fine of not less than \$1,000 and not
29 more than \$2,000 for the first violation of any of the provisions of
30 this section and not more than \$5,000 for each subsequent violation;

31 (2) an injunction to restrain the continued violation of any of the
32 provisions of this section;

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

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

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

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

40 d. As used in this section, "certified doula" means a trained
41 professional who provides continuous physical, emotional, and
42 informational support to a pregnant woman before, during, and
43 shortly after childbirth and who has received and maintains
44 certification to perform doula services from a doula training
45 program approved by the New Jersey Department of Human
46 Services.

47

48 2. This act shall take effect immediately.

STATEMENT

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3 This bill provides certain employment protections for an
4 employee who fails to report for work because of the employee's
5 duty as a certified doula to attend a birth for a client who is in
6 active labor.

7 Under the bill, an employer would be prohibited from
8 discharging, harassing, or otherwise discriminating or retaliating or
9 threatening the same against an employee with respect to the hiring,
10 compensation, terms, conditions, or privileges of employment on
11 the basis that the employee fails to report for work as a result of the
12 employee's duty as a certified doula to attend a birth for a client
13 who is in active labor. This protection is available, however, only if
14 the
15 employee provides the employer with advance notice at least one
16 hour before the need to attend a birth in the employee's capacity as
17 a certified doula. If advance notice is not feasible, the employee
18 will provide notice as soon as practicable.

19 The provisions of the bill do not require an employer to pay an
20 employee who misses work because that employee is rendering
21 certified doula services. However, the bill permits an employee to
22 charge the absence as a vacation or a sick day and in that way be
23 paid for the day.

24 The bill provides that if an employer violates its provisions, an
25 employee or former employee would be authorized to institute a
26 civil action in the Superior Court for relief. All remedies available
27 in common law tort actions would be available to a prevailing
28 plaintiff. Additionally, the bill provides that a court would be
29 authorized to order any or all of the following relief:

30 (1) an assessment of a civil fine of not less than \$1,000 and not
31 more than \$2,000 for the first violation of any of the provisions of
32 this section and not more than \$5,000 for each subsequent violation;

33 (2) an injunction to restrain the continued violation of any of the
34 provisions of this section;

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

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

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

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

42 The bill defines a "certified doula" as a trained professional who
43 provides continuous physical, emotional, and informational support
44 to a pregnant woman before, during, and shortly after childbirth and
45 who has received and maintains certification to perform doula
46 services from a doula training program approved by the New Jersey
47 Department of Human Services.