

P.L. 2024, CHAPTER 91, *approved November 18, 2024*
Senate, No. 2310 (*First Reprint*)

1 **AN ACT** concerning transparency in employment listings and
2 supplementing Title 34 of the Revised Statutes.
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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
6
7 1. a. An employer shall make reasonable efforts to announce,
8 post, or otherwise make known opportunities for promotion that are
9 advertised internally within the employer or externally on internet-
10 based advertisements, postings, printed flyers, or other similar
11 advertisements to all current employees in the affected department or
12 departments of the employer’s business prior to making a promotion
13 decision. Any promotion for a current employee that is awarded on
14 the basis of years of experience or performance shall not be subject to
15 the notification requirements established in this subsection. ¹**Each**
16 failure to announce, post, or otherwise make known one opportunity
17 for promotion as defined in this section shall constitute a separate
18 violation of this subsection.¹ Nothing in this subsection shall be
19 construed to prohibit an employer from making a promotion on an
20 emergent basis due to an unforeseen event.
21 b. An employer shall disclose in each posting for ¹**promotions,**¹
22 new jobs¹**,**¹ and transfer opportunities that are advertised by the
23 employer either externally or internally the hourly wage or salary, or a
24 range of the hourly wage or salary, and a ¹**listing** general
25 description¹ of benefits and other compensation programs for which
26 the employee would be eligible ¹**within the employee’s first 12**
27 months of employment¹. ¹**Each** failure to include the information
28 required in this subsection in a particular job posting shall constitute a
29 separate violation of this subsection.¹ Nothing in this subsection
30 shall be construed to prohibit an employer from increasing the wages,
31 benefits, and compensation identified in the job ¹opening¹ posting at
32 the time of making an offer for employment to an applicant.
33 c. ¹(1)¹ Any employer who violates this act shall be subject to a
34 civil penalty in an amount not to exceed ¹**[\$1,000]** \$300¹ for the first
35 violation, ¹**[\$5,000]** for the second violation¹ and ¹**[\$10,000]** \$600¹
36 for each subsequent violation, collectible by the Commissioner of

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
¹Senate SLA committee amendments adopted May 6, 2024.

1 Labor and Workforce Development in a summary proceeding pursuant
2 to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-
3 10 et seq.).

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

8 (3) An employer's failure to comply with subsection b. of this
9 section for all postings for a particular job opening or transfer
10 opportunity shall be considered one violation regardless of the number
11 of postings that list, or forums that advertise, that job opening or
12 transfer opportunity, as appropriate.¹

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

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

19 (b) a ¹**["listing] general description"** of benefits and other
20 compensation programs for which the employee would be eligible
21 ¹**["within the employee's first 12 months of employment"]**.

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

26 e. As used in this act:

27 "Employer" means any person, company, corporation, firm, labor
28 organization, or association which has 10 or more employees over 20
29 calendar weeks and does business, employs persons, or takes
30 applications for employment within this State, including the State, any
31 county or municipality, or any instrumentality thereof. The term shall
32 include job placement and referral agencies and other employment
33 agencies.

34 "Promotion" means a change in job title and an increase in
35 compensation.

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

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42
43 Requires transparency concerning compensation with
44 promotional opportunities and in employment listings.