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Governor Christie has signed into law [Bill No. A2647](#), requiring employers to provide notice of workers' rights with respect to gender equality in pay, compensation, benefits, and other terms and conditions of employment. The new law amends New Jersey's Equal Pay Act, which prohibits employers from discriminating in the rate or method of payment of wages because of an employee's sex, and applies to New Jersey employers with 50 or more employees. Signed on September 21, the law takes effect on November 21, 2012.

A2647 contains both posting and notice requirements. Covered employers are required to conspicuously post a notice, in a form to be issued by the New Jersey Department of Labor and Workforce Development (NJDOL), in a place accessible to all employees, notifying employees of their right to be free of gender inequity and bias with respect to pay, compensation, benefits, and other terms and conditions of employment.

In addition, the law requires employers to provide a copy of the NJDOL notice to each employee. Such notice must be provided: (a) within 30 days after the NJDOL issues the form notice for current employees; (b) at the time of hire for new employees; (c) annually, by December 31 of each year; and (d) at the request of an employee. Employers are also required to obtain an acknowledgement of receipt and understanding from each employee within 30 days after the employee receives the required notice. The notice may be provided by e-mail, in hard copy, or through a company Internet or intranet website (the website must be for the exclusive use of employees and accessible to all employees, and the employer must provide notice of its posting).

The notice must be posted and distributed in English, Spanish, and any language for which the NJDOL has drafted a notice and that is the primary language of a "significant number" of the employer's workforce. A previous version of the bill required posting in the primary language of 10 percent or more of the employer's workforce. There is no such guidance as to a "significant number" of employees in the enacted version of the law. Employers should err on the side of posting additional non-English copies of the notice.

Governor Christie also considered and rejected three other bills related to gender equality, A2648, A2649, and A2650. Bill No. A2648 would have extended the protections of New Jersey's Conscientious Employee Protection Act to prohibit retaliation against employees who discuss their job title, occupational category, compensation, or other demographic information because of their reasonable belief that a discriminatory pay practice is occurring. The Governor suggested that such protection is more properly part of the New Jersey Law Against Discrimination.

Bill No. A2650 is a mini-Lilly Ledbetter Fair Pay Act. Governor Christie recommended that this bill be amended to include a two-year statute of limitations on the amount of back pay an employee may recover, which mirrors the provisions of the federal Ledbetter Act.

Finally, Bill No. 2649 would have required employers who contract with the state to report to the NJDOL employee demographic and compensation information, including gender and race. It would have expanded both the number of employers required to report information to the NJDOL and the type of information required to be reported. Governor Christie refused to support this bill on the grounds that the reporting requirements are onerous, would drive up the cost of public contracts, and would not tangibly improve pay disparity.

