

SENATE, No. 432

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Senator DIANE B. ALLEN

District 7 (Burlington)

Senator SANDRA B. CUNNINGHAM

District 31 (Hudson)

SYNOPSIS

Enacts the “NJ Family First Employer Act”; establishes award for certain employers.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 5/16/2017)

1 AN ACT establishing an award for family friendly employers and
2 supplementing Title 34 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. This act shall be known and may be cited as the “NJ Family
8 First Employer Act.”

9
10 2. As used in this act:

11 “Commissioner” means the Commissioner of Labor and
12 Workforce Development.

13 “Employer” means a sole proprietorship, partnership,
14 corporation, limited liability company, association or any other
15 business entity or a nonprofit organization.

16 “Male-dominated industry” means an industry or profession for
17 which 25% or less of the national workforce is comprised of
18 females as determined by the commissioner.

19
20 3. The commissioner shall establish and maintain a program to
21 designate employers located in this State as “NJ Family First
22 Employers.” The “NJ Family First Employer” designation shall be
23 awarded only to employers that, at a minimum, meet the following
24 criteria:

25 a. Demonstrate that female employees have equal opportunity
26 to advance to leadership positions in the workplace;

27 b. Provide, if appropriate to the employer’s needs, flexible
28 work arrangements for both female and male employees, including,
29 but not limited to, the use of sick leave for family illness, flexible
30 scheduling or compressed work time opportunities for employees
31 with children, and part-time work;

32 c. Make available child care facilities or services and qualify
33 for the federal “Employer-provided child care credit” pursuant to
34 section 45F of the federal Internal Revenue Code (26 U.S.C. s.45F),
35 or make available child care facilities or services and qualify for an
36 employer-provided child care tax credit in this State;

37 d. Create and implement mentorship or leadership programs for
38 female employees, or alternatively, arrange and provide financial
39 support for female employees to attend leadership training
40 conferences hosted by third parties during normal working hours;
41 and

42 e. If the employer’s main industry is a male-dominated
43 industry, actively engage the community in which the employer is
44 located by sending highly qualified employees to schools, career
45 fairs, and other appropriate settings in the community to promote
46 the positive aspects of that industry to females, including, but not
47 limited to, the industry’s average compensation and employee

1 benefits, the industry's balance of work and personal life, and the
2 impact the industry has on the community, nation, and world.

3

4 4. a. The commissioner shall establish procedures by which an
5 employer may apply and be awarded an annual "NJ Family First
6 Employer" designation. The application for an award shall require
7 the following:

8 (1) The employer's name and address, and description of the
9 type of business or industry in which the employer is engaged;

10 (2) Verifiable evidence provided by the employer proving that
11 the employer has met the criteria established pursuant to section 3
12 of this act; and

13 (3) The signature of the employer, or the employer's
14 representative or designee, attesting to the validity of the evidence
15 provided by the employer in the application pursuant to paragraph
16 (2) of subsection a. of this section.

17 b. The commissioner shall establish procedures by which an
18 employer who has previously been awarded an annual "NJ Family
19 First Employer" designation may apply for a renewal of the award.

20 c. The commissioner shall revoke an award received by any
21 employer who knowingly or purposefully provides false
22 information on an application required pursuant to this section.

23

24 5. A notification of any award, renewal of an award, or
25 revocation of an award of the "NJ Family First Employer"
26 designation pursuant to section 4 of this act shall be delivered to the
27 employer in writing or electronically in a timely manner.

28

29 6. a. The commissioner shall create a logo or emblem which
30 an employer who has been awarded the "NJ Family First Employer"
31 designation may use in the promotion of that employer.

32 b. An employer shall not advertise, or in any way imply in any
33 advertisement, that the employer is a "NJ Family First Employer" if
34 that employer has not received an award, if the award has not been
35 renewed, or if an award was revoked, pursuant to section 4 of this
36 act.

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38 7. The commissioner shall publish a list, available to the
39 public, and available on the Internet, of employers that are awarded
40 the "NJ Family First Employer" designation. The list shall be
41 updated no less than three times in any 12 month period in order to
42 add the names of employers that have received an award or delete
43 the names of employers that have had an award revoked or that
44 have not renewed their award pursuant to section 4 of this act.

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46 8. The commissioner shall adopt, pursuant to the
47 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et

1 seq.), rules and regulations as necessary to effectuate the purposes
2 of this act.

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4 9. This act shall take effect immediately.

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STATEMENT

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9 This bill enacts the “NJ Family First Employer Act.” The bill
10 requires the Commissioner of Labor and Workforce Development to
11 establish and maintain a program to designate employers located in
12 this State as “NJ Family First Employers.”

13 The bill provides that the “NJ Family First Employer”
14 designation will be awarded only to employers that, at a minimum,
15 meet the following criteria:

16 1. Demonstrate that female employees have equal opportunity
17 to advance to leadership positions in the workplace;

18 2. Provide, if appropriate to the employer’s needs, flexible
19 work arrangements for both female and male employees, including,
20 but not limited to, the use of sick leave for family illness, flexible
21 scheduling or compressed work time opportunities for employees
22 with children, and part-time work;

23 3. Make available child care facilities or services and qualify
24 for the federal “Employer-provided child care credit,” or make
25 available child care facilities or services and qualify for an
26 employer-provided child care tax credit in this State;

27 4. Create and implement mentorship or leadership programs for
28 female employees, or alternatively, arrange and provide financial
29 support for female employees to attend leadership training
30 conferences hosted by third parties during normal working hours;
31 and

32 5. If the employer’s main industry is a male-dominated
33 industry, actively engage the community in which the employer is
34 located by sending highly qualified employees to schools, career
35 fairs, and other appropriate settings in the community to promote
36 the positive aspects of that industry to females.

37 Under the bill, the commissioner must establish procedures by
38 which an employer may apply and be awarded an annual “NJ
39 Family First Employer” designation.

40 The bill requires the commissioner to revoke an award received
41 by any employer who knowingly or purposefully provides false
42 information on an application required by the bill.

43 The bill requires the commissioner to create a logo or emblem
44 which an employer who has been awarded the “NJ Family First
45 Employer” designation may use in the promotion of that business.
46 The bill also prohibits an employer from advertising, or in any way
47 implying in any advertisement, that the employer is a “NJ Family

- 1 First Employer” if that employer has not received an award, or if an
- 2 award was revoked from that employer.
- 3 Finally, the bill requires the commissioner to publish a list,
- 4 available to the public, and available on the Internet, of employers
- 5 that are awarded the “NJ Family First Employer” designation.