

SENATE, No. 1791

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 5, 2018

Sponsored by:

Senator LORETTA WEINBERG

District 37 (Bergen)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

SYNOPSIS

Requires employers to disclose certain wage information to employees.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/14/2020)

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2

1 AN ACT requiring the disclosure of certain wage information to
2 employees and amending P.L.1965, c.173.

3

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

6

7 1. Section 6 of P.L.1965, c.173 (C.34:11-4.6) is amended to
8 read as follows:

9 6. Every employer shall:

10 a. Notify his employees at the time of hiring, of the rate of pay,
11 and of the regular payday designated by the employer in accordance
12 with section 2 of **[this act]** P.L.1965, c.173 (C.34:11-4.2).

13 b. Notify his employees of any changes in the pay rates or pay
14 days prior to the time of such changes.

15 c. Furnish each employee with a statement of deductions made
16 from his wages in accordance with section 4 of **[this act]** P.L.1965,
17 c.173 (C.34:11-4.4) for each pay period **[such]** those deductions are
18 made. Every employer with 10 or more employees, including
19 public employers, shall include in that statement:

20 (1) the employee's gross wages;

21 (2) the employee's net wages;

22 (3) the employee's rate of pay; and

23 (4) if relevant to the wage calculation, the number of hours
24 worked by the employee during the pay period.

25 An employer may provide the statement required pursuant to this
26 section electronically, unless the employee requests that the
27 statement be provided in a paper format.

28 As used in this subsection, "public employers" means the State
29 of New Jersey, or the several counties and municipalities thereof, or
30 any other political subdivision of the State, or a school district, or
31 any special district, or any authority, commission, or board, or any
32 branch or agency of the public service.

33 d. Keep posted in a place accessible to his employees an
34 abstract of **[this act]** P.L.1965, c.173 (C.34:11-4.1 et seq.)
35 furnished by the commissioner, and

36 e. Make such records as to the persons employed by him,
37 including wage and hour records and preserve such records for such
38 periods of time, as the commissioner shall prescribe by regulation
39 as necessary or appropriate for the enforcement of the provisions of
40 **[this act]** P.L.1965, c.173 (C.34:11-4.1 et seq.), provided that
41 records of the number of hours worked shall not be required as to
42 any person employed in a bona fide executive, administrative or
43 professional capacity or in the capacity of outside salesman 18
44 years of age or older where the wages of such person or persons are

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.

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1 not determined by the number of hours worked.
2 (cf: P.L.1965, c.173, s.6)

3

4 2. This act shall take effect on the 120th day next following
5 enactment.

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STATEMENT

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10 This bill requires all employers, public and private, to provide
11 each employee with a statement of earnings which shall include
12 information regarding the employee's wage calculation.

13 "Public employer" is defined in the bill as the State of New
14 Jersey, or the several counties and municipalities thereof, or any
15 other political subdivision of the State, or a school district, or any
16 special district, or any authority, commission, or board, or any
17 branch or agency of the public service.

18 Current law requires private employers to furnish each employee
19 with a statement of all deductions made from the employee's wages
20 for each pay period in which deductions were made. This bill
21 expands that obligation by requiring that all employers, public and
22 private, provide employees with a statement of earnings for each
23 pay period to include, in addition to any deductions made, the
24 following information:

- 25
- 26 • the employee's gross earnings;
 - 27 • the employee's net earnings;
 - 28 • the employee's rate of pay; and
 - 29 • the number of hours worked by the employee during the pay
30 period, if relevant to the employee's wage calculation.

31 By requiring the disclosure of this information, employees will
32 have the ability to determine whether their wages are being properly
33 calculated. This will increase employer accountability and protect
employees from intentional or inadvertent wage calculation errors.