

# SENATE, No. 312

## STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

**Sponsored by:**

**Senator PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Co-Sponsored by:**

**Senator Ruiz**

**SYNOPSIS**

Requires certain employers with State contracts to pay their employees their usual compensation for each day of jury service.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning jury service and amending N.J.S.2B:20-17.

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

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6 1. N.J.S.2B:20-17 is amended to read as follows:

7 2B:20-17. Employment protection.

8 a. (1) An employer shall not penalize an employee with  
9 respect to employment, or threaten or otherwise coerce an employee  
10 with respect to that employment, because the employee is required  
11 to attend court for jury service.

12 (2) An employer, who has a State contract, shall pay an  
13 employee his usual compensation for each day he is present for jury  
14 service, less the amount of per diem fee for each day of jury service  
15 as shown on a statement issued to the juror by the sheriff or other  
16 court officer making payment of juror fees.

17 As used in this section:

18 (a) "Employee" means a person who is employed for at least  
19 12 months by an employer for not less than 1,000 base hours during  
20 the immediately preceding 12-month period prior to jury service.

21 (b) "Employer" means a person or corporation, partnership,  
22 individual proprietorship, joint venture, firm or company or other  
23 similar legal entity who as a State contract and employs an average  
24 of at least 50 employees for 20 or more weeks.

25 (c) "State contract" means any purchase, contract or agreement  
26 the cost or contract price of which is to be paid, in whole or in part,  
27 with or out of State funds.

28 (d) "State" means any of the principal departments in the  
29 Executive Branch of State government, and any division, board,  
30 bureau, office, commission or other instrumentality within or  
31 created by such department and any independent State authority,  
32 commission, instrumentality or agency.

33 b. An employer who violates subsection a. of this section is  
34 guilty of a disorderly persons offense.

35 c. If an employer penalizes an employee in violation of  
36 subsection a. of this section, the employee may bring a civil action  
37 for economic damages suffered as a result of the violation and for  
38 an order requiring the reinstatement of the employee. The action  
39 shall be commenced within 90 days from the date of the violation or  
40 the completion of jury service, whichever is later. If the employee  
41 prevails, the employee shall be entitled to a reasonable attorney's  
42 fee fixed by the court.

43 (cf: P.L.1995, c.44, s.1)

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45 2. This act shall take effect six months after enactment.

**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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STATEMENT

This bill would enhance the current law which provides employment protection for jury service.

Currently, N.J.S.2B:20-17 prohibits an employer from penalizing an employee who is called for jury service. This bill would require an employer, who contracts with the State to continue to pay his employee his usual compensation for each day of jury service, less the amount of per diem fee for each day of jury service.

The bill defines "State contract" as any purchase, contract or agreement the cost or contract price of which is to be paid, in whole or in part, with or out of State funds. The bill would apply to employers who have a State contract and have at least 50 employees for 20 or more weeks. Under the bill, an employee means a person who is employed for at least 12 months by an employer for not less than 1,000 base hours during the immediately preceding 12-month period prior to jury service.