

CHAPTER 91

AN ACT concerning transparency in employment listings and supplementing Title 34 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.34:6B-23 Notification of promotion, new job, transfer opportunities; violation, penalties.

1. a. An employer shall make reasonable efforts to announce, post, or otherwise make known opportunities for promotion that are advertised internally within the employer or externally on internet-based advertisements, postings, printed flyers, or other similar advertisements to all current employees in the affected department or departments of the employer's business prior to making a promotion decision. Any promotion for a current employee that is awarded on the basis of years of experience or performance shall not be subject to the notification requirements established in this subsection. Nothing in this subsection shall be construed to prohibit an employer from making a promotion on an emergent basis due to an unforeseen event.

b. An employer shall disclose in each posting for new jobs and transfer opportunities that are advertised by the employer either externally or internally the hourly wage or salary, or a range of the hourly wage or salary, and a general description of benefits and other compensation programs for which the employee would be eligible. Nothing in this subsection shall be construed to prohibit an employer from increasing the wages, benefits, and compensation identified in the job opening posting at the time of making an offer for employment to an applicant.

c. (1) Any employer who violates this act shall be subject to a civil penalty in an amount not to exceed \$300 for the first violation, and \$600 for each subsequent violation, collectible by the Commissioner of Labor and Workforce Development in a summary proceeding pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

(2) An employer's failure to comply with subsection a. of this section for one promotional opportunity shall be considered one violation for all listings of a particular promotion, even if that promotion is listed on multiple forums.

(3) An employer's failure to comply with subsection b. of this section for all postings for a particular job opening or transfer opportunity shall be considered one violation regardless of the number of postings that list, or forums that advertise, that job opening or transfer opportunity, as appropriate.

d. (1) Temporary help service firms and consulting firms registered with the Division of Consumer Affairs in the Department of Law and Public Safety shall not be required to provide on job postings that are posted for the purpose of identifying qualified applicants for potential future job openings and not for existing job openings:

(a) the hourly wage or salary, or range of hourly wage or salary; or

(b) a general description of benefits and other compensation programs for which the employee would be eligible.

(2) Temporary help service firms or consulting firms shall be required to provide the pay and benefit information listed in paragraph (1) of this subsection to an applicant for temporary employment at the time of interview or hire for a specific job opening.

e. As used in this act:

"Employer" means any person, company, corporation, firm, labor organization, or association which has 10 or more employees over 20 calendar weeks and does business, employs persons, or takes applications for employment within this State, including the State,

any county or municipality, or any instrumentality thereof. The term shall include job placement and referral agencies and other employment agencies.

“Promotion” means a change in job title and an increase in compensation.

2. This act shall take effect on the first day of the seventh month next following the date of enactment.

Approved November 18, 2024.