

New Jersey Employers Must Distribute New Recordkeeping Poster to All Employees and New Hires

November 14, 2011

The New Jersey Department of Labor and Workforce Development ("DLWD") has issued a new notice that must be posted and distributed to all employees and new hires. The six-page notice details an employer's obligations to maintain and report records regarding wages, benefits and taxes pursuant to state law. The notice is available on the DLWD Web site at: http://lwd.state.nj.us/labor/forms_pdfs/EmployerPosterPacket/MW-400.pdf.

New Jersey employers must distribute this notice to all employees by December 7, 2011, and to every newly hired employee beginning November 7, 2011. Employers may satisfy this requirement by providing either a physical copy of the notice or an electronic copy via email.

In addition, employers must "conspicuously post" this notice by either: (1) physically posting it in a place or places accessible to all employees in each of the employer's workplaces (such as on an employee bulletin board); or (2) posting it on the employer's Internet or intranet Web site, if the site is maintained by the employer for the exclusive use of its employees and all employees have access to it.

New Jersey employers should immediately post the notice and begin providing it to new hires at the time of hire. In addition, employers should arrange a method to distribute the notice to all existing employees by the December 7, 2011 deadline. This is a one-time requirement for a mass distribution to current employees, but employers will need to give this notice to each new hire on an ongoing basis. Other New Jersey notices that must be distributed to employees (as well as posted) include the Conscientious Employee Protection Act notice (distributed annually to all employees) and the Family Leave Insurance notice (distributed to all employees by December 2008; to each new hire thereafter; to each employee who requests time off for a covered reason; and upon any first request from an employee).