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Regulatory Process Delays New Jersey's New Pay Equality Poster and Notice Requirements from Taking Effect

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On September 19, 2012, New Jersey Governor Chris Christie signed a law requiring employers in the State of New Jersey with more than 50 employees to post and distribute notification to employees detailing "the right to be free of gender inequity or bias in pay, compensation, benefits or other terms or conditions of employment" under the New Jersey Law Against Discrimination, Title VII of the Civil Rights Act of 1964, and the Equal Pay Act of 1963.

Although the law was scheduled to take effect on November 19, 2012, the New Jersey Department of Labor and Workforce Development (the "Department") recently posted an update stating that the law will not take effect until the Department issues the "form of notification" by regulation.

The Department update further advised that the regulatory process takes months and involves (1) the publication of a notice of proposal in the New Jersey Register and on the Department Web site (which will contain a proposed form of notification); (2) a 60-day comment period during which time members of the public may submit written comments regarding the proposed form of notification; and (3) the publication of a notice of adoption in the New Jersey Register (which will contain the final form of notification).

Employers should continue to follow Department updates to monitor the status of the law. To prepare for New Jersey's upcoming posting and distribution requirements, please see our past client alert: New Jersey Governor Signs Law Requiring New Pay Equality Posters and Notices. If you have any questions or concerns regarding the new law, please contact your Proskauer lawyer.

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