

ASSEMBLY, No. 2648

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED MARCH 5, 2012

Sponsored by:

Assemblyman ANGEL FUENTES

District 5 (Camden and Gloucester)

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman CELESTE M. RILEY

District 3 (Cumberland, Gloucester and Salem)

Co-Sponsored by:

Assemblyman Johnson, Assemblywomen Mosquera and Watson Coleman

SYNOPSIS

Concerns disclosure of certain employment information.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning disclosure of certain employment information
2 and amending P.L.1986, c.105.

3

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

6

7 1. Section 3 of P.L.1986, c.105 (C.34:19-3) is amended to read
8 as follows:

9 3. An employer shall not take any retaliatory action against an
10 employee because the employee does any of the following:

11 a. Discloses, or threatens to disclose to a supervisor or to a
12 public body an activity, policy or practice of the employer, or
13 another employer, with whom there is a business relationship, that
14 the employee reasonably believes:

15 (1) is in violation of a law, or a rule or regulation promulgated
16 pursuant to law, including any violation involving deception of, or
17 misrepresentation to, any shareholder, investor, client, patient,
18 customer, employee, former employee, retiree or pensioner of the
19 employer or any governmental entity, or, in the case of an employee
20 who is a licensed or certified health care professional, reasonably
21 believes constitutes improper quality of patient care; or

22 (2) is fraudulent or criminal, including any activity, policy or
23 practice of deception or misrepresentation which the employee
24 reasonably believes may defraud any shareholder, investor, client,
25 patient, customer, employee, former employee, retiree or pensioner
26 of the employer or any governmental entity;

27 b. Provides information to, or testifies before, any public body
28 conducting an investigation, hearing or inquiry into any violation of
29 law, or a rule or regulation promulgated pursuant to law by the
30 employer, or another employer, with whom there is a business
31 relationship, including any violation involving deception of, or
32 misrepresentation to, any shareholder, investor, client, patient,
33 customer, employee, former employee, retiree or pensioner of the
34 employer or any governmental entity, or, in the case of an employee
35 who is a licensed or certified health care professional, provides
36 information to, or testifies before, any public body conducting an
37 investigation, hearing or inquiry into the quality of patient care; or

38 c. Objects to, or refuses to participate in any activity, policy or
39 practice which the employee reasonably believes:

40 (1) is in violation of a law, or a rule or regulation promulgated
41 pursuant to law, including any violation involving deception of, or
42 misrepresentation to, any shareholder, investor, client, patient,
43 customer, employee, former employee, retiree or pensioner of the
44 employer or any governmental entity, or, if the employee is a

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 licensed or certified health care professional, constitutes improper
2 quality of patient care;

3 (2) is fraudulent or criminal, including any activity, policy or
4 practice of deception or misrepresentation which the employee
5 reasonably believes may defraud any shareholder, investor, client,
6 patient, customer, employee, former employee, retiree or pensioner
7 of the employer or any governmental entity; or

8 (3) is incompatible with a clear mandate of public policy
9 concerning the public health, safety or welfare or protection of the
10 environment; or

11 d. Discloses to any other employee or former employee of the
12 employer, or any authorized representative of the other employee or
13 former employee, information regarding the job title, occupational
14 category, and rate of compensation, including benefits, of any
15 employee or former employee, or the gender, race or other
16 characteristics of the employee or former employee for which it is a
17 violation of law to discriminate against an individual.

18 (cf: P.L.2005, c.329, s.1)

19

20 2. This act shall take effect immediately.

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STATEMENT

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25 This bill prohibits employer retaliation against any employee
26 who discloses, or threatens to disclose, to any other employee or
27 former employee of the employer, or any authorized representative
28 of the other employee or former employee, information regarding
29 the job title, occupational category, and rate of compensation,
30 including benefits, of any employee or former employee, or the
31 gender, race or other characteristics of the employee or former
32 employee for which it is a violation of law to discriminate against
33 an individual.