

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4151

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 6, 2024

The Assembly Labor Committee reports favorably and with committee amendments Assembly Bill No. 4151.

As amended, this bill requires employers to make reasonable efforts to announce, post, or otherwise make known opportunities for promotion that are advertised internally within the employer or externally on internet-based advertisements, postings, printed flyers, or other similar advertisements to all current employees in the affected department or departments of the employer's business prior to making a promotion decision.

As amended, the bill requires employers to disclose in each posting for new jobs and transfer opportunities that are advertised by the employer either externally or internally the hourly wage or salary, or a range of the hourly wage or salary, and a general description of benefits and other compensation programs for which the employee would be eligible.

As amended, an employer's failure to comply with the bill's provisions in connection with a particular promotional opportunity will be considered one violation for all listings of that promotion, even if that promotion is listed on multiple forums.

As amended, an employer's failure to comply with the bill's provisions in connection with a particular job opening or transfer opportunity will be considered one violation regardless of the number of postings that list, or forums that advertise, that job opening or transfer opportunity, as appropriate.

As amended, the Commissioner of Labor and Workforce Development may enforce the provisions of the bill in a summary proceeding, and as amended, an employer who violates the bill will be subject to a civil penalty in an amount not to exceed \$300 for the first violation, and \$600 for each subsequent violation.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

1. reduce the penalties for violations for first-time violations from up to \$1,000 to \$300, for a second violation from up to \$5,000 to \$600, and for subsequent violations, from up to \$10,000 to \$600;

2. require that listings provide a general description, rather than a full listing, of benefits and other compensation programs;

3. clarify that an employer's failure to comply with the bill's provisions in connection with a particular promotional opportunity will be considered one violation for all listings of that promotion, even if that promotion is listed on multiple forums; and

4. clarify that an employer's failure to comply with the bill's provisions in connection with a particular job opening or transfer opportunity will be considered one violation regardless of the number of postings that list, or forums that advertise, that job opening or transfer opportunity, as appropriate.

The amendments make this bill identical to Senate Bill No. 2310 (1R) of the 2024-2025 Legislative Session.