

KNOW YOUR RIGHTS IN THE WORKPLACE

**NEW JERSEY & FEDERAL
PRINTABLE LABOR LAWS**

NEW JERSEY PRINTABLE LABOR LAW GUIDE

Thank you for choosing LaborLawCenter™ to meet compliance regulations for you and your remote workers!

- This guide covers:**
- Remote Worker Use
 - Printing the Labor Law Posters
 - Sending Customized Acknowledgment Agreements

How to Use

The mandated state and federal labor law posters that all employees must be informed of are located in this document. State poster names are in red and federal poster names are in blue.

Your remote workers can reference these laws anytime by saving the file to their desktop or printing the individual posters.

How to Print the Individual Notices

Located at the bottom, right-hand corner on each poster is the print icon. The required print size from the regulating agency is listed next to the icon. Click on the icon to open the 'Print' window and proceed.

Look For This Button

PRINT

Official Print Size - 8.5" x 11"
Compliance Ready - Do Not Scale

NOTE: Each notice is formatted according to state or federal regulations, such as font size, posting size, color and layout. To be in compliance when printing the posters, do not scale.

How to Customize and Send the Acknowledgment Agreement

The last page of this document includes a 'Signature Acknowledgment'. A signed acknowledgement agreement is important to keep in employee records to show that each remote worker has been informed of their rights in case of labor disputes or lawsuits.

Before sending to your remote worker, you must complete the "Comments" field with:

- The reply-to email address or addresses that the remote worker should send the signed acknowledgement to
- Additional information your business requires, such as the Employee Identification Number or where to post instructions

Note: Please ensure the document is opened in Adobe Acrobat, not your web browser, in order to complete the Acknowledgement Agreement

Each remote worker must complete the "Employee Name" and "Date Received" fields before sending back.

Fill In Comments

ACKNOWLEDGEMENT

I certify that I have received and read the contents of the Labor Laws.

Employee Name: _____

Date Received: _____

Signature of Recipient: _____

Comments:

SUBMIT ACKNOWLEDGEMENT

NOTE: Signed acknowledgments should be stored securely by the administrator. That agreement is the only electronic acknowledgment copy for your records. LaborLawCenter™ does not store or keep on file your records.

CHILD LABOR LAWS

New Jersey Department of Labor and Workforce Development
 This notice is to be posted in a conspicuous place. This notice is for ready reference only. For full text, consult N.J.S.A. 34:2-21.1 et seq. and N.J.A.C. 12:58 et seq.

NEW JERSEY CHILD LABOR LAW ABSTRACT

34:2-21.1 to 34:2-21.64 N.J.S.A. and Rules and Regulations

KIND OF EMPLOYMENT	MINIMUM AGE	HOURS OF WORK NOT TO EXCEED ⁽⁴⁾⁽³⁾	PROHIBITED HOURS	CERTIFICATE OR PERMIT REQUIRED ⁽²⁾
Theatrical: Professional employment in a theatrical production, including stage, motion pictures, and television performances and rehearsals.	None: Minors under 16 must be accompanied at all times by an adult who is a parent, guardian, or representative of employer.	Under 16: Not more than 2 shows or productions ⁴ daily or 8 weekly, 5 hours daily, 24 hours weekly, 6 days a week. (Includes rehearsal time. Combined hours of school and work not to exceed 8 hours daily.) ⁽⁵⁾ 16 & 17 years old: 8 hours daily ⁽⁵⁾⁽⁶⁾ 40 hours weekly 6 days a week	Under 16 Before 7 a.m. After 11:30 p.m. ⁽⁶⁾ 16 & 17 years old Before 6 a.m. After 11:30 p.m. ⁽⁶⁾	Under 16 Special Theatrical Permit 16 & 17 years old Employment Certificate
Agriculture: No restriction on work performed outside school hours in connection with minor's own home and directly for the minor's parent or legal guardian.	12 years old Outside school hours 16 years old During school hours	10 hours daily 6 days a week 10 hours daily 6 days a week	None	12 thru 15 years old only Special Agricultural Permit
Newspaper Carriers: Minors who deliver, solicit, sell and collect for newspapers outside of school hours on residential routes.	11 years old	Combined hours of school and work not to exceed 8 hours daily, 40 hours weekly, 7 days.	11 thru 13 years old Before 6 a.m. After 7 p.m. 14 thru 17 years old Before 5:30 a.m. After 8 p.m.	11 thru 17 years old. N.J. publishers may issue Special Newspaper Carrier Permit or local issuing officer may issue: Special Permit (11 thru 15 years old) or Employment Certificate (16 & 17 years old).
Street Trades: Minors who sell, offer for sale, solicit for, collect for, display, or distribute any articles, goods, merchandise, commercial service, posters, circulars, newspapers or magazines or in blacking shoes on any street or other public place or from house to house.	14 years old Outside school hours 16 years old During school hours	3 hours per day, 18 hours per week when school is in session. During school vacation, 8 hours per day, 40 hours per week, 6 days per week.	14 & 15 years old Before 7 a.m. After 7 p.m. 16 & 17 years old Before 6 a.m. After 11 p.m.	Special Street Trades Permit or Employment Certificate
General Employment: Includes mercantile establishments, golf caddying, private bowling alleys, offices, gas stations, garages, and other places or means of gainful occupations unless otherwise specified.	14 years old 16 years old	3 hours per day, 18 hours per week when school is in session. During school vacation, 8 hours per day, 40 hours per week, 6 days per week. 8 hours per day, 40 hours per week, 6 days per week.	14 & 15 years old Before 7 a.m. After 7 p.m. ⁷ 16 & 17 years old Before 6 a.m. After 11 p.m. Exception: 1. School vacation season. 2. Days not preceding a school day with special written permission of parent or guardian.)	Employment Certificate Employment Certificate

Restaurant & Seasonal: Same as for General Employment except that minors at least 16 years of age may be employed **after midnight** during regular school vacation season providing work began before 11 p.m. of the previous day, or on work days which do not begin on a school day, with special written permission from parent or guardian. May not be employed after 3 a.m. or before 6 a.m. of a day before a school day.

Public Bowling Alleys: Same as for General Employment except that minors who are at least 16 years of age may be employed as pinsetters, lane attendants, or busboys until 11:30 p.m. but if it is during the school term the minor must have a special permit.

Domestic Services in Private Homes: No restriction on work performed outside school hours in connection with minor's own home and directly for the minor's parent or legal guardian.	14 years old Outside school hours. 16 years old During school hours	No Restrictions (Except minors under 16 limited to 3 hours per day, 18 hours per week, when school is in session)	None	Employment Certificate
Messengers for Communications Companies Under Supervision and Control of F.C.C.	14 years old outside school hours; 16 years old during school hours	No Restrictions	None	Employment Certificate
Factory	16 years old	8 hours daily 40 hours weekly 6 days a week	Before 6 a.m. After 10 p.m. during school vacation season. After 11 p.m. when school is in session.	Employment Certificate

1 A minor who is at least 17 years of age and a graduate of a vocational school approved by the Commissioner of Education may engage in those pursuits in which the minor majored in said vocational school during those hours permitted for persons 18 years of age and over, provided an employment certificate is issued and accompanied by the minor's diploma or a certified copy thereof.

2 No certificate or permit required for minors at least 14 years of age employed when schools in the minor's district are not in session at agricultural fairs, horse, dog, or farm shows the duration of which do not exceed 10 days. No certificate required for minors 15 and older during school vacation for first 14 days of employment in food service, restaurant, retail operations, or seasonal amusement occupations.

3 Does not apply to employment of a minor 16 or 17 years of age during the months of June, July, August, or September by a summer resident camp, conference or retreat operated by a nonprofit or religious corporation or association, unless the employment is primarily general

maintenance work or food service activities.

4 Where the professional employment is reasonably separable into discrete shows or productions.

5 In Theatrical employment the combined time spent on a set or on call and performance time shall not exceed a total of eight hours in any one day.

6 In certain cases of Theatrical employment the commissioner has the authority to amend the hours of the day during which a minor may work but not the total hours.

7 In General Employment 14- and 15-year-old minors may work until 9 p.m. with written permission of parent or guardian during period of time beginning on last day of minor's school year and ending on Labor Day.

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CHILD LABOR LAWS (Continued)

Punishment for Violations of Child Labor Law

Whoever employs or permits or suffers any minor to be employed or to work in violation of this act, or of any order or ruling issued under the provisions of this act, or obstructs the Department of Labor and Workforce Development, its officers or agents, or any other person authorized to inspect places of employment under this act, and whoever, having under his control or custody any minor, permits or suffers him to be employed or to work in violation of this act, shall be guilty of an offense. If a defendant acts knowingly, an offense under this section shall be a crime of the fourth degree. Otherwise it shall be a disorderly persons offense and the defendant shall, upon conviction for a violation, be punished by a fine of not less than \$100 nor more than \$2,000 for an initial violation and not less than \$200 nor more than \$4,000 for each subsequent violation. Each day during which any violation of this act continues shall constitute a separate and distinct offense, and the employment of any minor in violation of the act shall, with respect to each minor so employed, constitute a separate and distinct offense. As an alternative to or in addition to any other sanctions provided by law for violations of P.L. 1940, c.153 (C.34:2-21.1 et seq.), when the Commissioner of Labor and Workforce Development finds that an individual has violated that act, the commissioner is authorized to assess and collect administrative penalties of not more than \$500 for a first violation, not more than \$1,000 for a second violation, and not more

than \$2,500 to be promulgated as a rule or regulation by the commissioner in accordance with the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-1 et seq.). When determining the amount of the penalty imposed because of a violation, the commissioner shall consider factors which include the history of previous violations by the employer, the seriousness of the violation, the good faith of the employer, and the size of the employer's business. No administrative penalty shall be leveled pursuant to this section unless the Commissioner of Labor and Workforce Development provides the alleged violator with notification of the violation and of the amount of the penalty by certified mail and an opportunity to request a hearing before the commissioner or his designee within 15 days following the receipt of the notice. If a hearing is requested, the commissioner shall issue a final order upon such hearing and a finding that a violation has occurred. If no hearing is requested, the notice shall become a final order upon expiration of the 15-day period. Payment of the penalty is due when a final order is issued or when the notice becomes a final order. Any penalty imposed pursuant to this section may be recovered with costs in a summary proceeding commenced by the commissioner pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

General Information: Minors under 18 years of age must receive a 30-minute meal period after 5 consecutive hours of work. Minors under 16 years of age may not be employed during the hours they are required to attend school. Minors who are gainfully employed must have "working papers." These are secured from the issuing officer of the school district where a minor resides. A minor must apply in person. Read working papers carefully. They contain information that is important to you. Papers are valid only for the period of time and conditions stated thereon. An age certificate may be required by an employer of a minor who is between the ages of 18 and 21. This certificate is obtained from the issuing officer and protects the employer against the possibility of age misrepresentation.

Records Requirements: For all minors under the age of 18, except those engaged in domestic service in private homes, and in agricultural pursuits, and for those minors between 16 and 18 years of age employed during the months of June, July, August or September by a summer resident camp, conference or retreat operated by a nonprofit or religious corporation or association. Name, address, date of birth, hours of beginning and ending daily work periods and meal periods, number of hours worked each day, and wages paid to each minor. For **Newspaper Carriers:** Name, address, date of birth, date he or she commenced and ceased delivering newspapers, number of newspapers sold, and a general description of the area of the route served.

Prohibited Occupations: Exemptions to some of these prohibitions apply to work done by pupils in public or private schools under supervision and instruction of officers or teachers, or to a minor who is at least 17 years of age employed in the type of work in which the minor majored under the conditions of the special vocational school graduate permit or to minors in junior achievement programs. The Department of Education, however, does limit the prohibited occupations which minors in these programs may perform. Employers should check with the coordinator of each program to determine these prohibitions. No minor under 16 years of age shall be employed, permitted, or suffered to work in, about, or in connection with power-driven machinery. Power-driven machinery includes, but is not limited to the following: Conveyors and related equipment, Power lawn mowers, Power woodworking and metal working tools. Power-driven machinery shall not include: Cash register conveyor belt in a supermarket or retail establishment for minors at least 15 years of age working as cashiers or baggers, standard office type machines, Standard domestic type machines or appliances when used in domestic or business establishments. Agricultural machines when used on farms such as standard type poultry feeders, egg washers, egg coolers, and milking machines. An attended or unattended standard type passenger elevator. No minor under 18 years of age shall be employed, suffered, or permitted to work in, about, or in connection with the following: The manufacture or packing of paints, colors,

white lead, or red lead. The handling of dangerous or poisonous acids or dyes; injurious quantities of toxic or noxious dust, gases, vapors or fumes. Work involving exposure to benzol or any benzol compound which is volatile or which can penetrate the skin. The manufacture, transportation or use of explosives or highly inflammable substances. The wording "the manufacture, transportation or use of explosives or highly inflammable substances" as used in the prohibited occupations section of the Child Labor Act does not include the filling of the gasoline tanks of gasoline motor-driven vehicles by use of a hose which is a part of the type of automatic or manual-powered pumping equipment commonly used for that purpose in gasoline service stations. This interpretation does not in any way affect any prohibition contained in the Child Labor Law concerning power-driven or hazardous machinery or hazardous occupations. Oiling, wiping, or cleaning machinery in motion or assisting therein. Operation or helping in the operation of power-driven woodworking machinery, provided that apprentices operating under conditions of a bona fide apprenticeship may operate such machines under competent instruction and supervision. Grinding, abrasive, polishing or buffing machines, provided that apprentices operating under conditions of a bona fide apprenticeship may grind their own tools. Punch presses or stamping machines if the clearance between the ram and the die or the stripper exceeds one-fourth inch. Cutting machines having a guillotine action. Corrugating, crimping or embossing machines. Paper lace machines. Dough brakes or mixing machines in bakeries or cracker machinery. Calendar rolls or mixing rolls in rubber manufacturing. Centrifugal extractors or mangles in laundries or dry cleaning establishments. Ore reduction works, smelters, hot rolling mills, furnaces, foundries, forging shops, or any other place in which the heating, melting or heat treatment of metals is carried on. Mines or quarries. Steam boilers carrying a pressure in excess of fifteen pounds. Construction work (exemptions include minors doing volunteer work in affordable housing). Construction work shall mean the erection, alteration, repair, renovation, demolition or removal of any building or structure; the excavation, filling and grading of sites; the excavation, repair or paving of roads and highways; and any function performed within 30 feet of the above operations. Construction work shall not mean the repair or painting of fences, buildings and structures not exceeding twelve feet in height. Fabrication or assembly of ships. Operation or repair of elevators or other hoisting apparatus. Any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, or sold for consumption on the premises (except minors at least 16 years of age may be employed as pinsetters, lane attendants, or busboys in public bowling alleys, and in restaurants or in the executive offices, maintenance departments, or pool or beach areas of a hotel, motel or guest house, but not in the preparation, sale or serving of alcoholic beverages, nor in the preparation of photographs, nor in any dancing or theatrical exhibition or performance which is not part of a theatrical production where alcoholic beverages are sold on the premises, while so

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CHILD LABOR LAWS (Continued)

employed; and minors at least 14 years of age may be employed as golf caddies and pool attendants). Pool and billiard rooms. The transportation of payrolls other than within the premises of the employer. Corn pickers, power hay balers, power field choppers, including work in or on same. A junk or scrap metal yard, which is defined as any place where old iron, metal, paper, cordage, and other refuse may be collected and deposited or both and sold or may be treated so as to be again used in some form or discarded or where automobiles or machines are demolished for the purpose of salvaging of metal or parts. Any place or condition operated or maintained for immoral purposes or a disorderly house. The fueling of aircraft, either commercial or private. Demolition of buildings, ships, or heavy machinery. Corrosive material. Compactors. Carcinogenic substances. Circular saws, band saws, guillotine shears. Indecent or immoral exposure. Posing nude or without generally accepted attire. Work in video stores where X-rated movies are rented or sold. Pesticides. Radioactive substances and ionizing radiation. Toxic or hazardous substances. Most occupations in slaughtering, meat packing, processing, or rendering, including the operations of slicing machines used in delicatessens and restaurants for cutting or slicing any food product. The service of single-piece or multi-piece rimwheels. The service of beverages out of any bar service area, including, but not limited to, outside bars at pools or other recreational facilities.

Prohibitions: Actors and Performers Appearing as a rope or wire walker or rider, gymnast, wrestler, boxer, contortionist, acrobat, rider of a horse or other animal unless the minor is trained to safely ride such horse or animal or rider of any vehicle other than that generally used by a minor of the same age. Appearing in any illegal, indecent, or immoral exhibition, practice, or theatrical production. Any practice, exhibition or theatrical production dangerous to the life, limb, health or morals of a minor. Appearance or exhibition of any physically deformed or mentally deficient minor.

Additional copies of this poster or any other required posters may be obtained by contacting the New Jersey Department of Labor and Workforce Development, Office of Constituent Relations, P.O. Box 110, Trenton, New Jersey 08625-0110; (609) 777-3200. New Jersey Department of Labor and Workforce Development is an equal opportunity employer with equal opportunity programs. Auxiliary aids and services are available upon request to individuals with disabilities. If you need this document in braille or large print, call (609) 292-2305. TTY users can contact this department through New Jersey Relay: 7-1-1. Enforced by: Division of Wage and Hour Compliance Department of Labor and Workforce Development, P.O. Box 389, Trenton, New Jersey 08625-0389.



MW-129 (R-9-09)

NEW JERSEY EARNED SICK LEAVE

New Jersey Department of Labor and Work force Development

New Jersey Earned Sick Leave

Notice of Employee Rights

Under New Jersey's Earned Sick Leave Law, most employees have a right to accrue up to 40 hours of earned sick leave per year. Go to <https://nj.gov/labor/> to learn which employees are covered by the law.

New employees must receive this written notice from their employer when they begin employment, and existing employees must receive it by November 29, 2018. Employers must also post this notice in a conspicuous and accessible place at all work sites, and provide copies to employees upon request.

YOU HAVE A RIGHT TO EARNED SICK LEAVE.

Amount of Earned Sick Leave

Your employer must provide up to a total of 40 hours of earned sick leave every benefit year. Your employer's benefit year is:

Start of Benefit Year: _____ End of Benefit Year: _____

Rate of Accrual

You accrue earned sick leave at the rate of 1 hour for every 30 hours worked, up to a maximum of 40 hours of leave per benefit year. Alternatively, your employer can provide you with 40 hours of earned sick leave up front.

Date Accrual Begins

You begin to accrue earned sick leave on October 29, 2018, or on your first day of employment, whichever is later.

Exception: If you are covered by a collective bargaining agreement that was in effect on October 29, 2018, you begin to accrue earned sick leave under this law beginning on the date that the agreement expires.

Date Earned Sick Leave is Available for Use

You can begin using earned sick leave accrued under this law on February 26, 2019, or the 120th calendar day after you begin employment, whichever is later. However, your employer can provide benefits that are more generous than those required under the law, and can permit you to use sick leave at an earlier date.

Acceptable Reasons to Use Earned Sick Leave You can use earned sick leave to take time off from work when:

- You need diagnosis, care, treatment, or recovery for a mental or physical illness, injury, or health condition; or you need preventive medical care.
- You need to care for a **family member** during diagnosis, care, treatment, or recovery for a mental or physical illness, injury, or health condition; or your family member needs preventive medical care.
- You or a family member **have been the victim of domestic violence or sexual violence** and need time for treatment, counseling, or to prepare for legal proceedings.
- You need to attend **school-related conferences, meetings, or events** regarding your child's education; or to attend a school-related meeting regarding your child's health.
- Your employer's business **closes due to a public health emergency** or you need to care for a child whose school or child care provider closed due to a public health emergency.

Family Members The law recognizes the following individuals as "family members:"

- Child (biological, adopted, or foster child; stepchild; legal ward; child of a domestic partner or civil union partner)
- Grandchild
- Sibling
- Spouse
- Domestic partner or civil union partner
- Parent
- Grandparent
- Spouse, domestic partner, or civil union partner of an employee's parent or grandparent
- Sibling of an employee's spouse, domestic partner, or civil union partner
- Any other individual related by blood to the employee
- Any individual whose close association with the employee is the equivalent of family

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NEW JERSEY EARNED SICK LEAVE (Continued)

Advance Notice

If your need for earned sick leave is foreseeable (can be planned in advance), your employer can require up to 7 days' advance notice of your intention to use earned sick leave. If your need for earned sick leave is unforeseeable (cannot be planned in advance), your employer may require you to give notice as soon as it is practical.

Documentation

Your employer can require reasonable documentation if you use earned sick leave on 3 or more consecutive work days, or on certain dates specified by the employer. The law prohibits employers from requiring your health care provider to specify the medical reason for your leave.

Unused Sick Leave

Up to 40 hours of unused earned sick leave can be carried over into the next benefit year. However, your employer is only required to let you use up to 40 hours of leave per benefit year. Alternatively, your employer can offer to purchase your unused earned sick leave at the end of the benefit year.

You Have a Right to be Free from Retaliation for Using Earned Sick Leave

Your employer cannot retaliate against you for:

- Requesting and using earned sick leave
- Filing a complaint for alleged violations of the law
- Communicating with any person, including co-workers, about any violation of the law
- Participating in an investigation regarding an alleged violation of the law, and
- Informing another person of that person's potential rights under the law.

Retaliation includes any threat, discipline, discharge, demotion, suspension, or reduction in hours, or any other adverse employment action against you for exercising or attempting to exercise any right guaranteed under the law.

You Have a Right to File a Complaint

You can file a complaint with the New Jersey Department of Labor and Workforce Development online at nj.gov/labor/wagehour/complnt/filing_wage_claim.html or by calling 609-292-2305 between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday

Keep a copy of this notice and all documents that show your amount of sick leave accrual and usage.

You have a right to be given this notice in English and, if available, your primary language.

For more information visit the website of the Department of Labor and Workforce Development: nj.gov/labor.

Enforced by: NJ Department of Labor and Workforce Development
Division of Wage and Hour Compliance, PO Box 389, Trenton, NJ 08625-0389 • 609-292-2305

This and other required employer posters are available free online at nj.gov/labor, or from the Office of Constituent Relations, PO Box 110, Trenton, NJ 08625-0110 • 609-777-3200.

If you need this document in Braille or large print, call 609-292-2305.
TTY users can contact this department through the New Jersey Relay: 7-1-1.



Display this poster in a conspicuous place

MW-565 (1/19)

NEW JERSEY GENDER EQUITY NOTICE

Right to be Free of Gender Inequity or Bias in Pay, Compensation, Benefits or Other Terms and Conditions of Employment

New Jersey and federal laws prohibit employers from discriminating against an individual with respect to his/her pay, compensation, benefits, or terms, conditions or privileges of employment because of the individual's sex.



FEDERAL LAW

Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on, among other things, an individual's sex. Title VII claims must be filed with the United States Equal Employment Opportunity Commission (EEOC) before they can be brought in court. Remedies under Title VII may include an order restraining unlawful discrimination, back pay, and compensatory and punitive damages. The Equal Pay Act of 1963 (EPA) prohibits discrimination in compensation based on sex. EPA claims can be filed either with the EEOC or directly with the court. Remedies under the EPA may include the amount of the salary or wages due from the employer, plus an additional equal amount as liquidated damages. Please be mindful that in order for a disparity in compensation based on sex to be actionable under the EPA, it must be for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions. There are strict time limits for filing charges of employment discrimination. For further information, contact the EEOC at 800-669-4000 or at www.eeoc.gov.

NEW JERSEY LAW

The New Jersey Law Against Discrimination (LAD) prohibits employment discrimination based on, among other things, an individual's sex. LAD claims can be filed with the New Jersey Division on Civil Rights (NJDCR) or directly in court. Remedies under the LAD may include an order restraining unlawful discrimination, back pay, and compensatory and punitive damages. Another State law, [N.J.S.A. 34:11-56.1](http://www.nj.gov) et seq., prohibits discrimination in the rate or method of payment of wages to an employee because of his or her sex. Claims under this wage discrimination law may be filed with the New Jersey Department of Labor and Workforce Development (NJDLWD) or directly in court. Remedies under this law may include the full amount of the salary or wages owed, plus an additional equal amount as liquidated damages. Please be mindful that under the State wage discrimination law a differential in pay between employees based on a reasonable factor or factors other than sex shall not constitute discrimination. There are strict time limits for filing charges of employment discrimination. For more information regarding LAD claims, contact the NJDCR at 609-292-4605 or at www.njcivilrights.gov. For information concerning [N.J.S.A. 34:11-56.1](http://www.nj.gov) et seq., contact the Division of Wage and Hour Compliance within the NJDLWD at 609-292-2305 or at <http://lwd.state.nj.us>.

AD-290 (1/14)

This notice must be conspicuously displayed.

Derecho a estar exento de desigualdad o discriminación de género con respecto al pago, la remuneración, los beneficios o cualquier otro término o condición de empleo

Las leyes de New Jersey y federales prohíben a los empleadores discriminar contra cualquier persona con respecto a su pago, remuneración, beneficios o cualquier otro término, condición o privilegio de empleo debido a su género.



LEYES FEDERALES

El Título VII de la Ley de Derechos Civiles de 1964 prohíbe la discriminación laboral debido al género de la persona, entre otras cosas. Las reclamaciones acordes al Título VII deben ser presentadas ante la Comisión de Igualdad de Oportunidades en el Empleo de los Estados Unidos (EEOC, por sus siglas en inglés) antes de que puedan ser presentadas ante un tribunal. Entre los recursos legales conforme al Título VII están: una orden que prohíba los actos ilícitos de discriminación, que se pague remuneración con carácter retroactivo, y que se pague por daños compensatorios y punitivos. La Ley de Igualdad Salarial de 1963 (EPA, por sus siglas en inglés) prohíbe la discriminación con respecto a la remuneración basado en el género de la persona. Las reclamaciones acordes a EPA se pueden presentar ya sea ante la EEOC o directamente antes los tribunales. Entre los recursos legales conforme a EPA están: la retribución de las sumas de salarios o sueldos que el empleador deba, además de una suma adicional equivalente por daños y perjuicios liquidados. Se le ruega tener en cuenta que para que una reclamación por desigualdad de remuneración basado en el género proceda conforme a la EPA, tiene que ser por el mismo tipo de trabajo en empleos en los que su rendimiento exija las mismas destrezas, el mismo esfuerzo y las mismas responsabilidades, las cuales se realizan en las mismas condiciones de trabajo. Existen estrictos límites en cuanto al plazo de tiempo del que se dispone para presentar reclamaciones por discriminación laboral. Para mayor información, comuníquese con la EEOC, llamando al 800-669-4000 o en www.eeoc.gov.

LEYES DE NEW JERSEY

La Ley contra la Discriminación en New Jersey (LAD, por sus siglas en inglés) prohíbe la discriminación laboral debido al género de la persona, entre otras cosas. Las reclamaciones conforme a LAD se pueden presentar a la División de Derechos Civiles de New Jersey (NJDCR, por sus siglas en inglés) o directamente ante los tribunales. Entre los recursos legales conforme a LAD están: una orden que prohíba los actos ilícitos de discriminación, que se pague remuneración con carácter retroactivo, y que se pague por daños compensatorios y punitivos. Otra ley estatal, [N.J.S.A. 34:11-56.1](http://www.nj.gov) y siguientes, también prohíbe la discriminación respecto a la tasa salarial o el método de pago de salarios al empleado debido a su género. Las reclamaciones conforme a esta ley contra la discriminación con respecto a los salarios se pueden presentar ante el Departamento de Trabajo y Desarrollo de la Fuerza Laboral de New Jersey (NJDLWD, por sus siglas en inglés) o directamente antes los tribunales. Entre los recursos legales conforme a esta ley están: la retribución de las sumas de salarios o sueldos que le deben, además de una suma adicional equivalente por daños y perjuicios liquidados. Se le ruega tenga en cuenta que conforme a la ley estatal contra la discriminación con respecto a los salarios, no se considera discriminación el hecho de que exista un diferencial salarial entre los empleados basado en otros factores razonables que no sean el género de la persona. Existen estrictos límites en cuanto al plazo de tiempo del que se dispone para presentar reclamaciones por discriminación laboral. Para mayor información relacionada con las reclamaciones conforme a LAD, comuníquese con NJDCR, llamando al 609-292-4605 o en www.njcivilrights.gov. Para obtener información acerca de [N.J.S.A. 34:11-56.1](http://www.nj.gov) y siguientes, comuníquese con la División de Cumplimiento de Horarios y Salarios (DWHC), del NJDLWD, llamando al 609-292-2305 o en <http://lwd.state.nj.us>.

AD-290S (1/14)

Este aviso se debe exponer a la vista de todos.

PRINT

WORKER MISCLASSIFICATION NOTICE

New Jersey Department of Labor and Workforce Development

NEW JERSEY LAW PROHIBITS WORKER MISCLASSIFICATION NOTICE OF EMPLOYEE RIGHTS & EMPLOYER RESPONSIBILITIES

WHAT IS MISCLASSIFICATION?

- Misclassification is the practice of an employer improperly classifying employees as independent contractors.
- Misclassification may illegally deprive workers of basic rights, protections, and benefits guaranteed to employees such as the right to be paid the **minimum wage**, the right to **overtime** pay, **time and mode of pay** protections, the protection against **illegal deductions** from pay, **unemployment compensation**, **temporary disability benefits**, **family leave insurance benefits**, **workers' compensation**, **family leave** and **earned sick leave**.
- Often when workers are paid in cash "off the books", it may be a method to hide misclassification or other employment related legal obligations.

AM I AN EMPLOYEE OR AN INDEPENDENT CONTRACTOR?

- Under New Jersey's Unemployment Compensation Law, Wage and Hour Law, Wage Payment Law, Wage Collection Law, Temporary Disability Benefits Law (including sections providing for Family Leave Insurance) and Earned Sick Leave Law, if you perform a service and are paid, **you are presumed to be an employee**, unless the employer can prove all three of the following:
 - (A) You have been and will continue to be free from control or direction over performance of the service, both under a contract of service and in fact; and
 - (B) The service is either outside the usual course of the business for which such service is performed, or the service is performed outside of all the places of business of the enterprise for which such service is performed; and
 - (C) You are customarily engaged in an independently established trade, occupation, profession or business.
- This is referred to in New Jersey as the "**ABC test**" for independent contractor status.
- Please go to **www.myworkrights.nj.gov** to learn about the factors considered for each of the three above tests.

DO I HAVE TO PROVE THAT I AM AN EMPLOYEE?

- No. If you worked and were paid, you are presumed to be an employee. It **is the employer's burden** to show that all three parts of the ABC test are met.
- If the employer can't meet its burden to establish all **three** parts of the ABC test, then you are deemed to be an employee, entitled to the rights, protections, and benefits of an employee under the above-cited New Jersey laws.
- If you believe you are misclassified, email **misclass@nj.dol.gov**.

DOES IT MATTER IF I RECEIVED AN IRS FORM 1099, AS OPPOSED TO IRS FORM W-2?

- No. It does not matter which federal tax form the employer uses to report earnings.
- What matters are the facts surrounding your working relationship with the employer and the application of the ABC test to those facts.

IF MY EMPLOYER HAD ME SIGN AN INDEPENDENT CONTRACTOR AGREEMENT BEFORE HIRING ME, DOES THAT MAKE ME AN INDEPENDENT CONTRACTOR?

- No. Your employment status is determined based on an analysis of all the facts surrounding your relationship with the employer under the ABC test.
- NJ DOL would review the agreement you signed but your employment relationship would not be determined by this agreement alone.
- New Jersey courts have ruled that to consider only the agreement, if one exists, and not the totality of the facts surrounding your relationship with the presumed employer, would be to "place form over substance," which the courts say is wrong.

WHAT HAPPENS WHEN IT IS FOUND BY A STATE AGENCY OR COURT THAT AN EMPLOYER HAS MISCLASSIFIED AN EMPLOYEE AS AN INDEPENDENT CONTRACTOR?

In addition to the award of a remedy or remedies to make the misclassified employee or the State agency whole for the employer's violation of the underlying New Jersey wage, benefit or tax law (for example, the award of back pay to the misclassified employee who has been illegally deprived of the statutory minimum wage or overtime premium pay in

WORKER MISCLASSIFICATION NOTICE (Continued)

violation of the State Wage and Hour law, or whose pay was subject to illegal deductions in violation of the State Wage Payment law), New Jersey law also empowers the Department of Labor and Workforce Development to take **actions** and impose **penalties** against an employer who has misclassified employees including:

- A **penalty paid by the employer to the misclassified employee** of not more than 5 percent of the worker's gross earnings over the past 12 months.
- A **penalty of up to \$250 per misclassified employee for a first violation and up to \$1,000 per misclassified employee for each subsequent violation.**
- For violation of State wage, benefit or tax laws in connection with the misclassification of employees, the imposition of
 - › A **stop-work order.**
 - › The **suspension or revocation of any one or more licenses that are held by the employer** and that are necessary to operate the employer's business.
 - › Additional **penalties and fees payable to the Department** and where wages are owed to the employee, an additional amount in **liquidated damages payable to the employee equal to not more than 200 percent of the wages owed.**

AM I PROTECTED FROM RETALIATION BY MY EMPLOYER FOR REPORTING MISCLASSIFICATION?

- Employees are protected from retaliation by their employers for having made an inquiry or complaint to the employer, to the Commissioner of Labor or to an authorized representative regarding any possible violation by the employer of any State wage, benefit or tax law, including those inquiries or complaints that involve misclassification, or because the employee caused to be instituted or is about to cause to be instituted any proceeding under or related to State wage, benefit or tax law, or because the employee has testified or is about to testify in such a proceeding.
- Where such retaliation has occurred, the Department is authorized by law to issue an administrative penalty against the employer; however, only the courts are authorized by law to order reinstatement and/or back pay.

REPORTING MISCLASSIFICATION

If you have been misclassified and would like to file a claim, you can do so here:

<https://wagehour.dol.state.nj.us/default.htm>

To seek further information:

EMAIL: misclass@dol.nj.gov

CALL: 609-292-2321

FAX: 609-292-7801

WRITE: Employer Accounts

Subject – Misclassification

NJ Department of Labor and Workforce Development

1 John Fitch Plaza P.O. Box 942

Trenton, NJ 08625-0942

- Whichever way you chose to reach out, multilingual staff will be able to assist you and translation assistance made available as needed
- You can also visit www.myworkrights.nj.gov to learn more about misclassification.



NJ.GOV/LABOR

DISPLAY THIS POSTER IN A CONSPICUOUS PLACE

MW-899 (5/20)

ATTENTION NEW JERSEY EMPLOYERS NOTICE REGARDING WORKERS' COMPENSATION

**New Jersey employers are responsible for obtaining their
Workers' Compensation Posting Notice as required by law.
This notice can be obtained from your Workers' Compensation Insurance Carrier.**

New Jersey's Workers' Compensation Law states that, "every employer who has complied with the provisions of the Workers' Compensation Law shall post and maintain in a conspicuous place or places in and about his place of business, typewritten or printed notices in such form as the commissioner of banking and insurance may prescribe stating that he has secured the payment of compensation to his employees and their dependents in accordance with the provisions of the Workers' Compensation Law and shall name the company or companies insuring his liability, or shall state that the employer is qualified before the commissioner of banking and insurance for the carrying of his own liability."

PRINT

REPORTING & RECORDKEEPING REQUIREMENTS NOTICE

New Jersey Department of Labor and Workforce Development

Chapter 194, Laws of New Jersey, 2009, Relating to Employer Obligation to Maintain and Report Records Regarding Wages, Benefits, Taxes and Other Contributions and Assessments Pursuant to State Wage, Benefit and Tax Laws

Wage Payment Law (N.J.S.A. 34:11-4.1 et seq.) and

Wage and Hour Law (N.J.S.A. 34:11-56a et seq.)

Each employer must keep a record of each employee which contains the following information:

1. The name of the employee;
2. The address of the employee;
3. The birth date of the employee if the employee is under the age of 18;
4. The total hours worked by the employee each day and each workweek;
5. The earnings of each employee, including the regular hourly wage, gross to net amounts with itemized deductions, and the basis on which wages are paid;
6. Regarding each employee who receives gratuities, the total gratuities received by the employee during the payroll week;
7. Regarding each employee who receives gratuities, daily or weekly reports completed by the employee containing the following information: (a) the employee's name, (b) the employee's address, (c) the employee's social security number, (d) the name and address of the employer, (e) the calendar day or week covered by the report, and (f) the total amount of gratuities received; and
8. Regarding each employee for whom the employer claims credit for food or lodging as a cash substitute for the employee who receives food or lodging supplied by the employer, information substantiating the cost of furnishing such food or lodgings, including but not limited to the nature and amount of any expenditures entering into the computation of the fair value of the food or lodging and the date required to compute the amount of the depreciated investment in any assets allocable to the furnishing of the lodgings, including the date of acquisition or construction, the original cost, the rate of depreciation and the total amount of accumulated depreciation on such assets.

The employer may use any system of time keeping provided that it is a complete, true and accurate record. The employer must keep the wage and hour records described above for a period of six years. The employer must keep the wage and hour records described above at the place of employment or in a central office in New Jersey.

Prevailing Wage Act (N.J.S.A. 34:11-56.25 et seq.) The Prevailing Wage Act applies to employers only under certain circumstances. Specifically, it applies only when an employer enters into a contract in excess of the prevailing wage contract threshold amount for any public work (as the term "public work" is defined at N.J.S.A. 34:11-56.26) to which any public body is a party or for public work to be done on a property or premises owned by a public body or leased or to be leased by a public body. Each public works contractor must submit to the public body or lessor which contracted for the public works project a certified payroll record containing the following employee information:

1. Name;
2. Address;
3. Social security number;
4. Craft or trade;
5. Actual hourly rate of pay;
6. Actual daily, overtime and weekly hours worked in each craft or trade;
7. Gross pay;
8. Itemized deductions;
9. Net pay paid to the employee;
10. Any fringe benefits paid to approved plans, funds or programs on behalf of the employee; and
11. Fringe benefits paid in cash to the employee.

Each public works contractor must, within 10 days of payment of wages, submit the certified payroll record to the public body or the lessor which contracted for the public works project. Each public works contractor which employs one or more apprentices on a public works project must maintain with its records written evidence that the apprentice or apprentices are registered in an approved apprenticeship program while performing work on the project.

Unemployment Compensation Law (N.J.S.A. 43:21-1 et seq.),

Temporary Disability Benefits Law (N.J.S.A. 43:21-25 et seq.) and

Family Leave Insurance Benefits Law, P.L. 2008, c. 17.

Payroll records: Each employing unit must maintain a record for each worker engaged in employment, which record must contain the following information about the worker:

1. Full name, address and social security number;
2. Total remuneration paid in each pay period showing separately cash, including commissions and bonuses; the cash value of all compensation in any medium other than cash; gratuities received regularly in the course of employment if reported by the employee, or if not so reported, the minimum wage rate prescribed under applicable laws of this State or of the United States, or the amount of remuneration actually received by the employee, whichever is higher, and service charges collected by the employer and distributed to workers in lieu of gratuities and tips;
3. An entry under the heading "special payments" of the amount of any special payments, such as bonuses and gifts, which have been paid during the pay period but which relate to employment in a prior period. The following shall be shown separately under this heading: cash payments, cash value of other remuneration, the nature of such payments, the period during which the services were performed for which special payments were payable;
4. The date hired, rehired and returned to work after temporary layoff;
5. The date separated from employment and the reason for separation;
6. Such information as may be necessary to determine remuneration on a calendar week basis; and
7. The number of base weeks (as the term "base week" is defined in N.J.S.A. 43:21-19(t)) and wages.

All records referred to in 1. through 7. above must be kept safe and readily accessible at the New Jersey place of business of the employing unit.

All records referred to in 1. through 7. above must be retained for the current calendar year and for the four preceding calendar years. Once an

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REPORTING & RECORDKEEPING REQUIREMENTS NOTICE (Continued)

employer becomes inactive, the employer must keep all records referred to in 1. through 7. above for the subsequent six quarters.

Wage reporting: Each employer (other than employers of domestic service workers) must electronically file a WR-30, "Employer Report of Wages Paid," with the Division of Revenue, within the Department of the Treasury, within 30 days after the end of each quarter. The WR-30 lists the name, social security number and wages paid to each employee and the number of base weeks worked by the employee during the calendar quarter. Each employer of domestic service workers (as the term "domestic service worker" is defined at N.J.A.C. 12:16-13.7(b)) must file an annual, rather than quarterly, WR-30 with the Division of Revenue, within the Department of the Treasury.

Contribution reporting: Each employer (other than employers of domestic service workers) must electronically file an NJ-927, "Employer's Quarterly Report," with the Division of Revenue, within the Department of the Treasury, and remit the corresponding unemployment insurance, supplemental workforce fund, workforce development partnership fund, temporary disability insurance and family leave insurance contribution payments, within 30 days after the end of each quarter. The NJ-927 lists the total of all wages paid, the wages paid in excess of the taxable maximum, the taxable wages on which contributions are due, the number of workers employed during the pay period, the number of workers insured under a "private plan" for temporary disability insurance and the number of workers insured under a "private plan" for family leave insurance. Each employer of domestic service workers (as the term "domestic service worker" is defined in N.J.A.C. 12:16-13.11(c)) must file an annual, rather than quarterly, NJ-927H, "Domestic Employer's Annual Report," with the Division of Revenue, within the Department of the Treasury.

Temporary Disability Insurance and Family Leave Insurance information: Each employer must retain all records pertaining to any election to discontinue a private plan for temporary disability insurance and/or family leave insurance benefits and must make such records available for inspection by the Division of Temporary Disability Insurance for a one-year period from the date that the private plan is terminated. Each employer having a private plan for temporary disability insurance and/or family leave insurance must, within 10 days after the Division of Temporary Disability Insurance has mailed the employer a request for information with respect to a period of disability, furnish the Division with any information requested or known to the employer which may bear upon the eligibility of the claimant. Each employer having two or more approved private plans in effect during a calendar half-year or any portion thereof must, on or before the 30th day following the close of the calendar half-year, file a report showing the amount of taxable wages paid during such calendar half-year to employees while covered under each such private plan. Each employer who provides temporary disability insurance to its employees through a self-insured private plan must, for the six-month periods ending June 30 and December 31 of each calendar year during which the self-insured private plan is in effect, file a statement with the Division of Temporary Disability Insurance, on or before the 30th day following the end of the respective six-month period showing:

1. The number of claims received during the six-month period,
2. The number of claims accepted during the six-month period,
3. The amount of benefits paid during the six-month period, and
4. Such other information as the Division of Temporary Disability Insurance may require with respect to the financial ability of the self-insurer to meet the self-insured's obligations under the plan.

On or before the 30th day following the close of each calendar year during which a self-insured private plan for temporary disability insurance is in effect, the employer must file a report with the Division of Temporary Disability Insurance showing:

1. The amount of funds available at the beginning of that year for payment of disability benefits,
2. The amount contributed by workers during that year,
3. The amount contributed by the employer during that year,
4. The amount of disability benefits paid during that year,
5. Direct cost of administration of the plan during that year, and
6. The number of employees covered by the plan as of December 31.

Each employer who provides family leave insurance to its employees through a self-insured private plan must for the one-year period ending December 31 of each calendar year during which a self-insured private plan is in effect file a statement with the Division of Temporary Disability Insurance, on or before the 30th day following the end of the one-year period showing the following information with regard to each of the following types of claims: care of a sick child, care of a sick spouse, care of a sick domestic partner, care of a sick civil union partner, care of a sick parent, bonding by biological parent with a newborn child, bonding by domestic partner or civil union partner of biological parent with a newborn child, bonding by individual with newly adopted child:

1. The number of claims for family leave insurance benefits received during the one-year period,
2. The number of claims for family leave insurance benefits accepted during the one-year period,
3. The number of workers who received family leave insurance benefits during the one-year period,
4. The amount of family leave insurance benefits paid during the one-year period,
5. The average weekly family leave insurance benefit during the one-year period,
6. The amount of sick leave, vacation leave or other fully paid time, which resulted in reduced benefit duration during the one-year period,
7. With regard solely to family leave insurance benefit claims to care for sick family members, the amount of intermittent family leave insurance benefits paid during the one-year period, and
8. The average duration of family leave insurance benefits, in days, during the one-year period.

The information reported in 1. through 8. above must be broken down by sex and by age group, beginning at 25 years and under and increasing in increments of 10. On or before the 30th day following the close of each calendar year during which a self-insured private plan for family leave insurance is in effect, the employer must file a report with the Division of Temporary Disability Insurance showing:

1. The amount of funds available at the beginning of that year for payment of family leave insurance benefits,
2. The amount contributed by workers during that year,
3. The direct cost of administration of the plan during that year,
4. The number of employees covered by the plan as of December 31, and
5. Such other information as the Division of Temporary Disability Insurance may require with respect to the financial ability of the self-insurer to meet the self-insured's obligation under the plan.

Workers' Compensation Law (N.J.S.A. 34:15-1 et seq.)

Upon the happening of an accident or the occurrence of any occupational disease, an employer who has insurance coverage or utilizes a third-party administrator shall promptly furnish the insurance carrier or the third-party administrator with accident or occupational disease information. Within three weeks after an accident or upon knowledge of the occurrence of an occupational disease, every insurance carrier, third-party

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REPORTING & RECORDKEEPING REQUIREMENTS NOTICE (Continued)

administrator, statutory non-insured employer, including the State, counties, municipalities and school districts, and duly authorized self-insured employer not utilizing a third-party administrator must file a report designated as "first notice of accident" in electronic data interchange media with the Division of Workers' Compensation through the Compensation Rating and Inspection Bureau in a format prescribed by the Compensation Rating and Inspection Bureau. When filed by an insurance carrier or third-party administrator, the report must also be sent to the employer. If the employer disagrees with the report, the employer may prepare and sign an amended report and file the amended report with the insurance carrier or third-party administrator. The amended report must then be filed electronically with the Division through the Compensation Rating and Inspection Bureau. Every insurance carrier providing workers' compensation insurance and every workers' compensation self-insured employer shall designate a contact person who is responsible for responding to issues concerning medical and temporary disability benefits where no claim petition has been filed or where a claim petition has not been answered. The full name, telephone number, mailing address, email address and fax number of the contact person must be submitted to the Division of Workers' Compensation utilizing the Division's contact person form in the manner instructed on the form. Each employer, when directed to do so by the Division of Workers' Compensation, must submit to the Division of Workers' Compensation copies of such medical certificates and reports as it may have on file.

Gross Income Tax Act (N.J.S.A. 54A:1-1 et seq.)

Employer's Quarterly Report: The Employer's Quarterly Report, NJ-927, reports New Jersey Gross Income Tax withheld, unemployment insurance, supplemental workforce fund, workforce development partnership fund, family leave insurance and temporary disability insurance wage and withholding information. Each employer is required to electronically file an Employer's Quarterly Report, NJ-927, for each calendar quarter, regardless of the amount of tax actually due for a particular quarter. Quarterly reports are due on the 30th day of the month following the end of each quarter. Employers of "domestic service workers" may report and pay New Jersey Gross Income Tax withheld on an annual, rather than quarterly, basis on an NJ-927H.

Records to be kept: Every employer is required to keep all pertinent records available for inspection by authorized representatives of the New Jersey Division of Taxation. Such records must include the following:

1. The amounts and dates of all wage payments subject to New Jersey Gross Income Tax;
2. The names, addresses and occupations of employees receiving such payments;
3. The periods of their employment;
4. Their social security numbers;
5. Their withholding exemption certificates;
6. The employer's New Jersey Taxpayer Identification Number;
7. Record of weekly, monthly, quarterly remittances and/or returns and annual returns filed;
8. The dates and amounts of payments made; and
9. Days worked inside and outside of New Jersey for all nonresident employees.

Contact Information If an employee or an employee's authorized representative wishes to contact a State representative in order to provide information to or file a complaint with the representative regarding an employer's possible failure to meet any of the requirements set forth above, he or she may use the following contact information:

<p>For possible failure to meet the record keeping or reporting requirements of the Wage Payment Law, Wage and Hour Law or Prevailing Wage Act:</p> <p>Phone: 609-292-2305 E-mail: wagehour@dol.nj.gov Mail: New Jersey Department of Labor and Workforce Development Division of Wage and Hour Compliance P.O. Box 389. Trenton, NJ 08625-0389</p>	<p>For possible failure to meet the record keeping or reporting requirements of the Unemployment Compensation Law, Temporary Disability Benefits Law or Family Leave Insurance Benefits Law:</p> <p>Phone: 609-292-2810 E-mail: emplaccts@dol.nj.gov Mail: New Jersey Department of Labor and Workforce Development Division of Employer Accounts P.O. Box 947. Trenton, NJ 08625-0947</p>	<p>For possible failure to meet the record keeping or reporting requirements of the Workers' Compensation Law:</p> <p>Phone: 609-292-2515 E-mail: dwc@dol.nj.gov Mail: New Jersey Department of Labor and Workforce Development Division of Workers' Compensation P.O. Box 381. Trenton, NJ 08625-0381</p>	<p>For possible failure to meet the record keeping or reporting requirements of the Gross Income Tax Act:</p> <p>Phone: 609-292-6400 E-mail: nj.taxation@treas.state.nj.us Mail: New Jersey Department of the Treasury Division of Taxation • Information and Publications Branch P.O. Box 281. Trenton, NJ 08625-0281</p>
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MW-400 (3/18)

This notice must be conspicuously posted. Not later than December 7, 2011, each employee must also be provided a written copy of the notice or, for employees hired after November 7, 2011, a written copy of the notice must be provided at the time of the employee's hiring. See N.J.A.C. 12:2-1.3 for alternate methods of posting and distribution by electronic means.

PRINT

NEW JERSEY MINIMUM WAGE

New Jersey Department of Labor and Workforce Development

Wage and Hour Law Abstract | N.J.S.A. 34:11-56a et seq.

STATUTORY MINIMUM WAGE RATE Employees are to be paid not less than the New Jersey minimum wage in accordance with the schedule below.

Date	Most Employers	Seasonal & Small Employers (fewer than 6)	Agricultural Employers	Cash Wage for Tipped Workers**	Wage for Long-Term Care Facility Direct Care Staff Members***
1-1-20	\$11	\$10.30	\$10.30	\$3.13	\$11, \$14 as of 11/1/20
1-1-2021	\$12	\$11.10	No Change	\$4.13	\$15
1-1-2022	\$13	\$11.90	\$11.05	\$5.13	\$16
1-1-2023	\$14	\$12.70	\$11.70	No Change	\$17
1-1-2024	\$15	\$13.50	\$12.50	No Change	\$18
1-1-2025	TBD	\$14.30	\$13.40	TBD	TBD
1-1-2026	TBD	\$15.00	\$14.20	TBD	TBD
1-1-2027	TBD	TBD	\$15	TBD	TBD

* Under the law, the "effective minimum wage rate" for any given year covered by this chart is the highest of the federal minimum wage rate, the minimum wage rate set by New Jersey statute, or a minimum wage rate adjusted to account for increases in the Consumer Price Index (CPI). The minimum wage rates listed in the chart through 2022 are the true effective minimum wage rates for those years. However, the minimum wage rates listed for 2023 and the following years reflect only the NJ statutory rates (and, thus, are estimates), in that we do not yet know whether either the federal minimum wage rate or the CPI-adjusted rates will exceed the NJ statutory rates for those years.

** Cash wage plus tips must equal at least the State minimum wage.

*** As of 11/1/2020, Long-Term Care Facility Direct Care Staff Members are paid \$3.00 above the State minimum hourly wage and increases accordingly anytime the State minimum wage increases.

**** Overtime at the time and a half regular rate is due with the exception of certain truck drivers, loaders, helpers and mechanics involving vehicles weighing in excess of 10,000 lbs. GVW and who travel interstate.

Wage Order and Regulations Employees in the occupations found below are covered by this wage order and regulations and must be paid not less than the statutory minimum wage rate.

First processing of farm products
Hotel and motel
Food service (restaurant industry)
Seasonal amusement

These regulations are contained in N.J.A.C. 12:56-11.1 et seq..

Exemptions Exempt from the statutory minimum wage rate are full-time students employed by the college or university at which they are enrolled at not less than 85% of the effective minimum wage rate; outside sales person; sales person of motor vehicles; part time employees primarily engaged in the care and tending of children in the home of the employer; and minors under 18 (**EXCEPT** that minors under 18 in the first processing of farm products, hotels, motels, restaurants, retail, beauty culture, laundry, cleaning, dyeing, light manufacturing and apparel occupations are covered by the wage order rates as above and vocational school graduates with special permits under the Child Labor Law are covered by the statutory rate). Employees at summer camps, conferences and retreats operated by any nonprofit or religious corporation or association are exempt from minimum and overtime rates during the months of June, July, August and September.

Overtime Overtime is payable at the rate of 1.5 times the employee's regular hourly rate for hours worked in excess of 40 in any week except where otherwise specifically provided by wage order.

Exempt from the overtime entitlement are

- executive, administrative, and professional employees
- employees engaged in labor on a farm or relative to raising or care of livestock; and
- limousine drivers.

Labor on a Farm at Piece-Rate Employees engaged on a piece-rate basis to labor on a farm shall be paid for each day worked not less than the minimum hourly wage rate multiplied by the total number of hours worked.

Penalties Any employer who violates any provisions of this act shall be guilty of a disorderly persons violation and upon conviction shall be punished by a fine of not less than \$100 nor more than \$1,000. As an alternative to or in addition to any other sanctions provided by law for violations, the Commissioner is authorized to assess and collect administrative penalties, up to a maximum of \$250 for a first violation and up to a maximum of \$500 for each subsequent violation. The employer shall also pay the Commissioner an administrative fee equal to not less than 10% or more than 25% of any payment due to employees. Penalties for violation of this order are set forth in N.J.S.A. 34:11-56a22.

Enforced by: NJ Department of Labor and Workforce Development Division of Wage and Hour Compliance, P.O. Box 389, Trenton, NJ 08625-0389 • 609-292-2305 This and other required employer posters are available free online at nj.gov/labor, or from the Office of Constituent Relations, P.O. Box 110, Trenton, NJ 08625-0110 • 609-777-3200. If you need this document in Braille or large print, call 609-292-2305. TTY users can contact this department through the New Jersey Relay: 7-1-1.



MW-220 (1/22)

Display this poster in a conspicuous place

PRINT

15 New Jersey Labor Laws

 LaborLawCenter.com Questions? Learn more by calling 1-800-745-9970

Official Print Size - 8.5" x 11"
Compliance Ready - Do Not Scale

PAYMENT OF WAGES

Display this poster in a conspicuous place

Chapter 173, Laws of New Jersey, 1965: Relating to

Payment of Wages

All Employers Must Pay Wages to All Employees in Full at Least Twice a Calendar Month. Executive and supervisory employees, however, may be paid at least once a calendar month. Payment must be made on regular paydays designated in advance. When a payday falls on a non-work day, payment must be made on the immediately preceding work day, unless a collective bargaining agreement states otherwise. Pay periods must not end more than 10 working days before payday, when payment is made on a regular payday. If payment is by check, arrangements must be made to allow employees to cash the full check without difficulty.

- Employees leaving or terminated for any reason, including labor disputes, must be paid all wages due not later than the regular payday for the period in which employment ended.
- An additional 10 days may be allowed when a labor dispute involves payroll employees.
- Employees paid on an incentive system must be paid a reasonable estimate of wages due until exact amounts are known.
- Payment may be made through regular pay channels or by mail if requested by the employee.

It is unlawful to make any agreement for payment other than as provided in this act, except to pay at shorter intervals or to pay wages in advance. Wages due a deceased employee may be paid to the survivors in the order of preference as outlined in the statute.

No Deductions from Employees' Wages are Permitted Except: Amounts authorized by New Jersey or United States Law or payments to correct payroll errors. Contributions or payments authorized by employees either in writing or under a collective bargaining agreement for:

Employee welfare • insurance • hospitalization • medical or surgical or both • pension • retirement • profit-sharing plans • group or individual retirement annuity plans • individual retirement accounts at any state or federally chartered bank, savings bank, or savings and loan association • company-operated thrift plans • security option or security purchase plans to buy marketable securities • employee personal savings accounts such as a credit union, savings fund society, savings and loan or building and loan association • Christmas, vacation or other savings funds • purchase of company products or employer loans in accordance with the payment schedule contained in the original purchase or loan agreement • safety equipment • U.S. government bonds • costs and fees to replace employee identification for access to sterile or secured areas of airports • contributions for organized and recognized charities • rental of work clothing or uniforms or for laundering or dry cleaning of work clothing or uniforms • labor union dues and fees • health club membership fees • child care services.

All Employers Must: • Notify employees when they are hired the rate of pay and the regular payday. • Notify employees of changes in pay rates or paydays prior to the changes. • Give each employee a statement of deductions each pay period. • Make and keep records for employees, including wages and hours, and make such records available for inspection. • Provide employees when they are hired a required notice (form MW-400) describing the employer's obligation to maintain and report records regarding wages, benefits, taxes and other contributions and assessments.

The Commissioner of Labor and Workforce Development will enforce and administer the provisions of this act. The Commissioner or an authorized representative has the power to make all necessary inspections of establishments and records. Any employer who knowingly and willfully violates any provision of this act is guilty of a disorderly persons offense. Upon conviction, such employer will be punished by a fine of at least \$100 but not more than \$1,000. Each day during which any violation of this act continues will constitute a separate and distinct offense. As an alternative to or in addition to any other sanctions allowed by law for violations, the Commissioner is authorized to assess and collect administrative penalties, up to \$250 for a first violation and up to \$500 for each subsequent violation. The employer will also pay the Commissioner an administrative fee equal to at least 10% but not more than 25% of any payment due to employees. The Commissioner may, after giving the employer or successor firm notice and an opportunity for a hearing in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), issue a written determination directing any appropriate agency to suspend any one or more licenses that are held by the employer or success or firm, for a period of time determined by the Commissioner. **Note: The Division of Wage and Hour Compliance applies New Jersey's labor laws without regard to a worker's legal status. The Division does not investigate or inquire into the legal status of any worker. The Division does not share information with "Immigration."**

Enforced by: Division of Wage and Hour Compliance NJ Department of Labor and Workforce Development PO Box 389, Trenton, NJ 08625-0389 • 609-292-2305
This and other required employer posters are available free online at nj.gov/labor.

MW-17 (4/22)



PRINT

16 New Jersey Labor Laws

 LaborLawCenter.com Questions? Learn more by calling 1-800-745-9970

Official Print Size - 8.5" x 11"
Compliance Ready - Do Not Scale

DISCRIMINATION IN EMPLOYMENT

The Law Against Discrimination (LAD) Prohibits Discrimination and Harassment in Employment

Based on Actual or Perceived

- Race or color
- Religion or creed
- Disability
- Age
- Sex
- Gender identity or expression
- Liability for military service
- Sexual orientation
- National origin, nationality, or ancestry
- Pregnancy or breastfeeding
- Marital or domestic partnership or civil union status
- Atypical cellular or blood trait, genetic information
including the refusal to submit to genetic testing

The law means people cannot be treated differently, harassed, or otherwise discriminated against at work based on their membership in a protected class

The law applies to all employers (including labor unions, apprenticeship and training programs and employment agencies) and in all aspects of employment, including but not limited to:

- Recruitment and job posting
- Interviews and hiring decisions
- Promotion or transfer
- Termination or demotion
- Compensation, including salary and benefits
- All terms, conditions, or privileges of employment
- Membership in a union

Remedies may include money damages, an order to stop discrimination or harassment, adoption of new policies and procedures, attorney's fees, and more.

If you believe you have experienced discrimination, contact the **Division on Civil Rights**



1-833-NJDCR4U
711 (Relay Service)

NJCivilRights.gov
#CivilRightsNJ



NJ DIVISION ON CIVIL RIGHTS

@CivilRightsNJ #CivilRightsNJ #StopTheHate

No one can retaliate against you for reporting LAD violations, filing a discrimination complaint, or exercising other rights under the LAD

All employers, employment agencies and labor organizations shall display this official poster in places easily visible to all employees and applicants for employment. N.J.A.C. 12:8-1.2.

DISCRIMINATION IN PUBLIC ACCOMMODATION

The New Jersey Law Against Discrimination (LAD) prohibits discrimination and harassment in places of public accommodation based on actual or perceived

- Race or color
- Gender identity or expression
- Pregnancy or breastfeeding
- Religion or creed
- Liability for military service
- Marital or domestic partnership or civil union status
- Disability
- National origin, nationality, or ancestry
- Sex • Sexual orientation

The law means people cannot be treated differently, harassed, or otherwise discriminated against in a place of public accommodation based on their membership in a protected class

A place of public accommodation is generally any place that is open to the public, including but not limited to:

- School, colleges, and universities
- Summer camps
- hotel & motels
- Medical providers, hospitals, doctor's offices, and pharmacies
- Government offices and agencies, including police departments
- Stores and businesses, including restaurants

Remedies may include money damages, an order to stop discrimination or harassment, adoption of new policies and procedures, attorney's fees, and more.

If you think you have experienced discrimination, contact the **Division on Civil Rights**



1-833-NJDCR4U | **NJCivilRights.gov**
711 (Relay Service) | #CivilRightsNJ



@CivilRightsNJ #CivilRightsNJ #StopTheHate

No one can retaliate against you for reporting LAD violations, filing a discrimination complaint, or exercising other rights under the LAD

All places of public accommodation who are covered by the Law Against Discrimination shall display this official poster in places easily visible to all persons seeking or using the accommodations. N.J.A.C. 13:8-1.4.

THE NEW JERSEY FAMILY LEAVE ACT

The New Jersey Family Leave Act (NJFLA)

entitles certain employees to take up to 12 weeks of family leave in a 24-month period without losing their jobs.

Employers generally must provide NJFLA leave if

- ▶ The EMPLOYER has at least 30 employees worldwide OR is a government entity, regardless of size;
- ▶ The EMPLOYEE has worked for that employer for at least 1 year, AND has worked at least 1,000 hours in the past 12 months; and
- ▶ The LEAVE is being taken to:
 - ▶ Care for or bond with a child within 1 year of the child's birth or replacement for adoption or foster care;
 - ▶ Care for a family member, or someone who is the equivalent of family, who has a serious health condition, or who has been isolated or quarantined because of suspected exposure to a communicable disease (including COVID-19) during a state of emergency; or
 - ▶ Provide required care or treatment for a child during a state of emergency if their school or place of care is closed due to an epidemic of a communicable disease (including COVID-19) or other public health emergency.

Note that the NJ Family Leave Act does not provide leave for the employee's own health condition. Certain employees may be eligible for additional leave under the federal Family and Medical Leave Act.

Remedies may include money damages, an order to stop violating the Act, adoption of new policies and procedures, attorney's fees, and more.

To get more information or file a complaint, contact the **Division on Civil Rights**



1-833-NJDCR4U
711 (Relay Service)

NJCivilRights.gov
#CivilRightsNJ



@CivilRightsNJ



**DIVISION ON
NJ CIVIL RIGHTS**

#CivilRightsNJ

#StopThe Hate

No one can retaliate against you for attempting to take or taking NJFLA leave, reporting NJFLA violations, or exercising other rights under the NJFLA

All entitles subject to the New Jersey Family Leave Act, N.J.S.A. 34:11B-1 et seq., shall display this official poster in places easily visible to all employees and applicants for employment.

THE NEW JERSEY FAMILY MEDICAL LEAVE INSURANCE

New Jersey Department of Labor and Workforce Development

Your employer is subject to the

Family Leave Insurance

provisions of the New Jersey Temporary Disability Benefits Law

New Jersey law provides up to 6 weeks of family leave insurance benefits. Beginning July 1, 2020, the law will allow up to 12 weeks of continuous family leave or 56 days of intermittent leave. Employees who are covered by family leave insurance can apply for benefits to:

- bond with a child within 12 months of the child's birth or placement by adoption or foster care. The applicant, or the applicant's spouse or domestic or civil union partner, must be the child's biological, adoptive or foster parent, unless a surrogate carried the child.
- care for a family member with a serious health condition. Supporting documentation from a health care provider is mandatory.
- care for a victim of domestic violence or a sexually violent offence or for a victim's family member.

"Family member" means a child, parent, parent-in-law, sibling, grandparent, grandchild, spouse, domestic partner, civil union partner, and any other person related by blood to the employee or with whom the employee has a close association that is the equivalent of a family relationship.

"Child" means a biological, adopted, or foster child, stepchild or legal ward of a parent. A child gained by way of a valid written contract between the parent and a surrogate (gestational carrier) is included in this definition.

State Family Leave Insurance Plan ("state plan")

You can get program information and an application for family leave benefits (form FL-1) online at myleavebenefits.nj.gov, by phone at 609-292-7060, or by mail: Division of Family Leave Insurance, P.O. Box 387, Trenton, NJ 08625-0387.

New mothers who receive temporary disability benefits through the state plan for their pregnancy will get instructions on how to file for family leave benefits after the child is born.

Private Family Leave Insurance Plan ("private plan")

An employer may provide family leave insurance through a private insurance carrier, if this Division approves the plan. If your employer has an approved private plan, your employer must provide information about coverage and provide the forms to apply for benefits.

Who pays for Family Leave Insurance?

Payroll contributions from employees finance this program. Family leave insurance coverage under the state plan will require contributions to be deducted from employee wages. The deductions must be noted on the employee's pay envelope, paycheck, or on some other form of notice. In 2018, the taxable wage base for family leave insurance benefits is the same as the taxable wage base for unemployment and temporary disability insurance.

Enforced by: NJ Department of Labor and Workforce Development

Division of Temporary Disability Insurance, PO Box 387, Trenton, NJ 08625-0387

This and other required employer posters are available free online at nj.gov/labor, or from the Office of Constituent Relations, PO Box 110, Trenton, NJ 08625-0110 • 609-777-3200.

The New Jersey Department of Labor and Workforce Development is an equal opportunity employer with equal opportunity programs. Auxiliary aids and services are available upon request to individuals with disabilities.

Display this poster in a conspicuous place



PR-2 (4/19)

THE NEW JERSEY SAFE ACT

The New Jersey Security and Financial Empowerment Act (“NJ SAFE Act”), P.L. 2013, c.82, provides that certain employees are eligible to receive an unpaid leave of absence, for a period not to exceed 20 days in a 12-month period, to address circumstances resulting from domestic violence or a sexually violent offense. To be eligible, the employee must have worked at least 1,000 hours during the immediately preceding 12-month period. Further, the employee must have worked for an employer in the State that employs 25 or more employees for each working day during each of 20 or more calendar workweeks in the then-current or immediately preceding calendar year. Leave under the NJ SAFE Act may be taken by an employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19, or a victim of a sexually violent offense, as that term is defined in N.J.S.A. 30:4-27.6. Leave may also be taken by an employee whose child, parent, spouse, domestic partner, or civil union partner is a victim of domestic violence or a sexually violent offense. Leave under the NJ SAFE Act may be taken for the purpose of engaging in any of the following activities as they relate to an incident of domestic violence or a sexually violent offense:

1. Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee’s child, parent, spouse, domestic partner or civil union partner
2. Obtaining services from a victim services organization for the employee or the employee’s child, parent, spouse, domestic partner, or civil union partner
3. Obtaining psychological or other counseling for the employee or the employee’s child, parent, spouse, domestic partner or civil union partner
4. Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety from future domestic violence or sexual violence or to ensure the economic security of the employee or the employee’s child, parent, spouse, domestic partner or civil union partner
5. Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee’s child, parent, spouse, domestic partner, or civil union partner, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence or sexual violence; or
6. Attending, participating in or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee’s child, parent, spouse, domestic partner, or civil union partner, was a victim.

Leave under the NJ SAFE Act must be used in the 12-month period immediately following an instance of domestic violence or a sexually violent offense. The unpaid leave may be taken intermittently in intervals of no less than one day. The unpaid leave shall run concurrently with any paid vacation leave, personal leave, or medical or sick leave that the employee elects to use or which the employer requires the employee to use during any part of the 20-day period of unpaid leave. If the employee requests leave for a reason covered by both the NJ SAFE Act and the Family Leave Act, N.J.S.A. 34:11B-1 et seq., or the federal Family and Medical Leave Act, 20 U.S.C. 2601 et seq., the leave shall count simultaneously against the employee’s entitlement under each respective law. Employees eligible to take leave under the NJ SAFE Act must, if the necessity for the leave is foreseeable, provide the employer with written notice of the need for the leave. The employee must provide the employer with written notice as far in advance as reasonable and practicable under the circumstances. The employer has the right to require the employee to provide the employer with documentation of the domestic violence or sexually violent offense that is the basis for the leave. The employer must retain any documentation provided to it in this manner in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is authorized by a federal or State law, rule or regulation. The NJ SAFE Act also prohibits an employer from discharging, harassing or otherwise discriminating or retaliating or threatening to discharge, harass or otherwise discriminate against an employee with respect to the compensation, terms, conditions or privileges of employment on the basis that the employee took or requested any leave that the employee was entitled to under the NJ SAFE Act, or on the basis that the employee refused to authorize the release of information deemed confidential under the NJ SAFE Act. To obtain relief for a violation of the NJ SAFE Act, an aggrieved person must file a private cause of action in the Superior Court within one year of the date of the alleged violation.

This notice must be conspicuously displayed.

AD-289 (9/13)



PRINT

NO SMOKING NOTICE



NO SMOKING

**VIOLATORS ARE
SUBJECT TO FINE.**

NEW JERSEY SMOKE-FREE AIR ACT

N.J.S.A. 26:3D-55

PRINT

UNEMPLOYMENT COMPENSATION

New Jersey Department of Labor and Workforce Development
Your employer is subject to the New Jersey

Unemployment & Temporary Disability Benefits Laws

Unemployment Insurance - Benefits are payable to workers who lose their jobs or who are working less than full time because of a lack of full-time work and who meet the eligibility requirements of the law. If you become totally or partially unemployed, file a claim for unemployment insurance benefits as soon as possible. The easiest, quickest way is to file online at myunemployment.nj.gov. You can also file a claim over the phone by contacting our Reemployment Call Centers at one of these numbers listed below. Note, if you were a maritime employee in the last 18 months or live outside of the United States, you must file your claim over the phone. Be prepared to have information about yourself, your employer and your work history available when filing your claim.

Cumberland Call Center.....856-507-2340

Freehold Call Center.....732-761-2020

Union City Call Center.....201-601-4100

Out of State.....1-888-795-6672

Disability Insurance - Benefits are payable to New Jersey workers who suffer a non-work-related illness, injury, or other medical condition that prevents them from working. Temporary disability insurance coverage includes new and expecting mothers during their final weeks of pregnancy and recovery. If you become disabled and wish to apply for disability benefits, start by asking whether your employer participates in the state disability insurance plan or has a private insurance plan.

New Jersey State Disability Insurance Plan* ("state plan") - If you are covered under the state insurance plan, you may apply for disability benefits (or download a paper application — Form DS-1) online at myleavebenefits.nj.gov. Applying online is faster. Submit the completed paper application by fax to: 609-984-4138 or mail to: Division of Temporary Disability Insurance, PO Box 387, Trenton, New Jersey 08625-0387. For more information, visit myleavebenefits.nj.gov or call 609-292-7060.

Private Disability Insurance Plan ("private plan") - New Jersey employers have the option of providing coverage to their employees through an approved private plan instead of the state plan. If you are covered under a private plan, your employer's insurance carrier is responsible for processing and paying benefits on your disability claim. If you become disabled, ask your employer for the form you need to claim benefits under the private plan.

Who pays for Unemployment & Temporary Disability Programs? - These programs are paid for by payroll taxes paid by employers and employees. Your employer is **authorized to deduct worker contributions (tax) from your wages. The deductions must be noted** on your pay envelope, paycheck, or on some other form of notice. The amount of wages that are taxable changes from year to year. The deduction may be allocated at varying rates to the Unemployment Insurance Trust Fund, the Temporary Disability Insurance Fund and the Workforce Development/Supplemental Workforce Funds. If an approved private plan is non-contributory, no contributions can be deducted from workers' wages for disability insurance. Your employer's contributions are based in part on their employment experience.

Enforced by: NJ Department of Labor and Workforce Development Division of Temporary Disability Insurance, PO Box 387, Trenton, NJ 08625-0387

This and other required employer posters are available free online at nj.gov/labor, or from the Office of Constituent Relations, PO Box 110, Trenton, NJ 08625-0110 • 609-777-3200.

The New Jersey Department of Labor and Workforce Development is an equal opportunity employer with equal opportunity programs. Auxiliary aids and services are available upon request to individuals with disabilities.

Display this poster in a conspicuous place



PR-1 (6/19)

PRINT

WHISTLEBLOWER PROTECTION ACT

CONSCIENTIOUS EMPLOYEE PROTECTION ACT “WHISTLEBLOWER ACT”

Employer retaliatory action; protected employee actions; employee responsibilities

1. New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following:

- a. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the employer or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
- b. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the employer or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care; or
- c. Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any government entity.
- d. Provides information regarding any perceived criminal

or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.

- e. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:
 - i. is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;
 - ii. is fraudulent or criminal; or
 - iii. is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. N.J.S.A. 34:19-3.

2. The protection against retaliation, when a disclosure is made to a public body, does not apply unless the employee has brought the activity, policy or practice to the attention of a supervisor of the employee by written notice and given the employer a reasonable opportunity to correct the activity, policy or practice. However, disclosure is not required where the employee reasonably believes that the activity, policy or practice is known to one or more supervisors of the employer or where the employee fears physical harm as a result of the disclosure, provided that the situation is emergency in nature.

CONTACT INFORMATION

Your employer has designated the following contact person to receive written notifications, pursuant to paragraph 2 above (N.J.S.A. 34:19-4):

Name Patrick Kirk

Address 776 Jernee Mill Rd Suite 128 Sayreville NJ 08872

Telephone number 888-308-3879

This notice must be conspicuously displayed. Once each year, employers with 10 or more employees must distribute notice of this law to their employees. If you need this document in a language other than English or Spanish, please call (609) 292-7832.



AD-270 (10/19)

PRINT

FEDERAL MINIMUM WAGE

EMPLOYEE RIGHTS UNDER THE FAIR LABOR STANDARDS ACT

FEDERAL MINIMUM WAGE \$7.25

PER HOUR
BEGINNING
JULY 24, 2009

The law requires employers to display this poster where employees can readily see it.

OVERTIME PAY At least 1 ½ times your regular rate of pay for all hours worked over 40 in a workweek.

CHILD LABOR An employee must be at least 16 years old to work in most non-farm jobs and at least 18 to work in non-farm jobs declared hazardous by the Secretary of Labor. Youths 14 and 15 years old may work outside school hours in various non-manufacturing, non-mining, non-hazardous jobs with certain work hours restrictions. Different rules apply in agricultural employment.

TIP CREDIT Employers of “tipped employees” who meet certain conditions may claim a partial wage credit based on tips received by their employees. Employers must pay tipped employees a cash wage of at least \$2.13 per hour if they claim a tip credit against their minimum wage obligation. If an employee’s tips combined with the employer’s cash wage of at least \$2.13 per hour do not equal the minimum hourly wage, the employer must make up the difference.

NURSING MOTHERS The FLSA requires employers to provide reasonable break time for a nursing mother employee who is subject to the FLSA’s overtime requirements in order for the employee to express breast milk for her nursing child for one year after the child’s birth each time such employee has a need to express breast milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by the employee to express breast milk.

ENFORCEMENT The Department has authority to recover back wages and an equal amount in liquidated damages in instances of minimum wage, overtime, and other violations. The Department may litigate and/or recommend criminal prosecution. Employers may be assessed civil money penalties for each willful or repeated violation of the minimum wage or overtime pay provisions of the law. Civil money penalties may also be assessed for violations of the FLSA’s child labor provisions. Heightened civil money penalties may be assessed for each child labor violation that results in the death or serious injury of any minor employee, and such assessments may be doubled when the violations are determined to be willful or repeated. The law also prohibits retaliating against or discharging workers who file a complaint or participate in any proceeding under the FLSA.

ADDITIONAL INFORMATION

- Certain occupations and establishments are exempt from the minimum wage, and/or overtime pay provisions.
- Special provisions apply to workers in American Samoa, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico.
- Some state laws provide greater employee protections; employers must comply with both.
- Some employers incorrectly classify workers as “independent contractors” when they are actually employees under the FLSA. It is important to know the difference between the two because employees (unless exempt) are entitled to the FLSA’s minimum wage and overtime pay protections and correctly classified independent contractors are not.
- Certain full-time students, student learners, apprentices, and workers with disabilities may be paid less than the minimum wage under special certificates issued by the Department of Labor.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR
1-866-487-9243 TTY: 1-877-889-5627
www.dol.gov/whd



WH1088 REV 07/16

PRINT

25 New Jersey Labor Laws

LaborLawCenter.com Questions? Learn more by calling 1-800-745-9970

Official Print Size - 8.5" x 11"
Compliance Ready - Do Not Scale

EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

PRIVATE EMPLOYERS, STATE AND LOCAL GOVERNMENTS, EDUCATIONAL INSTITUTIONS, EMPLOYMENT AGENCIES AND LABOR ORGANIZATIONS

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

DISABILITY Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

AGE The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

SEX (WAGES) In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

GENETICS Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

RETALIATION All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected: The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL ORIGIN Executive Order 11246, as amended, prohibits employment discrimination based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

PAY SECRECY Executive Order 11246, as amended, protects applicants and employees from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

INDIVIDUALS WITH DISABILITIES Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of

employment, including the executive level.

PROTECTED VETERANS The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

RETALIATION Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately: The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

If you believe that you have experienced discrimination contact OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | www.dol.gov.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

RACE, COLOR, NATIONAL ORIGIN, SEX In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or

activities which receive Federal financial assistance.

INDIVIDUALS WITH DISABILITIES Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job. If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

EEOC 9/02 and OFCCP 8/08 Versions Useable With 11/09 Supplement

Mandatory Supplement to EEOC P/E-1 (Revised 11/09) "EEO is the Law" Poster

PRINT

FMLA | FAMILY AND MEDICAL LEAVE ACT

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness. An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule. Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

BENEFITS & PROTECTIONS While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave. Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions. An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

ELIGIBILITY REQUIREMENTS An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

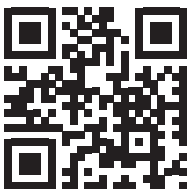
- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

*Special "hours of service" requirements apply to airline flight crew employees.

REQUESTING LEAVE Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures. Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified. Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility. Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

ENFORCEMENT Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.



For additional information or to file a complaint:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Wage and Hour Division



WH1420a REV 04/16

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27 New Jersey Labor Laws

LaborLawCenter.com Questions? Learn more by calling 1-800-745-9970

Official Print Size - 8.5" x 11"
Compliance Ready - Do Not Scale

USERRA - UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT



YOUR RIGHTS UNDER USERRA

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

USERRA protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service or certain types of service in the National Disaster Medical System. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

REEMPLOYMENT RIGHTS

You have the right to be reemployed in your civilian job if you leave that job to perform service in the uniformed service and:

- you ensure that your employer receives advance written or verbal notice of your service;
- you have five years or less of cumulative service in the uniformed services while with that particular employer;
- you return to work or apply for reemployment in a timely manner after conclusion of service; and
- you have not been separated from service with a disqualifying discharge or under other than honorable conditions.

If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

RIGHT TO BE FREE FROM DISCRIMINATION AND RETALIATION

If you:

- are a past or present member of the uniformed service;
- have applied for membership in the uniformed service; or
- are obligated to serve in the uniformed service;

then an employer may not deny you:

- initial employment;
- reemployment;
- retention in employment;
- promotion; or
- any benefit of employment

because of this status.

In addition, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

HEALTH INSURANCE PROTECTION

- If you leave your job to perform military service, you have the right to elect to continue your existing employer-based health plan coverage for you and your dependents for up to 24 months while in the military.
- Even if you don't elect to continue coverage during your military service, you have the right to be reinstated in your employer's health plan when you are reemployed, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

ENFORCEMENT

- The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.
- For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at <https://www.dol.gov/agencies/vets/>. An interactive online USERRA Advisor can be viewed at <https://webapps.dol.gov/elaws/vets/userra>
- If you file a complaint with VETS and VETS is unable to resolve it, you may request that your case be referred to the Department of Justice or the Office of Special Counsel, as applicable, for representation.
- You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA.

Publication Date — May 2022

The rights listed here may vary depending on the circumstances. The text of this notice was prepared by VETS, and may be viewed on the internet at this address: <https://www.dol.gov/agencies/vets/programs/userra/poster> Federal law requires employers to notify employees of their rights under USERRA, and employers may meet this requirement by displaying the text of this notice where they customarily place notices for employees.



U.S. Department of Labor
1-866-487-2365



U.S. Department of Justice



Office of Special Counsel



Employer Support Of The Guard
And Reserve 1-800-336-4590

EMPLOYEE POLYGRAPH PROTECTION ACT

EMPLOYEE RIGHTS EMPLOYEE POLYGRAPH PROTECTION ACT

The Employee Polygraph Protection Act prohibits most private employers from using lie detector tests either for pre-employment screening or during the course of employment.

PROHIBITIONS Employers are generally prohibited from requiring or requesting any employee or job applicant to take a lie detector test, and from discharging, disciplining, or discriminating against an employee or prospective employee for refusing to take a test or for exercising other rights under the Act.

EXEMPTIONS Federal, State and local governments are not affected by the law. Also, the law does not apply to tests given by the Federal Government to certain private individuals engaged in national security-related activities. The Act permits polygraph (a kind of lie detector) tests to be administered in the private sector, subject to restrictions, to certain prospective employees of security service firms (armored car, alarm, and guard), and of pharmaceutical manufacturers, distributors and dispensers. The Act also permits polygraph testing, subject to restrictions, of certain employees of private firms who are reasonably suspected of involvement in a workplace incident (theft, embezzlement, etc.) that resulted in economic loss to the employer. The law does not preempt any provision of any State or local law or any collective bargaining agreement which is more restrictive with respect to lie detector tests.

EXAMINEE RIGHTS Where polygraph tests are permitted, they are subject to numerous strict standards concerning the conduct and length of the test. Examinees have a number of specific rights, including the right to a written notice before testing, the right to refuse or discontinue a test, and the right not to have test results disclosed to unauthorized persons.

ENFORCEMENT The Secretary of Labor may bring court actions to restrain violations and assess civil penalties against violators. Employees or job applicants may also bring their own court actions.

THE LAW REQUIRES EMPLOYERS TO DISPLAY THIS POSTER WHERE EMPLOYEES AND JOB APPLICANTS CAN READILY SEE IT.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243
TTY: 1-877-889-5627
www.dol.gov/whd



WH1462 REV 07/16

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Job Safety and Health IT'S THE LAW!

All workers have the right to:

- A safe workplace.
- Raise a safety or health concern with your employer or OSHA, or report a work-related injury or illness, without being retaliated against.
- Receive information and training on job hazards, including all hazardous substances in your workplace.
- Request a confidential OSHA inspection of your workplace if you believe there are unsafe or unhealthy conditions. You have the right to have a representative contact OSHA on your behalf.
- Participate (or have your representative participate) in an OSHA inspection and speak in private to the inspector.
- File a complaint with OSHA within 30 days (by phone, online or by

Employers must:

- Provide employees a workplace free from recognized hazards. It is illegal to retaliate against an employee for using any of their rights under the law, including raising a health and safety concern with you or with OSHA, or reporting a work-related injury or illness.
- Comply with all applicable OSHA standards.
- Notify OSHA within 8 hours of a workplace fatality or within 24 hours of any work-related inpatient hospitalization, amputation, or loss of an eye.
- Provide required training to all workers in a language and vocabulary they can understand.
- Prominently display this poster in the workplace.
- Post OSHA citations at or near the place of the alleged violations.

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OSHA | OCCUPATIONAL SAFETY AND HEALTH ACT (Continued)

mail) if you have been retaliated against for using your rights.

- See any OSHA citations issued to your employer.
- Request copies of your medical records, tests that measure hazards in the workplace, and the workplace injury and illness log.

On-Site Consultation services are available to small and medium-sized employers, without citation or penalty, through OSHA-supported consultation programs in every state.

This poster is available free from OSHA.

Contact OSHA. We can help.



1-800-321-OSHA (6742) • TTY 1-877-889-5627 • www.osha.gov

OSHA 3165 OAR 2019

ANTI-DISCRIMINATION NOTICE

It is illegal to discriminate against work authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documents have a future expiration date may also constitute illegal discrimination.

For information, please contact
The Office of Special Counsel for Immigration
Related Unfair Employment Practices Office at
800-255-7688.

PRINT

WITHHOLDING STATUS

Since you last filed form W-4 with your employer did you...

- Marry or divorce?
- Gain or lose a dependent?
- Change your name?

Were there major changes to...

- Your non-wage income (interest, dividends, capital gains, etc.)?
- Your family wage income (you or your spouse started or ended a job)?
- Your itemized deductions?
- Your tax credits?

If you can answer "YES"...

To any of these questions or you owed extra tax when you filed your last return, you may need to file a new form W-4. See your employer for a copy of Form W-4 or call the IRS at 1-800-829-3676.

Now is the time to check your withholding. For more details, get Publication 919, *How Do I Adjust My Tax Withholding?*, or use the Withholding Calculator at: **www.irs.gov/individuals** on the IRS website.

Employer: Please post or publish this Bulletin Board Poster so that your employees will see it. Please indicate where they can get forms and information on this subject.



Department of the Treasury
Internal Revenue Service

www.irs.gov

Publication 213
(Rev. 8-2009)
Cat. No. 11047P

PAYDAY NOTICE

Regular Paydays for Employees of

(Company Name)

Shall be as follows:

Weekly

Bi-Weekly

Monthly

Other _____

By: _____

Title: _____

PRINT

ACKNOWLEDGEMENT

I certify that I have received and read the contents of the Labor Laws.

Employee Name: _____

Date Received: _____

Signature of Recipient: _____

Comments:

SUBMIT ACKNOWLEDGEMENT

PRINT