

****THIS IS NOT THE POSTER****

DECEMBER 2013 UPDATE

NEW POSTER REQUIREMENT – GENDER EQUITY IN PAY, COMPENSATION, BENEFITS OR OTHER TERMS OR CONDITIONS OF EMPLOYMENT

A notice of adoption containing the final form of the notification (hereafter referred to as “the gender equity notice”) will be published in the January 6, 2014 issue of the New Jersey Register. No changes are being made through the notice of adoption to the rule text or to the form of the gender equity notice which was proposed on January 7, 2013 (45 N.J.R. 17(a)). Department responses to the comments submitted during the 60-day period for public comment will also be included in the notice of adoption. To assist employers in ensuring timely compliance, the Department is making the gender equity notice available several weeks in advance of the publication of the notice of adoption in the New Jersey Register. That is, beginning today, the gender equity notice will be available for download by employers from the “Employer Poster Packet” page of the Department’s website. Shortly, hard copies of the gender equity notice will also be available to employers who request mailing of the employer poster packet from the Department’s constituent relations office.

The posting and distribution requirements of P.L. 2012, c. 57 are triggered by publication of the notice of adoption in the New Jersey Register **on January 6, 2014**, not by the Department’s posting of this bulletin, nor by the Department’s posting of the gender equity notice today on its website. That is, there is no requirement that any employer post or distribute the gender equity notice prior to January 6, 2014.

The following is required:

- (1) Beginning January 6, 2014, covered employers (that is, employers in New Jersey which have a total of 50 or more employees, whether those employees work inside or outside of New Jersey) must conspicuously post the gender equity notice in a place or places accessible to all employees in each of the employer’s workplaces. In the event that a covered employer has an internet site or intranet site for exclusive use by its employees and to which all employees have access, posting of the gender equity notice on the covered employer’s internet site or intranet site will satisfy the conspicuous posting requirement.
- (2) For each employee of a covered employer who was hired on or before January 6, 2014, the covered employer must provide that employee with a written copy of the gender equity notice no later than February 5, 2014.
- (3) For each employee of a covered employer hired after January 6, 2014, the covered employer must provide that employee with a written copy of the gender equity notice at the time of the employee’s hiring.

(4) Beginning January 6, 2014, covered employers must annually, on or before December 31 of each year, provide each employee a written copy of the gender equity notice.

(5) Beginning January 6, 2014, covered employers must provide each employee a written copy of the gender equity notice upon first request of the employee.

A covered employer may provide a written copy of the gender equity notice to the employee under (2) through (5), above, using any one of the following methods: (a) through e-mail delivery, (b) through printed material, or (c) through an internet or intranet website, if the site is for the exclusive use of all employees, can be accessed by all employees, and the employer provides notice to the employees of its posting.

The gender equity notice provided to employees under (2) through (5), above, must be accompanied by an acknowledgment that the employee has received the gender equity notice and has read and understands its terms. This acknowledgment must be signed by the employee, in writing or by means of electronic verification, and returned to the covered employer within 30 days of its receipt.

Upon publication of the notice of adoption, on January 6, 2014, the Department rules governing posting and distribution of the gender equity notice will appear at N.J.A.C. 12:2-2.1 through 2.4.