

[First Reprint]

**SENATE, No. 2998**

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**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

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INTRODUCED OCTOBER 8, 2020

**Sponsored by:**

**Senator JOSEPH A. LAGANA**

**District 38 (Bergen and Passaic)**

**Senator VIN GOPAL**

**District 11 (Monmouth)**

**Co-Sponsored by:**

**Senator Singleton**

**SYNOPSIS**

Requires employers to provide hiring preference to employees who have reached maximum medical improvement following work related injury.

**CURRENT VERSION OF TEXT**

As amended by the Senate on June 3, 2021.



**(Sponsorship Updated As Of: 6/3/2021)**

1 AN ACT concerning employment of injured workers who have  
2 reached maximum medical improvement and supplementing  
3 chapter 15 of Title 34 of the Revised Statutes (C.34:15-1 et seq.).  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
7

8 1. a. Following a work-related injury, an employer shall provide  
9 a hiring preference to an employee who has reached maximum  
10 medical improvement and is unable to return to the position at which  
11 the employee was previously employed for any existing, unfilled  
12 position offered by the employer for which the employee can perform  
13 the essential duties of the position.

14 b. For purposes of this section, “employer” means an employer  
15 who employs at least 50 persons<sup>1</sup>, but shall not include a contractor as  
16 defined in section 3 of P.L.1999, c.238 (C.34:11-56.50)<sup>1</sup>.

17 c. Nothing in this section requires an employer to create a new  
18 position to accommodate an employee who cannot return to the  
19 employee’s former position following a work-related injury despite  
20 reaching maximum medical improvement or requires an employer to  
21 remove another employee from an existing and filled position that  
22 would be suitable for the injured employee.

23 d. <sup>1</sup>This act shall not apply to athletes employed by professional  
24 sports teams.

25 e.<sup>1</sup> Nothing in this section shall be construed to impair or affect  
26 any right of an individual with a disability to a reasonable  
27 accommodation under the “Law Against Discrimination,” P.L.1945,  
28 c.169 (C.10:5-1 et seq.).  
29

30 2. This act shall take effect immediately.

**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:

<sup>1</sup>Senate floor amendments adopted June 3, 2021.