

ASSEMBLY, No. 4245

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED OCTOBER 13, 2016

Sponsored by:

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

SYNOPSIS

Requires employers to disclose certain wage information to employees.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/14/2017)

1 AN ACT requiring the disclosure of certain wage information to
2 employees and amending P.L.1965, c.173.

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

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7 1. Section 6 of P.L.1965, c.173 (C.34:11-4.6) is amended to
8 read as follows:

9 6. Every employer shall:

10 a. Notify his employees at the time of hiring, of the rate of pay,
11 and of the regular payday designated by the employer in accordance
12 with section 2 of **[this act]** P.L.1965, c.173 (C.34:11-4.2).

13 b. Notify his employees of any changes in the pay rates or pay
14 days prior to the time of such changes.

15 c. Furnish each employee with a statement of **[deductions**
16 **made from his wages in accordance with section 4 of this act]**
17 **earnings** for each pay period **[such deductions are made]**. This
18 statement, to be furnished by every employer, including public
19 employers, shall include:

20 (1) the employee's gross wages;

21 (2) the employee's net wages;

22 (3) the employee's rate of pay;

23 (4) if relevant to the wage calculation, the number of hours
24 worked by the employee during the pay period; and

25 (5) any deductions made from the employee's wages in
26 accordance with section 4 of P.L.1965, c.173 (C.34:11-4.4).

27 As used in this subsection, "public employers" means the State
28 of New Jersey, or the several counties and municipalities thereof, or
29 any other political subdivision of the State, or a school district, or
30 any special district, or any authority, commission, or board, or any
31 branch or agency of the public service.

32 d. Keep posted in a place accessible to his employees an
33 abstract of **[this act]** P.L.1965, c.173 (C.34:11-4.1 et seq.)
34 furnished by the commissioner, and

35 e. Make such records as to the persons employed by him,
36 including wage and hour records and preserve such records for such
37 periods of time, as the commissioner shall prescribe by regulation
38 as necessary or appropriate for the enforcement of the provisions of
39 **[this act]** P.L.1965, c.173 (C.34:11-4.1 et seq.), provided that
40 records of the number of hours worked shall not be required as to
41 any person employed in a bona fide executive, administrative or
42 professional capacity or in the capacity of outside salesman 18
43 years of age or older where the wages of such person or persons are
44 not determined by the number of hours worked.

45 (cf: P.L.1965, c.173, s.6)

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 2. This act shall take effect on the 120th day next following
2 enactment.

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STATEMENT

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7 This bill requires all employers, public and private, to provide
8 each employee with a statement of earnings which shall include
9 information regarding the employee's wage calculation.

10 "Public employer" is defined in the bill as the State of New
11 Jersey, or the several counties and municipalities thereof, or any
12 other political subdivision of the State, or a school district, or any
13 special district, or any authority, commission, or board, or any
14 branch or agency of the public service.

15 Current law requires private employers to furnish each employee
16 with a statement of all deductions made from the employee's wages
17 for each pay period in which deductions were made. This bill
18 expands that obligation by requiring that all employers, public and
19 private, provide employees with a statement of earnings for each
20 pay period to include, in addition to any deductions made, the
21 following information:

- 22 • the employee's gross earnings;
23 • the employee's net earnings;
24 • the employee's rate of pay; and
25 • the number of hours worked by the employee during the pay
26 period, if relevant to the employee's wage calculation.

27 By requiring the disclosure of this information, employees will
28 have the ability to determine whether their wages are being properly
29 calculated. This will increase employer accountability and protect
30 employees from intentional or inadvertent wage calculation errors.