

# Acting Governor Way Signs Legislation Broadening Protections for Immigrant Workers

08/8/2024

**TRENTON** – Acting Governor Way today signed legislation that imposes civil penalties on any employers who disclose or threaten to disclose an employee's immigration status in order to cover up their own labor violations.

State employment laws provide broad protections for employees regardless of their immigration status. However, an employee may be reluctant to report employer violations due to fear of the employer revealing their immigration status. This bill mandates that any employer who threatens an employee with exposing their immigration status or discloses their immigration status to authorities in order to conceal wage violations or other violations will face civil penalties, in addition to any existing penalties for the underlying employment violations.

"New Jersey's greatest strength lies in its diverse and dedicated workforce," **said Acting Governor Way**. "No worker should face harassment or intimidation from their employers. This legislation reaffirms our administration's commitment to creating a safe and supportive environment, ensuring all workers have the legal protections they need to feel secure in their day-to-day lives."

These penalties will be enforced by the Commissioner of Labor and Workforce Development, who will ensure that employees are protected from being unfairly treated or intimidated by their employers.

If the Commissioner finds that an employer has disclosed or threatened to disclose an employee's immigration status to conceal violations of state wage, benefit, and tax laws, then the Commissioner can impose strict administrative penalties.

"The Labor Department is committed to safeguarding the rights of all workers, regardless of immigration status," **said Robert Asaro-Angelo, Commissioner of the New Jersey Department of Labor and Workforce Development**. "This law is another crucial step to ensuring all workers are treated fairly and justly, and reinforces the state's dedication to upholding the integrity of New Jersey's top-tier labor standards."

"No worker should be forced to turn a blind eye to their employer's unlawful behavior out of fear of being prosecuted for their immigration status," **said Senate Majority Leader M. Teresa Ruiz**. "By establishing a penalty for employers who weaponized an employee's immigration status against them to violate the law, we will protect worker's rights and hold businesses accountable for exploitative behavior."

"All employees, regardless of immigration status, deserve the right to a safe and fair work environment," **said Senator Angela McKnight**. "This measure will discourage businesses from behaving unethically and will impose penalties for those found to have violated the law."

"The legislation signed today is a crucial step in protecting our workforce. No employee should have to live in fear of being exposed or threatened because of their immigration status," **said Assemblywoman Alixon Collazos-Gill**. "By imposing strict penalties on employers who engage in such behavior in an attempt to cover up violations, we send a clear message that New Jersey is not only a safe place to live, but a safe place to work as well."

"Workers should feel safe to report violations of this nature without the fear of retaliation based on their immigration status," **said Assemblywoman Shanique Speight**. "New Jersey will not tolerate exploitation in the work place, taking advantage of people who simply want to earn a wage in order to support their families is morally wrong and has no place in this state."

"The protection of workers' rights is paramount and this legislation ensures that employers who threaten or disclose an employee's immigration status in an attempt to conceal a violation are penalized appropriately," **said Assemblywoman Annette Quijano**. "By enacting these penalties, we are holding employers accountable for their actions."

"Today's signing of this crucial legislation by Acting Governor Way marks a significant step forward in protecting the rights of workers across New Jersey. By imposing civil penalties on employers who exploit the immigration status of

workers to hide labor violations, we are reinforcing the principle that all workers deserve fair and just treatment, regardless of their immigration status. This law sends a clear message that unethical practices will not be tolerated, and it empowers workers to stand up for their rights without fear of retaliation," **said Anthony Abrantes, Assistant Executive Secretary-Treasurer of the Eastern Atlantic States Regional Council of Carpenters.**

"All New Jerseyans deserve the ability to earn a living and provide for their families without having their employer disclose or threaten to disclose their immigration status. The ACLU-NJ applauds the Legislature, Governor Murphy, and Acting Governor Way for passing and signing this bill into law and looks forward to collaborating on further beneficial policy initiatives," **said Sarah Fajardo, ACLU-NJ Policy Director.**

"The Latino Action Network Foundation commends Governor Murphy, Acting Governor Way, and our State Legislature for centering New Jersey's commitment to working-class Latino immigrant families. Immigrants make significant economic contributions in NJ. And this legislation demonstrates how New Jersey can lead the way to ensure that a fair wage is a human right and create policies that protects workers regardless of immigration status," **said Dr. Jesselly De La Cruz, Executive Director at Latino Action Network Foundation.**

"This important piece of legislation addresses a deeply disconcerting practice in the construction industry – crooked contractors exploiting the immigration status of workers to gain a competitive advantage over honest contractors, cheat taxpayers, harm workers, and lower industry standards," **said Michael E. Hellstrom Vice President and Eastern Regional Manager of Laborers' International Union of North America (LIUNA).** "Giving state officials the tools to effectively conduct investigations and crack down on law-breakers is a very good thing for New Jersey. I applaud Governor Murphy and the bill sponsors for passage of this pro-worker, industry-supporting legislation."

"Immigrant workers participate in New Jersey's labor force at a rate 5.2% higher than native-born workers. They deserve equal protections," **said Erik Cruz Morales, Policy and Advocacy Manager with New Jersey Alliance for Immigrant Justice.** "This new law will establish safeguards against coercion and intimidation based on immigration status. Something that occurs often in the workplace among immigrant workers. We look forward to collaborating with Department of Labor and other stakeholders to ensure effective implementation, so that immigrant workers across New Jersey are fully aware of their rights."

"Immigrant workers are the backbone of our state - New Jersey is a state of immigrants, and no one should fear retaliation or deportation based on their status. On behalf of the members of Make the Road New Jersey, we commend sponsors Senator Ruiz and Assemblywoman Collazos, and thank Governor Murphy and Acting Governor Way for their support of this vital legislation," **said Garrett O'Connor, director of worker organizing, Make the Road NJ.**

"This is a significant step forward in New Jersey's efforts to embody its values of inclusivity and fairness," **said Marleina Ubel, Senior Policy Analyst at New Jersey Policy Perspective.** "Despite federal protections, undocumented workers are more likely to face discrimination and exploitation in the workplace. Supporting all workers means ensuring immigrants are protected from retaliation and feel empowered to speak out about unlawful behavior from their employers without fear of deportation."

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