

Employer Update: Another Employment Law Poster that You Must Display!

06/12/20

Recently, New Jersey enacted a law requiring employers to post a notice for their employees regarding employee misclassification. The New Jersey Department of Labor recently issued the notice, which must be posted in a conspicuous space. The poster can be accessed [here](#).

The new employee misclassification law also prohibits an employer from discharging or in any other manner discriminating against an individual because the individual has made an inquiry or complaint to his employer, to the commissioner or to his authorized representative regarding possible worker misclassification, or because the individual has caused to be instituted, or is about to cause to be instituted, any legal proceeding regarding worker misclassification under New Jersey wage, benefit and tax laws, or because the individual has testified in the proceeding.

Under the law, an employer who violates any of those provisions will be found to be guilty of a disorderly persons offense and will, upon conviction, be subject to a fine. An employer will also be required to offer reinstatement in employment to a discharged individual and to correct any discriminatory action, and to pay the individual all reasonable legal costs of the action, all wages and benefits lost as a result of the discharge or discriminatory action, plus punitive damages equal to two times the lost wages and benefits, under penalty of contempt proceedings for failure to comply with the requirement.

If you are an employer with questions about this legal alert or any other employment law related matter, contact [Tracy Armstrong](#) or any member of the Wilentz [Employment Law team](#).

Attorney

- Tracy Armstrong

Practice

- Employment Law