

Governor Phil Murphy

Governor Murphy Signs Legislation Establishing Historic Employment Protections for Service Workers

07/24/2023

TRENTON – Governor Phil Murphy today signed a bill to protect service workers from a sudden and unexpected loss of employment due to a change in ownership where they work. This legislation will provide important employment protections and peace of mind for many New Jersey service employees.

“Service employees should not have the rug pulled out from under them for circumstances outside their control that have nothing to do with their job performance,” **said Governor Murphy**. “These protections will offer many hardworking employees the professional courtesy and stability they deserve during transitional periods.”

The bill (A-4682/S-2389) establishes employment protections for non-managerial/professional service employees who have been working at an eligible location on a full or part-time basis at least 16 hours per week for 60 or more days in connection with either:

- the care or maintenance of a building or property;
- passenger related security services, cargo related and ramp services, in-terminal and passenger handling, and cleaning services at an airport; or
- food preparation services at a primary, secondary, or post-secondary school.

The law requires current employers to notify bargaining representatives and post a notification at the job site about the upcoming change in property ownership at least 15 days in advance. The employer must also share information about the service workers with the new employer and information about the new employer with the current service workers.

Upon taking over ownership, new employers must retain the covered service employees for at least 60 days or until the employees’ existing contract comes to an end – whichever comes first – except in instances where the employer: finds that fewer service employees are needed to perform the work than had been employed; retains service employees by seniority within each job classification; maintains a preferential hiring list of the employees that were not retained; and hires any additional service employees from that list, in order of seniority, until all affected service workers have been offered the opportunity for employment.

New employers cannot reduce service workers’ hours in order to circumvent these protections and cannot otherwise fire the covered employees without just cause during that 60 day period.

The bill applies to locations such as multi-family residential buildings with more than 50 units, large commercial and office buildings/complexes, schools, cultural centers, industrial sites, pharmaceutical labs, airports, train stations, State courts, warehouses, and certain hospitals and nursing homes.

“Service workers should not be immediately out of a job, at no fault of their own and without warning, when a work site changes hands,” **said Robert Asaro-Angelo, Commissioner of the New Jersey Department of Labor and Workforce Development**. “With this law, New Jersey once again proves its dedication to protecting our workforce and ensuring workers are treated with the respect and dignity they deserve.”

Sponsors of the bill include Senator Troy Singleton and Gary Schaer, as well as Senator Andrew Zwicker and Assembly Members Britnee N. Timberlake and Joe Danielsen.

“When ownership of service contracts changes, employees and their needs can often be forgotten. It is important to ensure that employees have job stability, even in transitions of management,” **said Senator Singleton**. “We are coming off of the heels of a pandemic that catalyzed mass layoffs across the board. This law will protect employees and their jobs, easing any anxiety that may arise when ownership changes, and laying out the provisions that will be afforded to service employees.”

“Employees in New Jersey should not have to worry they might lose their jobs overnight if a change of ownership occurs. During periods of transition, it is important that we prioritize the needs of our workforce and give them peace of mind during uncertain times,” **said Assemblyman Schaer**. “This law will better protect service employees, ensuring they have more job stability when ownership of a contract changes.”

“Statewide, New Jersey workers employed by building-service contractors have no legal right to keep their jobs if the contractor changes and the incoming contractor decides not to retain the existing workforce,” **said Senator Zwicker**. “This legislation would make service employee contracts more transparent to employees and make certain that contractors ensure the stable transfer of service employees.”

“With the signing of this bill, we are protecting the rights and job security of workers in our state. Nobody should have to worry about losing their job without due notice,” **said Assemblyman Danielsen**. “During times of ownership changes, this law will ensure that service employees are treated with fairness and respect.”

“This legislation will serve as a protective measure for service employees during periods of transition,” **said Assemblywoman Britnee N. Timberlake**. “With this law, we are affirming our commitment to safeguarding the rights and livelihoods of service employees in our state, and helping to build a more equitable and just future all employees.”

“We thank the Governor for his leadership and for signing this vital piece of legislation. The Building Service Worker Retention law gives New Jersey service workers peace of mind. This law recognizes the inherent dignity of their work and their value to the state of New Jersey,” **said 32BJ SEIU Executive Vice President and NJ State Director Kevin Brown**. “32BJ thanks Governor Murphy for his constant advocacy as a champion for working people across the state. We thank Assembly Speaker Coughlin and Senate President Scutari for their critical leadership in the legislature. We also thank Senator Troy Singleton and Assemblyman Gary Schaer for their sponsorship of the legislation. New Jersey is now the second state in the country to protect building service employees from arbitrary lay-offs during a change of building ownership or change of contractor for 60 days. Now, our state’s janitors, security officers, airport workers, concierges and other service workers will be protected from unfairly losing their jobs. This is a massive victory for workers’ rights.”

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