

SENATE LABOR COMMITTEE

STATEMENT TO

SENATE, No. 2869

**STATE OF NEW JERSEY**

DATED: MAY 6, 2024

The Senate Labor Committee reports favorably Senate Bill No. 2869.

This bill imposes a civil penalty on any employer that coerces or attempts to coerce an employee of the employer based on the immigration status of the employee. Specifically, the bill imposes the following civil penalties:

1. for the first violation, a civil penalty not to exceed \$1,000;
2. for the second violation, a civil penalty not to exceed \$5,000; and
3. for any subsequent violation, a civil penalty not to exceed \$10,000.

State employment laws provides broad protections for employees, regardless of an employee's immigration status. However, an employee who is an immigrant to the United States may be reluctant to report employer violations for a variety of reasons. This bill requires that any employer that coerces or attempts to coerce an employee based on the employee's immigration status, and in furtherance of violating the State's labor laws, will be subject to penalties in addition to any penalties to which the employer may be subject due to employment violations.

For example, an employer that does not pay appropriate wages may be subject to penalties under the "New Jersey State Wage and Hour Law" or the wage payment law. Under the bill, if the employer that is failing to pay appropriate wages also threatens an employee based on the employee's immigration status to pressure the employee from reporting a violation, the employer would be subject to additional penalties.