

## Governor Phil Murphy

## Governor Murphy Signs "Temporary Workers' Bill of Rights" into Law

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*Landmark Legislation Bolsters Support for a Workforce Predominantly Comprised of Immigrants and Workers of Color*

**TRENTON** – In a significant step for vulnerable workers in New Jersey, Governor Phil Murphy today signed A1474/S511, commonly referred to as the "Temporary Workers' Bill of Rights." This legislation significantly expands the rights and protections afforded to temporary workers, and was sent to the Governor's desk after the Legislature concurred with changes recommended by the Governor last September.

"Our temporary workers, regardless of their race or status, are key contributors to the workforce in our state," said **Governor Murphy**. "Signing the Temporary Workers' Bill of Rights establishes necessary guidelines for temporary help service firms and third-party clients to ensure that these workers are afforded basic protections and treated with the dignity they deserve. I am especially grateful to Senator Joe Cryan, Assemblywoman Yvonne Lopez, and the many workers' rights advocates for their leadership and tireless efforts on this issue."

The bill allows for greater oversight of temporary help service firms and third-party clients by the Department of Labor and Workforce Development (NJDOL) and the Division of Consumer Affairs (DCA) within the Department of Law and Public Safety. Under the bill, DCA will oversee enhanced certification requirements for temporary help service firms. Contracting with uncertified firms will be prohibited for third-party clients. Enforcement actions will fall under NJDOL's purview.

"Every worker should be treated with respect and dignity. Thanks to the Murphy Administration and the Legislature, temporary workers will now have additional tools available to secure the fair wages and protections they are entitled to under the law – yet another advancement strengthening New Jersey as the gold standard for worker protections and development," said **Labor Commissioner Robert Asaro-Angelo**.

"This law is a major victory for temporary workers in New Jersey," said **Cari Fais, Acting Director of the Division of Consumer Affairs**. "The Division of Consumer Affairs commends Governor Murphy and the legislature on establishing these critical tools for ensuring justice for temporary workers and accountability for temporary help service firms and their third-party clients."

In an effort to advance pay equity, the bill will allow for temporary workers to be paid at least the same average rate of pay and equivalent benefits as the third-party client's permanent employees performing the same or similar work on jobs that require equal skill, effort, and responsibility. At the request of a temporary worker, temporary help service firms must hold daily wages and provide biweekly pay checks to avoid unnecessary check cashing fees that eat away at earnings. The bill also prohibits pay deductions for meals and equipment that would reduce temporary workers' pay below minimum wage. Under a law signed by Governor Murphy in 2019, the minimum wage was set to gradually raise to \$15 per hour by 2024 for most employees. The statewide minimum wage increased to \$14.13, effective, January 1, 2023. Firms and third-party clients will also be prohibited from charging fees to transport temporary workers to their work sites.

Additionally, temporary help services must provide temporary workers with common sense information detailing key terms of employment in the workers' primary languages, such as hours worked and rate of pay.

Temporary service firms are prohibited from restricting an employee from accepting another position with a permanent employer or a third-party client. Further, the bill forbids temporary help service firms or third-party clients from retaliating against any temporary worker by firing them or treating them unfairly in any other way for exercising their legal rights.

Prime sponsors of the legislation include Senator Joseph Cryan and Assemblywoman Yvonne Lopez.

"Temporary workers will now have equal rights in the workplace. This is an invisible workforce that will now be protected against the abuses of unpaid wages, unsafe working conditions, unlawful deductions, and other forms of mistreatment. This Bill of Rights honors the core American values of hard work and dignity by ensuring that the growing number of temporary workers have their workplaces safe, wages paid for work completed, and most importantly, know that the law will protect them. In New Jersey, we respect all workers and we expect them to be treated fairly. This bill helps us achieve that goal," said **Senator Joseph Cryan**.

"For the over 130,000 temporary workers in New Jersey and their families, the signing of A1474 represents a historic victory for labor rights," said **Assemblywoman Yvonne Lopez**. "Temporary workers have been treated differently for far too long and have been forced to deal with a multitude of injustices all while carrying out essential work and trying to provide for their families. The law will ensure temporary workers are finally protected and will create a safer and fairer temporary labor sector in New Jersey. I am proud of the work that went into this important legislation and that New Jersey's temporary workers will have the same basic labor rights all workers are afforded and deserve."

"Black temp workers in particular face serious discrimination and rarely see the types of wage raises and access to benefits that their direct-hire counterparts enjoy," said **Richard T. Smith, NAACP New Jersey State Conference President**. "The Temp Workers' Bill of Rights, A1474/S511 addresses this widespread race based discrimination and exploitation by providing key protections. The passage of this bill is long overdue, and the NAACP New Jersey State Conference applauds the legislature for finally getting it done".

"This historic legislation is the result of organizing led by temp workers from across New Jersey. In 2019, I lost my brother to a workplace accident when his skull was crushed while working for an unlicensed temp agency. Too many temp workers have lost their lives on the job or been subject to wage theft or retaliation. Today marks the beginning



of a new chapter where temp workers will have the respect, dignity and safety they deserve. We thank Governor Murphy for his leadership, our tenacious sponsors Senator Joseph Cryan and Assemblywoman Yvonne Lopez for their dedication and perseverance, and the powerful coalition of labor, community and worker organizations." **said Janeth Caicedo, member leader of Make the Road New Jersey.**

"We thank the Governor for signing the Temporary Worker's Bill of Rights and standing up for some of our state's most vulnerable workers. Elevating the employment standards of temporary workers will reform the temporary staffing industry and address unscrupulous business practices like wage theft, pay discrimination, and unsafe working conditions that hurt all workers," **said New Jersey State AFL-CIO President Charles Wovkanech.**

"Corporations use temporary employment schemes and subcontracting to undercut industry standards and inhibit workers' right to organize. All workers, regardless of status, deserve a safe workplace, livable wages and benefits, and a voice on the job. As Teamsters, we applaud Governor Murphy and New Jersey legislators for signing the Temp Worker Bill of Rights into law and most importantly applaud the brave workers who fought tirelessly to make this a reality." **Alphonse Rispoli Teamsters Joint Council 73 President.**

"For many years, we have suffered injustices, discrimination, and wage theft. Winning this bill of rights will protect temp workers in New Jersey. Now's the time for temp workers to have respect, dignity and their voices heard. Thank you Governor Murphy, and thank you to the Senate and Assembly for passing this bill. Yes we can!", **said Reynalda Cruz, New Labor organizer and former temp worker.**

"Winning this bill lets the agencies know the power we have as workers and saying "no more" to injustices and discrimination. For workers this is about filling us with hope and having a baseline to demand our rights as workers. We're all here to work and create a better life and circumstances than we're in now. Together si se puede!" **said Germania Hernandez New Labor organizer and former temp worker.**

"The temp worker bill of rights has been a long time coming. There's been little oversight of temp agencies over the years; it shouldn't be a race to the bottom when it comes to essential temp workers that make the economy run. So this bill is about creating some baseline standards and oversight and New Jersey as a leader when it comes to providing temp workers protections," **said Louis Kimmel, Executive Director of New Labor.**

"Passage of this bill is a giant step towards ensuring all workers receive fair and just treatment and benefits from employers. It was a hard struggle, for the workers' victory, but in the end, as Rev. Dr. Martin L. King, Jr. said: "the arc of the moral universe is long but it bends towards justice." **said Bruce S Morgan, President New Brunswick Area NAACP**

"The National Employment Law Project applauds New Jersey for leading the country in raising labor standards for temp workers and helping those workers build power in their workplaces. For too long, New Jersey corporations have outsourced work to temp agencies to depress wages and working conditions and to avoid responsibility to the workers that power their businesses, while New Jersey temp agencies target immigrants and people of color for dead-end, underpaid, and dangerous temp jobs. Because of this system, temp workers often do the same work as permanent employees but for less pay, nearly non-existent benefits, worse working conditions, and no job security. Thanks to the fearless organizing of temp worker leaders, New Jersey has passed a law that says enough is enough. This law demands accountability from temp agencies and the corporations that outsource work to them, as well as ensures that temp workers have the same pay and benefits as permanent, direct-hire workers doing similar work. We look forward to building on this success in New Jersey and passing similar laws in other states to build temp worker power and hold employers accountable," **said Laura Padin, Director of Work Structures, National Employment Law Project.** "This is a historic win for New Jersey's temporary workers who perform essential roles that keep the state and its economy running," **said Nicole Rodriguez, President of New Jersey Policy Perspective (NJPP).** "This legislation will ensure that temp workers receive the fair pay, safe working conditions, and strong job protections that every worker deserves. We thank Governor Murphy, Senator Cryan, and Assemblywoman Lopez for championing this legislation and recognizing that when workers thrive we all thrive."

"32BJ SEIU applauds Governor Murphy for signing the Temp Workers' Bill of Rights into law today. We join our friends at Make The Road New Jersey and allies across the state in celebrating this incredible victory for an essential part of New Jersey's workforce, especially the Black, brown, and immigrant workers who need the rights and protections provided by this law most. 32BJ is proud to have supported the fight for this critical legislation, and to have partnered with organizations that are dedicated to making New Jersey better for all of its essential workers," **said Kevin Brown, Vice President of 32BJ and New Jersey State Director.**

## Governor Phil Murphy

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