

# ASSEMBLY, No. 3167

## STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED FEBRUARY 22, 2016

**Sponsored by:**

**Assemblywoman GABRIELA M. MOSQUERA**

**District 4 (Camden and Gloucester)**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington)**

**Assemblyman JAY WEBBER**

**District 26 (Essex, Morris and Passaic)**

**SYNOPSIS**

Enacts the “NJ Family First Employer Act”; establishes award for certain employers.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 4/5/2016)**

1 AN ACT establishing an award for family friendly employers and  
2 supplementing Title 34 of the Revised Statutes.

3

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

6

7 1. This act shall be known and may be cited as the “NJ Family  
8 First Employer Act.”

9

10 2. As used in this act:

11 “Commissioner” means the Commissioner of Labor and  
12 Workforce Development.

13 “Employer” means a sole proprietorship, partnership,  
14 corporation, limited liability company, association or any other  
15 business entity or a nonprofit organization.

16 “Male-dominated industry” means an industry or profession for  
17 which 25% or less of the national workforce is comprised of  
18 females as determined by the commissioner.

19

20 3. The commissioner shall establish and maintain a program to  
21 designate employers located in this State as “NJ Family First  
22 Employers.” The “NJ Family First Employer” designation shall be  
23 awarded only to employers that, at a minimum, meet the following  
24 criteria:

25 a. Demonstrate that female employees have equal opportunity  
26 to advance to leadership positions in the workplace;

27 b. Provide, if appropriate to the employer’s needs, flexible  
28 work arrangements for both female and male employees, including,  
29 but not limited to, the use of sick leave for family illness, flexible  
30 scheduling or compressed work time opportunities for employees  
31 with children, and part-time work;

32 c. Make available child care facilities or services and qualify  
33 for the federal “Employer-provided child care credit” pursuant to  
34 section 45F of the federal Internal Revenue Code (26 U.S.C. s.45F),  
35 or make available child care facilities or services and qualify for an  
36 employer-provided child care tax credit in this State;

37 d. Create and implement mentorship or leadership programs for  
38 female employees, or alternatively, arrange and provide financial  
39 support for female employees to attend leadership training  
40 conferences hosted by third parties during normal working hours;  
41 and

42 e. If the employer’s main industry is a male-dominated  
43 industry, actively engage the community in which the employer is  
44 located by sending highly qualified employees to schools, career  
45 fairs, and other appropriate settings in the community to promote  
46 the positive aspects of that industry to females, including, but not  
47 limited to, the industry’s average compensation and employee

1 benefits, the industry's balance of work and personal life, and the  
2 impact the industry has on the community, nation, and world.

3

4 4. a. The commissioner shall establish procedures by which an  
5 employer may apply and be awarded an annual "NJ Family First  
6 Employer" designation. The application for an award shall require  
7 the following:

8 (1) The employer's name and address, and description of the  
9 type of business or industry in which the employer is engaged;

10 (2) Verifiable evidence provided by the employer proving that  
11 the employer has met the criteria established pursuant to section 3  
12 of this act; and

13 (3) The signature of the employer, or the employer's  
14 representative or designee, attesting to the validity of the evidence  
15 provided by the employer in the application pursuant to paragraph  
16 (2) of subsection a. of this section.

17 b. The commissioner shall establish procedures by which an  
18 employer who has previously been awarded an annual "NJ Family  
19 First Employer" designation may apply for a renewal of the award.

20 c. The commissioner shall revoke an award received by any  
21 employer who knowingly or purposefully provides false  
22 information on an application required pursuant to this section.

23

24 5. A notification of any award, renewal of an award, or  
25 revocation of an award of the "NJ Family First Employer"  
26 designation pursuant to section 4 of this act shall be delivered to the  
27 employer in writing or electronically in a timely manner.

28

29 6. a. The commissioner shall create a logo or emblem which  
30 an employer who has been awarded the "NJ Family First Employer"  
31 designation may use in the promotion of that employer.

32 b. An employer shall not advertise, or in any way imply in any  
33 advertisement, that the employer is a "NJ Family First Employer" if  
34 that employer has not received an award, if the award has not been  
35 renewed, or if an award was revoked, pursuant to section 4 of this  
36 act.

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38 7. The commissioner shall publish a list, available to the  
39 public, and available on the Internet, of employers that are awarded  
40 the "NJ Family First Employer" designation. The list shall be  
41 updated no less than three times in any 12 month period in order to  
42 add the names of employers that have received an award or delete  
43 the names of employers that have had an award revoked or that  
44 have not renewed their award pursuant to section 4 of this act.

45

46 8. The commissioner shall adopt, pursuant to the  
47 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et

1 seq.), rules and regulations as necessary to effectuate the purposes  
2 of this act.

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4 9. This act shall take effect immediately.

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STATEMENT

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9 This bill enacts the “NJ Family First Employer Act.” The bill  
10 requires the Commissioner of Labor and Workforce Development to  
11 establish and maintain a program to designate employers located in  
12 this State as “NJ Family First Employers.”

13 The bill provides that the “NJ Family First Employer”  
14 designation will be awarded only to employers that, at a minimum,  
15 meet the following criteria:

16 1. Demonstrate that female employees have equal opportunity  
17 to advance to leadership positions in the workplace;

18 2. Provide, if appropriate to the employer’s needs, flexible  
19 work arrangements for both female and male employees, including,  
20 but not limited to, the use of sick leave for family illness, flexible  
21 scheduling or compressed work time opportunities for employees  
22 with children, and part-time work;

23 3. Make available child care facilities or services and qualify  
24 for the federal “Employer-provided child care credit,” or make  
25 available child care facilities or services and qualify for an  
26 employer-provided child care tax credit in this State;

27 4. Create and implement mentorship or leadership programs for  
28 female employees, or alternatively, arrange and provide financial  
29 support for female employees to attend leadership training  
30 conferences hosted by third parties during normal working hours;  
31 and

32 5. If the employer’s main industry is a male-dominated  
33 industry, actively engage the community in which the employer is  
34 located by sending highly qualified employees to schools, career  
35 fairs, and other appropriate settings in the community to promote  
36 the positive aspects of that industry to females.

37 Under the bill, the commissioner must establish procedures by  
38 which an employer may apply and be awarded an annual “NJ  
39 Family First Employer” designation.

40 The bill requires the commissioner to revoke an award received  
41 by any employer who knowingly or purposefully provides false  
42 information on an application required by the bill.

43 The bill requires the commissioner to create a logo or emblem  
44 which an employer who has been awarded the “NJ Family First  
45 Employer” designation may use in the promotion of that business.  
46 The bill also prohibits an employer from advertising, or in any way  
47 implying in any advertisement, that the employer is a “NJ Family

1 First Employer” if that employer has not received an award, or if an  
2 award was revoked from that employer.

3 Finally, the bill requires the commissioner to publish a list,  
4 available to the public, and available on the Internet, of employers  
5 that are awarded the “NJ Family First Employer” designation.