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Temporary Workers' Bill of Rights Provisions Now Fully in Effect

FOR IMMEDIATE RELEASE

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TRENTON – The balance of provisions outlined in the Temporary Workers' Bill of Rights went into effect on August 5, adding to portions of the law that were effective [in May](#). The New Jersey Department of Labor and Workforce Development (NJDOL) has detailed the additional provisions on its [website](#).

[Signed into law](#) by Governor Murphy in February, the Temporary Workers' Bill of Rights ([P.L. 2023, chapter 10](#)) expands the rights and protections afforded to many temporary laborers, allowing for greater oversight of temporary help service firms and third-party clients by NJDOL and the Division of Consumer Affairs (DCA) within the Department of Law and Public Safety.

On August 5, additional provisions went into effect regarding the following:

- **Record keeping:** Temporary help service firms must keep records of work assignments and maintain these records for six years.
- **Transportation to a worksite:** Includes various provisions regarding the cost, safety, records, and liability of transportation services provided or referred by temporary service firms to transport temporary laborers to and from work sites.
- **Wages:** Covered temporary laborers cannot be paid less than the average rate of pay and average cost of benefits of employees of the third-party client performing the same or substantially similar work.
- **Payments:** Temporary laborers can request bi-weekly payments and payment via check, cash or direct deposit. Firms must provide written notification of the right to request bi-weekly checks, and cannot charge for check cashing fees, consumer reports, criminal background checks, or drug tests.
- **Itemized pay statements:** Firms must provide statements to temporary laborers with information on third-party clients the laborer worked for, number of hours worked for each client, rate of pay, total earnings, and deductions.
- **Work verification forms:** Third-party clients must provide temporary laborers with a work verification form.
- **Acceptance of permanent position:** Temporary help service firms may not restrict the right of temporary laborers to accept a permanent position with a third-party client, but the firm may charge a placement fee to the client in such cases.
- **Private right of action:** Outside of filing a complaint with NJDOL, temporary laborers also have a private right of action and can bring a civil action to the Superior Court in the county where a violation occurred, or in which the worker lives.

Provisions implemented on May 7 involved temporary help service firms providing temporary laborers an ["Assignment Notification" form](#) that includes key information on the firm, the client, the job, and workers' rights in New Jersey. Other required notifications relate to changes in the schedule, shift, or work location, requested confirmation for seeking work, and a statement informing of a strike, lockout, or other labor dispute at a place of work, and the temporary laborer's right to refuse the assignment because of the labor dispute. In addition, temporary laborers may not be retaliated against by a current or former employer for filing a complaint, cooperating with an investigation, or telling others about their rights under the law or of an alleged violation.

The Temporary Workers' Bill of Rights applies only to workers who are placed in a temporary assignment by a temporary help service firm to perform work in certain occupational categories, including: food preparation and serving; production such as laundry and dry cleaning, food processing, and textile work; personal care and service such as amusement, entertainment, and dressing room attendants; construction; transportation and moving such

as drivers, parking attendants, and material moving; building and grounds cleaning and maintenance such as janitors, cleaners and landscaping workers; protective service such as security guards and crossing guards; and installation, maintenance and repair.

Violations of this law may result in monetary penalties. If a temporary laborer feels their rights under the law have been violated, complaints can be filed [online, by mail, or via fax](#) through NJDOL's Wage and Hour Division.

For more details about the law, and all benefits and protections temporary laborers are entitled to, visit nj.gov/labor/tempworkers.

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