



**LEGISLATIVE FISCAL ESTIMATE:**

No

**VETO MESSAGE:**

No

**GOVERNOR'S PRESS RELEASE ON SIGNING:**

No

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No

LAW/RWH

Title 34.  
Chapter  
11C.(New)  
New Jersey  
Security and  
Financial  
Empowerment  
Act.  
§§1-5 –  
C.34:11C-1  
to 34:11C-5  
§6 - Note

P.L.2013, CHAPTER 82, *approved July 17, 2013*  
Senate, No. 2177 (*Third Reprint*)

1 AN ACT assisting victims of domestic or sexual violence 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 as the "New Jersey Security and  
8 Financial Empowerment Act" or "NJ SAFE Act."

9  
10 <sup>2</sup>2. As used in this act:

11 "Employee" means a person who is employed for at least 12  
12 months by an employer, with respect to whom benefits are sought  
13 under this act, for not less than 1,000 base hours during the  
14 immediately preceding 12-month period; and

15 "Employer" means a person or corporation, partnership,  
16 individual proprietorship, joint venture, firm or company, or other  
17 similar legal entity which engages the services of an employee and  
18 employs 25 or more employees for each working day during each of  
19 20 or more calendar workweeks in the then current or immediately  
20 preceding calendar year. "Employer" includes the State, any  
21 political subdivision thereof, and all public offices, agencies,  
22 boards, or bodies.<sup>2</sup>

23  
24 <sup>2</sup>**[2.]** <sup>3</sup>3.<sup>2</sup> a. Any employee of an employer in <sup>2</sup>**[this]** <sup>2</sup>the State  
25 <sup>1</sup>who was a victim of an incident of domestic violence as defined in  
26 section 3 of P.L.1991, c.261 (C.2C:25-19) or a sexually violent  
27 offense as defined in section 3 of P.L.1998, c.71 <sup>2</sup>**[(C.30:4-27.6)]**  
28 (C.30:4-27.26)<sup>2</sup>, or whose child, parent, <sup>2</sup>**[or]**<sup>2</sup> spouse<sup>3</sup><sup>1</sup>],

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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SHH committee amendments adopted October 1, 2012.

<sup>2</sup>Senate floor amendments adopted October 25, 2012.

<sup>3</sup>Senate floor amendments adopted December 20, 2012.

1 domestic partner<sup>3 2</sup>, or civil union partner<sup>2</sup> was a victim<sup>2</sup>]<sup>21</sup> shall  
 2 be entitled to <sup>1</sup>unpaid<sup>1</sup> leave of <sup>2</sup>no more than<sup>2</sup> 20 days <sup>1</sup>[in any 12-  
 3 month period as needed for the purpose of engaging in any of the  
 4 following activities as they relate to an] <sup>2</sup>[, which] in one 12-  
 5 month period, to be used in the 12-month period next following any  
 6 incident of domestic violence or any sexually violent offense as  
 7 provided in this section. For purposes of this section, each incident  
 8 of domestic violence or any sexually violent offense shall constitute  
 9 a separate offense for which an employee is entitled to unpaid  
 10 leave, provided that the employee has not exhausted the allotted 20  
 11 days for the 12-month period. The unpaid leave<sup>2</sup> may be taken  
 12 intermittently in intervals of no less than one day, <sup>2</sup>[within one year  
 13 of the<sup>1</sup>] incident of domestic violence <sup>1</sup>[as defined in section 3 of  
 14 P.L.1991, c.261 (C.2C:25-19)]<sup>1</sup> or <sup>1</sup>[a]<sup>1</sup> sexually violent offense  
 15 <sup>1</sup>[as defined in section 3 of P.L.1998, c.71 (C.30:4-27.26) of which  
 16 the employee or the employee's family or household member was a  
 17 victim] <sup>2</sup>,<sup>2</sup> as needed for the purpose of engaging in any of the  
 18 following activities as they relate to the incident of domestic  
 19 violence or sexually violent offense<sup>1</sup>:

20 (1) seeking medical attention for, or recovering from, physical  
 21 or psychological injuries caused by domestic or sexual violence to  
 22 the employee or the employee's <sup>1</sup>[family or household member]  
 23 child, parent, <sup>2</sup>[or]<sup>2</sup> spouse<sup>1 2</sup>, <sup>3</sup>domestic partner,<sup>3</sup> or civil union  
 24 partner<sup>2</sup>;

25 (2) obtaining services from a victim services organization for  
 26 the employee or the employee's <sup>1</sup>[family or household member]  
 27 child, parent, <sup>2</sup>[or]<sup>2</sup> spouse<sup>1 2</sup>, <sup>3</sup>domestic partner,<sup>3</sup> or civil union  
 28 partner<sup>2</sup> ;

29 (3) obtaining psychological or other counseling for the  
 30 employee or the employee's <sup>1</sup>[family or household member] child,  
 31 parent, <sup>2</sup>[or]<sup>2</sup> spouse<sup>1 2</sup>, <sup>3</sup>domestic partner,<sup>3</sup> or civil union partner<sup>2</sup>;

32 (4) participating in safety planning, temporarily or permanently  
 33 relocating, or taking other actions to increase the safety of the  
 34 employee or the employee's <sup>1</sup>[family or household member] child,  
 35 parent, <sup>2</sup>[or]<sup>2</sup> spouse<sup>1 2</sup>, <sup>3</sup>domestic partner,<sup>3</sup> or civil union partner<sup>2</sup>  
 36 from future domestic or sexual violence or to ensure economic  
 37 security;

38 (5) seeking legal assistance or remedies to ensure the health and  
 39 safety of the employee or the employee's <sup>1</sup>[family or household  
 40 member] child, parent, <sup>2</sup>[or]<sup>2</sup> spouse<sup>1 2</sup>, <sup>3</sup>domestic partner,<sup>3</sup> or  
 41 civil union partner<sup>2</sup>, including preparing for<sup>1, 1</sup> or participating in<sup>1, 1</sup>  
 42 any civil or criminal legal proceeding related to or derived from  
 43 domestic or sexual violence; or

44 (6) attending, participating in<sup>1, 1</sup> or preparing for a criminal or  
 45 civil court proceeding relating to an incident of domestic or sexual  
 46 violence of which the <sup>1</sup>[individual, or the family or household  
 47 member of the individual] employee or the employee's child,

1 parent, <sup>2</sup>**[or]** <sup>2</sup>spouse <sup>1 2,</sup> <sup>3</sup>domestic partner, <sup>3</sup> or civil partner <sup>2</sup>, was  
2 a victim.

3 <sup>3</sup>**[**<sup>2</sup>**Nothing contained in this act shall be construed to prohibit**  
4 **an] An** <sup>2</sup> employer <sup>2</sup>**[from requiring] shall not require** <sup>2</sup> the  
5 employee to exhaust accrued paid leave provided by the employer,  
6 or leave provided pursuant to the “Family Leave Act,” P.L.1989,  
7 c.261 (C.34:11B-1 et seq.), and the federal “Family and Medical  
8 Leave Act of 1993,” <sup>2</sup>Pub.L.103-3 <sup>2</sup> 29 U.S.C. 2601 et seq., before  
9 using leave provided pursuant to this section.] An eligible  
10 employee may elect, or an employer may require the employee, to  
11 use any of the accrued paid vacation leave, personal leave, or  
12 medical or sick leave of the employee during any part of the 20-day  
13 period of unpaid leave provided under this subsection. In such  
14 case, any paid leave provided by the employer, and accrued  
15 pursuant to established policies of the employer, shall run  
16 concurrently with the unpaid leave provided under this subsection  
17 and, accordingly, the employee shall receive pay pursuant to the  
18 employer’s applicable paid leave policy during the period of  
19 otherwise unpaid leave. If an employee requests leave for a reason  
20 covered by both this subsection and the “Family Leave Act,”  
21 P.L.1989, c.261 (C.34:11B-1 et seq.) or the federal “Family and  
22 Medical Leave Act of 1993,” Pub.L.103-3 (29 U.S.C. s.2601 et  
23 seq.), the leave shall count simultaneously against the employee’s  
24 entitlement under each respective law. <sup>3</sup>

25 <sup>2</sup>Leave granted under this <sup>3</sup>**[act] section** <sup>3</sup> shall <sup>3</sup>**[be in addition**  
26 **to, and shall not abridge or] not** <sup>3</sup> conflict with <sup>3</sup>**[,]** <sup>3</sup> any rights  
27 pursuant to the “Family Leave Act,” P.L.1989, c.261 (C.34:11B-1  
28 et seq.), the “Temporary Disability Benefits Law,” P.L.1948, c.110  
29 (C.43:21-25 et seq.), <sup>3</sup>**[and] or** <sup>3</sup> the federal “Family and Medical  
30 Leave Act of 1993,” Pub.L.103-3 <sup>3</sup>**[**(29U.S.C. s.2601 et seq.)**]** (29  
31 U.S.C. s.2601 et seq.) <sup>3</sup> . <sup>2</sup>

32 b. Prior to taking the leave provided for in this section, an  
33 employee shall, if the necessity for the leave is foreseeable, provide  
34 the employer with written notice of the need for the leave. The  
35 notice shall be provided to the employer as far in advance as is  
36 reasonable and practical under the circumstances.

37 c. Nothing contained in this act shall be construed to prohibit  
38 an employer from requiring that a period of leave provided pursuant  
39 to this section be supported by the employee with documentation of  
40 the domestic violence or sexually violent offense which is the basis  
41 for the leave. If the employer requires the documentation, the  
42 employee shall be regarded as having provided sufficient  
43 documentation if the employee provides one or more of the  
44 following:

45 (1) a domestic violence restraining order or other documentation  
46 of equitable relief issued by a court of competent jurisdiction;

47 (2) a letter or other written documentation from the county or  
48 municipal prosecutor documenting the domestic violence or

1 sexually violent offense;

2 (3) documentation of the conviction of a person for the domestic  
3 violence or sexually violent offense;

4 (4) medical documentation of the domestic violence or sexually  
5 violent offense;

6 (5) certification from a certified Domestic Violence Specialist or  
7 the director of a designated domestic violence agency or Rape  
8 Crisis Center, that the employee or employee's <sup>2</sup>**[family or  
9 household member]** child, parent, spouse, <sup>3</sup>domestic partner,<sup>3</sup> or  
10 civil union partner<sup>2</sup> is a victim of domestic violence or a sexually  
11 violent offense; or

12 (6) other documentation or certification of the domestic violence  
13 or sexually violent offense provided by a social worker, member of  
14 the clergy, shelter worker<sup>1,1</sup> or other professional who has assisted  
15 the employee or employee's <sup>2</sup>**[family or household member]** child,  
16 parent, spouse, <sup>3</sup>domestic partner,<sup>3</sup> or civil union partner<sup>2</sup> in dealing  
17 with the domestic violence or sexually violent offenses.

18 For the purposes of this subsection:

19 "Certified Domestic Violence Specialist" means a person who  
20 has fulfilled the requirements of certification as a Domestic  
21 Violence Specialist established by the New Jersey Association of  
22 Domestic Violence Professionals; and "designated domestic  
23 violence agency" means a county-wide organization with a primary  
24 purpose to provide services to victims of domestic violence, and  
25 which provides services that conform to the core domestic violence  
26 services profile as defined by the Division of <sup>1</sup>**[Youth and Family  
27 Services]** Child Protection and Permanency<sup>1</sup> in the Department of  
28 <sup>1</sup>**[Human Services]** Children and Families<sup>1</sup> and is under contract  
29 with the division for the express purpose of providing <sup>1</sup>**[such]** the<sup>1</sup>  
30 services.

31 "Rape Crisis Center" means an office, institution<sup>1,1</sup> or center  
32 offering assistance to victims of sexual offenses through crisis  
33 intervention, medical and legal information<sup>1,1</sup> and follow-up  
34 counseling.

35 d. <sup>2</sup>**[An employee shall be entitled, at the employee's option, to  
36 take the leave provided for in this section intermittently or on a  
37 reduced leave basis upon the approval of the employer.**

38 e.]<sup>2</sup> An employer shall display conspicuous notice of its  
39 employees' rights and obligations pursuant to the provisions of this  
40 act, <sup>3</sup>in such form and in such manner as the Commissioner of  
41 Labor and Workforce Development shall prescribe,<sup>3</sup> and use other  
42 appropriate means to keep its employees so informed.

43 <sup>2</sup>**[f.] e.**<sup>2</sup> No provision of this act shall be construed as requiring  
44 or permitting an employer to reduce employment benefits provided  
45 by the employer or required by a collective bargaining agreement  
46 which are in excess of those required by this act. Nor shall any  
47 provision of this act be construed to prohibit the negotiation and  
48 provision through collective bargaining agreements of leave

1 policies or benefit programs which provide benefits in excess of  
2 those required by this act. This provision shall apply irrespective of  
3 the date that a collective bargaining agreement takes effect.

4 Nothing contained in this act shall be construed as permitting an  
5 employer to <sup>1</sup>:

6 (1)<sup>1</sup> rescind or reduce any employment benefit accrued prior to  
7 the date on which the leave taken pursuant to this act commenced<sup>1</sup>;  
8 or

9 (2) rescind or reduce any employment benefit, unless the  
10 rescission or reduction of the benefit is based on changes that would  
11 have occurred if an employee continued to work without taking the  
12 leave provided pursuant to this section<sup>1</sup>.

13 <sup>2</sup>[g.] f.<sup>2</sup> All information provided to an employer pursuant to  
14 subsection c. of this section, and any information regarding a leave  
15 taken pursuant to this section and any failure of an employee to  
16 return to work, shall be retained in the strictest confidentiality,  
17 unless the disclosure is voluntarily authorized in writing by the  
18 employee or is required by a federal or State law, rule<sup>1,1</sup> or  
19 regulation.

20 <sup>2</sup>[h.] As used in this act:

21 “employee” means a person who is employed for at least 12  
22 months by an employer, with respect to whom benefits are sought  
23 under this act, for not less than 1,000 base hours during the  
24 immediately preceding 12-month period; and

25 “employer” means a person or corporation, partnership,  
26 individual proprietorship, joint venture, firm or company, or other  
27 similar legal entity, as defined in section 3 of P.L.1989, c.261  
28 (C.34:11B-3), which engages the services of an employee and  
29 employs 25 or more employees.<sup>1</sup><sup>2</sup>

30  
31 <sup>2</sup>[3.] 4.<sup>2</sup> An employer shall not discharge, harass or otherwise  
32 discriminate or retaliate or threaten to discharge, harass or  
33 otherwise discriminate or retaliate against an employee with respect  
34 to the compensation, terms, conditions or privileges of employment  
35 on the basis that the employee took or requested any leave to which  
36 the employee was entitled pursuant to section <sup>2</sup>[2] 3<sup>2</sup> of this act or  
37 on the basis that the employee refused to authorize the release of  
38 information deemed confidential pursuant to subsection <sup>2</sup>[g.] f.<sup>2</sup> of  
39 section <sup>2</sup>[2] 3<sup>2</sup> of this act.

40  
41 <sup>2</sup>[4.] 5.<sup>2</sup> a. Upon a violation of any of the provisions of  
42 section <sup>2</sup>[2] 3<sup>2</sup> or section <sup>2</sup>[3] 4<sup>2</sup> of this act, an employee or  
43 former employee may institute a civil action in the Superior Court  
44 for relief. All remedies available in common law tort actions shall  
45 be available to a prevailing plaintiff. The court may also order any  
46 or all of the following relief:

47 (1) an assessment of a civil fine of not less than \$1,000 and not  
48 more than \$2,000 for the first violation of any of the provisions of

1 section <sup>2</sup>[2] 3<sup>2</sup> or section <sup>2</sup>[3] 4<sup>2</sup> of this act and not more than  
2 \$5,000 for each subsequent violation;

3 (2) an injunction to restrain the continued violation of any of the  
4 provisions of section <sup>2</sup>[2] 3<sup>2</sup> or section <sup>2</sup>[3] 4<sup>2</sup> of this act;

5 (3) reinstatement of the employee to the same position or to a  
6 position equivalent to that which the employee held prior to  
7 unlawful discharge or retaliatory action;

8 (4) reinstatement of full fringe benefits and seniority rights;

9 (5) Compensation for any lost wages, benefits and other  
10 remuneration;

11 (6) payment of reasonable costs and attorney's fees.

12 b. <sup>1</sup>[an] An<sup>1</sup> action brought under this section shall be  
13 commenced within one year of the date of the alleged violation.

14 c. <sup>1</sup>[any remedies provided for in this section shall be in  
15 addition to any legal or equitable relief provided by any other  
16 federal or State law, rule or regulation] A private cause of action  
17 provided for in this section shall be the sole remedy for a violation  
18 of this act.<sup>1</sup>

19

20 <sup>2</sup>[5.] 6.<sup>2</sup> This act shall take effect <sup>1</sup>[immediately] on the first  
21 day of the third month next following the date of enactment<sup>1</sup>.

22

23

24 \_\_\_\_\_

25

26 Creates the "New Jersey Security and Financial Empowerment  
27 Act" to assist victims of domestic violence and sexual assault.

**SENATE, No. 2177**

**STATE OF NEW JERSEY**  
**215th LEGISLATURE**

INTRODUCED SEPTEMBER 20, 2012

**Sponsored by:**

**Senator FRED H. MADDEN, JR.**

**District 4 (Camden and Gloucester)**

**Senator JAMES BEACH**

**District 6 (Burlington and Camden)**

**SYNOPSIS**

Creates the "New Jersey Security and Financial Empowerment Act" to assist victims of domestic violence and sexual assault.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 10/2/2012)**

1 AN ACT assisting victims of domestic or sexual violence 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 as the "New Jersey Security and  
8 Financial Empowerment Act" or "NJ SAFE Act."

9  
10 2. a. Any employee of an employer in this State shall be  
11 entitled to leave of 20 days within one year of an incident of  
12 domestic violence as defined in section 3 of P.L.1991, c.261  
13 (C.2C:25-19) or a sexually violent offense as defined in section 3 of  
14 P.L.1998, c.71 (C.30:4-27.26) of which the employee or the  
15 employee's family or household member was a victim, as needed  
16 for the purpose of engaging in any of the following activities as  
17 they relate to the incident of domestic violence or sexually violent  
18 offense:

19 (1) seeking medical attention for, or recovering from, physical  
20 or psychological injuries caused by domestic or sexual violence to  
21 the employee or the employee's family or household member;

22 (2) obtaining services from a victim services organization for  
23 the employee or the employee's family or household member;

24 (3) obtaining psychological or other counseling for the  
25 employee or the employee's family or household member;

26 (4) participating in safety planning, temporarily or permanently  
27 relocating, or taking other actions to increase the safety of the  
28 employee or the employee's family or household member from  
29 future domestic or sexual violence or to ensure economic security;

30 (5) seeking legal assistance or remedies to ensure the health and  
31 safety of the employee or the employee's family or household  
32 member, including preparing for, or participating in, any civil or  
33 criminal legal proceeding related to or derived from domestic or  
34 sexual violence; or

35 (6) attending, participating in, or preparing for a criminal or  
36 civil court proceeding relating to an incident of domestic or sexual  
37 violence of which the individual, or the family or household  
38 member of the individual, was a victim.

39 Nothing contained in this act shall be construed to prohibit an  
40 employer from requiring the employee to exhaust accrued paid  
41 leave provided by the employer, or leave provided pursuant to the  
42 "Family Leave Act," P.L.1989, c.261 (C.34:11B-1 et seq.), and the  
43 federal "Family and Medical Leave Act of 1993," 29 U.S.C. 2601 et  
44 seq., before using leave provided pursuant to this section.

45 b. Prior to taking the leave provided for in this section, an  
46 employee shall, if the necessity for the leave is foreseeable, provide  
47 the employer with written notice of the need for the leave. The  
48 notice shall be provided to the employer as far in advance as is  
49 reasonable and practical under the circumstances.

1 c. Nothing contained in this act shall be construed to prohibit  
2 an employer from requiring that a period of leave provided pursuant  
3 to this section be supported by the employee with documentation of  
4 the domestic violence or sexually violent offense which is the basis  
5 for the leave. If the employer requires the documentation, the  
6 employee shall be regarded as having provided sufficient  
7 documentation if the employee provides one or more of the  
8 following:

9 (1) a domestic violence restraining order or other documentation  
10 of equitable relief issued by a court of competent jurisdiction;

11 (2) a letter or other written documentation from the county or  
12 municipal prosecutor documenting the domestic violence or  
13 sexually violent offense;

14 (3) documentation of the conviction of a person for the domestic  
15 violence or sexually violent offense;

16 (4) medical documentation of the domestic violence or sexually  
17 violent offense;

18 (5) certification from a certified Domestic Violence Specialist or  
19 the director of a designated domestic violence agency or Rape  
20 Crisis Center, that the employee or employee's family or household  
21 member is a victim of domestic violence or a sexually violent  
22 offense; or

23 (6) other documentation or certification of the domestic violence  
24 or sexually violent offense provided by a social worker, member of  
25 the clergy, shelter worker, or other professional who has assisted  
26 the employee or employee's family or household member in  
27 dealing with the domestic violence or sexually violent offenses.

28 For the purposes of this subsection:

29 "Certified Domestic Violence Specialist" means a person who  
30 has fulfilled the requirements of certification as a Domestic  
31 Violence Specialist established by the New Jersey Association of  
32 Domestic Violence Professionals; and "designated domestic  
33 violence agency" means a county-wide organization with a primary  
34 purpose to provide services to victims of domestic violence, and  
35 which provides services that conform to the core domestic violence  
36 services profile as defined by the Division of Child Protection and  
37 Permanency in the Department of Children and Families and is  
38 under contract with the division for the express purpose of  
39 providing the services.

40 "Rape Crisis Center" means an office, institution, or center  
41 offering assistance to victims of sexual offenses through crisis  
42 intervention, medical and legal information, and follow-up  
43 counseling.

44 d. An employee shall be entitled, at the employee's option, to  
45 take the leave provided for in this section intermittently or on a  
46 reduced leave basis upon the approval of the employer.

47 e. An employer shall display conspicuous notice of its  
48 employees' rights and obligations pursuant to the provisions of this  
49 act, and use other appropriate means to keep its employees so

1 informed.

2 f. No provision of this act shall be construed as requiring or  
3 permitting an employer to reduce employment benefits provided by  
4 the employer or required by a collective bargaining agreement  
5 which are in excess of those required by this act. Nor shall any  
6 provision of this act be construed to prohibit the negotiation and  
7 provision through collective bargaining agreements of leave  
8 policies or benefit programs which provide benefits in excess of  
9 those required by this act. This provision shall apply irrespective of  
10 the date that a collective bargaining agreement takes effect.

11 Nothing contained in this act shall be construed as permitting an  
12 employer to:

13 (1) rescind or reduce any employment benefit accrued prior to  
14 the date on which the leave taken pursuant to this act commenced;  
15 or

16 (2) rescind or reduce any employment benefit, unless the  
17 rescission or reduction of the benefit is based on changes that would  
18 have occurred if an employee continued to work without taking the  
19 leave provided pursuant to this section.

20 g. All information provided to an employer pursuant to  
21 subsection c. of this section, and any information regarding a leave  
22 taken pursuant to this section and any failure of an employee to  
23 return to work, shall be retained in the strictest confidentiality,  
24 unless the disclosure is voluntarily authorized in writing by the  
25 employee or is required by a federal or State law, rule, or  
26 regulation.

27 h. As used in this act, "employer" means a person or  
28 corporation, partnership, individual proprietorship, joint venture,  
29 firm or company, or other similar legal entity, as defined in section  
30 3 of P.L. 1989, c.261 (C.34:11B-3), which engages the services of  
31 an employee and employs 25 or more employees.

32

33 3. An employer shall not discharge, harass or otherwise  
34 discriminate or retaliate or threaten to discharge, harass or  
35 otherwise discriminate or retaliate against an employee with respect  
36 to the compensation, terms, conditions or privileges of employment  
37 on the basis that the employee took or requested any leave to which  
38 the employee was entitled pursuant to section 2 of this act or on the  
39 basis that the employee refused to authorize the release of  
40 information deemed confidential pursuant to subsection g. of  
41 section 2 of this act.

42

43 4. a. Upon a violation of any of the provisions of section 2 or  
44 section 3 of this act, an employee or former employee may institute  
45 a civil action in the Superior Court for relief. All remedies available  
46 in common law tort actions shall be available to a prevailing  
47 plaintiff. The court may also order any or all of the following relief:

48 (1) an assessment of a civil fine of not less than \$1,000 and not  
49 more than \$2,000 for the first violation of any of the provisions of

- 1 section 2 or section 3 of this act and not more than \$5,000 for each  
2 subsequent violation;
- 3 (2) an injunction to restrain the continued violation of any of the  
4 provisions of section 2 or section 3 of this act;
- 5 (3) reinstatement of the employee to the same position or to a  
6 position equivalent to that which the employee held prior to  
7 unlawful discharge or retaliatory action;
- 8 (4) reinstatement of full fringe benefits and seniority rights;
- 9 (5) Compensation for any lost wages, benefits and other  
10 remuneration;
- 11 (6) payment of reasonable costs and attorney's fees.
- 12 b. an action brought under this section shall be commenced  
13 within one year of the date of the alleged violation.
- 14 c. any remedies provided for in this section shall be in addition  
15 to any legal or equitable relief provided by any other federal or  
16 State law, rule or regulation.
- 17
- 18 5. This act shall take effect immediately.
- 19
- 20

21 STATEMENT

22

23 This bill, to be known as the "New Jersey Security and Financial  
24 Empowerment Act" or the "NJ SAFE Act," provides 20 days of  
25 leave time for an employee who is the victim of domestic violence  
26 or sexual assault or whose family or household member was the  
27 victim, within one year of the incident of domestic violence or  
28 sexual assault.

29 The leave time is provided to allow the employee to: seek  
30 medical attention for physical or psychological injuries caused by  
31 domestic or sexual violence to the employee or the employee's  
32 family or household member; obtain services from a victim services  
33 organization for the employee or the employee's family or  
34 household member; obtain psychological or other counseling for the  
35 employee or the employee's family or household member;  
36 participate in safety planning, temporarily or permanently  
37 relocating, or taking other actions to increase the safety of the  
38 employee or the employee's family or household member from  
39 future domestic or sexual violence or ensure economic security;  
40 seek legal assistance or remedies to ensure the health and safety of  
41 the employee or the employee's family or household member,  
42 including preparing for, or participating in, any civil or criminal  
43 legal proceeding related to or derived from domestic or sexual  
44 violence; or attend, participate in, or prepare for a criminal or civil  
45 court proceeding relating to an incident of domestic or sexual  
46 violence of which the individual, or the family or household  
47 member of the individual, was a victim.

SENATE HEALTH, HUMAN SERVICES AND SENIOR  
CITIZENS COMMITTEE

STATEMENT TO

**SENATE, No. 2177**

with committee amendments

**STATE OF NEW JERSEY**

DATED: OCTOBER 1, 2012

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 2177.

As amended by the committee, this bill, which is to be known as the “New Jersey Security and Financial Empowerment Act” or the “NJ SAFE Act,” provides 20 days of unpaid leave time for an employee who is the victim of domestic violence or sexual assault or whose family or household member was the victim, within one year of the incident of domestic violence or sexual assault.

The leave time is provided to allow the employee to: seek medical attention for physical or psychological injuries caused by domestic or sexual violence to the employee or the employee’s child, parent, or spouse; obtain services from a victim services organization for the employee or the employee’s child, parent, or spouse; obtain psychological or other counseling for the employee or the employee’s child, parent, or spouse; participate in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee’s child, parent, or spouse from future domestic or sexual violence or ensure economic security; seek legal assistance or remedies to ensure the health and safety of the employee or the employee’s child, parent, or spouse, including preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic or sexual violence; or attend, participate in, or prepare for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee’s child, parent, or spouse, was a victim.

The committee amendments:

- clarify that an employee entitled to leave under the provisions of the bill can take the leave within one year of the incident of domestic violence or sexual assault, instead of within any 12-month period as the bill currently provides;
- clarify that the leave is unpaid and may only be taken in intervals of no less than one day;

- replace the term “employee’s family or household member” with the term “employee’s child, parent, or spouse;”
- stipulate that nothing contained in the bill would permit an employer from rescinding or reducing any employment benefit unless the rescission or reduction of the benefit would have occurred if an employee continued to work without taking the leave provided in the bill;
- define “employee” to mean a person who is employed for at least 12 months by an employer, with respect to whom benefits are sought under this bill, for not less than 1,000 base hours during the immediately preceding 12-month period; and
- define “employer” to mean a person or corporation, partnership, individual proprietorship, joint venture, firm or company, or other similar legal entity, as defined in the “Family Leave Act,” P.L.1989, c.261 (C.34:11B-1 et seq.), which engages the services of an employee and employs 25 or more employees;
- provide that a private cause of action is the sole remedy for a violation of the bill; and
- update references to the Division of Child Protection and Permanency (formerly the Division of Youth and Family Services) and the Department of Children and Families to conform to current law’ and
- delay the effective date of the bill from immediately to the first day of the third month next following the date of enactment.

STATEMENT TO  
[First Reprint]  
**SENATE, No. 2177**

with Senate Floor Amendments  
(Proposed by Senator MADDEN)

ADOPTED: OCTOBER 25, 2012

These amendments clarify that the bill also applies to incidents involving an employee's civil union partner. The amendments stipulate that if an employee, or the employee's child, parent, spouse, or civil union partner was a victim of an incident of domestic violence or a sexually violent offense, the employee is entitled to no more than 20 days of unpaid leave in one 12-month period, to be used in the 12-month period next following the incident, and each incident of domestic violence or sexually violent offense constitutes a separate offense for which an employee is entitled to leave, provided that the employee has not exhausted the allotted 20 days for the 12-month period. The amendments also make various technical amendments to the bill, including clarification of the definition of "employer," and removal of language stipulating that an employee is entitled to take the leave intermittently or on a reduced leave basis upon the approval of the employer.

STATEMENT TO  
[Second Reprint]  
**SENATE, No. 2177**

with Senate Floor Amendments  
(Proposed by Senator Madden)

ADOPTED: DECEMBER 20, 2012

These floor amendments provide that an employee may elect, or an employer may require an employee, to use any of the employee's accrued, paid vacation leave, personal time, or medical or sick leave during any part of the 20-day period of unpaid leave provided by the bill. In such a case, paid leave would run concurrent with the unpaid leave, and the employee would receive pay pursuant to the employer's applicable paid leave policy during the period of otherwise unpaid leave. Where an employee requests leave for a reason covered by both this bill and the "Family Leave Act," P.L.1989, c.261 (C.34:11B-1 et seq.) or the federal "Family and Medical Leave Act of 1993," Pub.L.103-3 (29 s.U.S.C. 2601 et seq.), the leave would count simultaneously against the employee's entitlement under each respective law. The amendments also clarify that leave granted under this bill is not to conflict with any rights pursuant to the "Family Leave Act," P.L.1989, c.261 (C.34:11B-1 et seq.), the "Temporary Disability Benefits Law," P.L.1948, c.110 (C.43:21-25 et seq.), or the federal "Family and Medical Leave Act of 1993," Pub.L.103-3 (29 U.S.C. s.2601 et seq.). The amendments clarify that the bill also applies in situations of domestic violence or sexually violent offense against an employee's domestic partner. The amendments further specify that the conspicuous notice of employees' rights and obligations required to be displayed by employers is to be prescribed by the Commissioner of Labor and Workforce Development.

# ASSEMBLY, No. 2919

## STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED MAY 14, 2012

**Sponsored by:**

**Assemblyman ANGEL FUENTES**

**District 5 (Camden and Gloucester)**

**Assemblywoman GABRIELA M. MOSQUERA**

**District 4 (Camden and Gloucester)**

**Co-Sponsored by:**

**Assemblywoman Lampitt, Assemblymen Conaway, Johnson and McKeon**

**SYNOPSIS**

Creates the "New Jersey Security and Financial Empowerment Act" to assist victims of domestic violence and sexual assault.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/15/2012)**

1 AN ACT assisting victims of domestic or sexual violence 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 as the "New Jersey Security and  
8 Financial Empowerment Act" or "NJ SAFE Act."

9

10 2. a. Any employee of an employer in this State shall be  
11 entitled to leave of 20 days in any 12-month period as needed for  
12 the purpose of engaging in any of the following activities as they  
13 relate to an incident of domestic violence as defined in section 3 of  
14 P.L.1991, c.261 (C.2C:25-19) or a sexually violent offense as  
15 defined in section 3 of P.L.1998, c.71 (C.30:4-27.26) of which the  
16 employee or the employee's family or household member was a  
17 victim:

18 (1) seeking medical attention for, or recovering from, physical  
19 or psychological injuries caused by domestic or sexual violence to  
20 the employee or the employee's family or household member;

21 (2) obtaining services from a victim services organization for  
22 the employee or the employee's family or household member;

23 (3) obtaining psychological or other counseling for the  
24 employee or the employee's family or household member;

25 (4) participating in safety planning, temporarily or permanently  
26 relocating, or taking other actions to increase the safety of the  
27 employee or the employee's family or household member from  
28 future domestic or sexual violence or to ensure economic security;

29 (5) seeking legal assistance or remedies to ensure the health and  
30 safety of the employee or the employee's family or household  
31 member, including preparing for or participating in any civil or  
32 criminal legal proceeding related to or derived from domestic or  
33 sexual violence; or

34 (6) attending, participating in or preparing for a criminal or  
35 civil court proceeding relating to an incident of domestic or sexual  
36 violence of which the individual, or the family or household  
37 member of the individual, was a victim.

38 Nothing contained in this act shall be construed to prohibit an  
39 employer from requiring the employee to exhaust accrued paid  
40 leave provided by the employer, or leave provided pursuant to the  
41 "Family Leave Act," P.L.1989, c.261 (C.34:11B-1 et seq.), and the  
42 federal "Family and Medical Leave Act of 1993," 29 U.S.C. 2601 et  
43 seq., before using leave provided pursuant to this section.

44 b. Prior to taking the leave provided for in this section, an  
45 employee shall, if the necessity for the leave is foreseeable, provide  
46 the employer with written notice of the need for the leave. The  
47 notice shall be provided to the employer as far in advance as is  
48 reasonable and practical under the circumstances.

1 c. Nothing contained in this act shall be construed to prohibit  
2 an employer from requiring that a period of leave provided pursuant  
3 to this section be supported by the employee with documentation of  
4 the domestic violence or sexually violent offense which is the basis  
5 for the leave. If the employer requires the documentation, the  
6 employee shall be regarded as having provided sufficient  
7 documentation if the employee provides one or more of the  
8 following:

9 (1) a domestic violence restraining order or other documentation  
10 of equitable relief issued by a court of competent jurisdiction;

11 (2) a letter or other written documentation from the county or  
12 municipal prosecutor documenting the domestic violence or  
13 sexually violent offense;

14 (3) documentation of the conviction of a person for the domestic  
15 violence or sexually violent offense;

16 (4) medical documentation of the domestic violence or sexually  
17 violent offense;

18 (5) certification from a certified Domestic Violence Specialist or  
19 the director of a designated domestic violence agency or Rape  
20 Crisis Center, that the employee or employee's family or household  
21 member is a victim of domestic violence or a sexually violent  
22 offense; or

23 (6) other documentation or certification of the domestic violence  
24 or sexually violent offense provided by a social worker, member of  
25 the clergy, shelter worker or other professional who has assisted the  
26 employee or employee's family or household member in dealing  
27 with the domestic violence or sexually violent offenses.

28 For the purposes of this subsection:

29 "Certified Domestic Violence Specialist" means a person who  
30 has fulfilled the requirements of certification as a Domestic  
31 Violence Specialist established by the New Jersey Association of  
32 Domestic Violence Professionals; and "designated domestic  
33 violence agency" means a county-wide organization with a primary  
34 purpose to provide services to victims of domestic violence, and  
35 which provides services that conform to the core domestic violence  
36 services profile as defined by the Division of Youth and Family  
37 Services in the Department of Human Services and is under contract  
38 with the division for the express purpose of providing such services.

39 "Rape Crisis Center" means an office, institution or center  
40 offering assistance to victims of sexual offenses through crisis  
41 intervention, medical and legal information and follow-up  
42 counseling.

43 d. An employee shall be entitled, at the employee's option, to  
44 take the leave provided for in this section intermittently or on a  
45 reduced leave basis upon the approval of the employer.

46 e. An employer shall display conspicuous notice of its  
47 employees' rights and obligations pursuant to the provisions of this  
48 act, and use other appropriate means to keep its employees so

1 informed.

2 f. No provision of this act shall be construed as requiring or  
3 permitting an employer to reduce employment benefits provided by  
4 the employer or required by a collective bargaining agreement  
5 which are in excess of those required by this act. Nor shall any  
6 provision of this act be construed to prohibit the negotiation and  
7 provision through collective bargaining agreements of leave  
8 policies or benefit programs which provide benefits in excess of  
9 those required by this act. This provision shall apply irrespective of  
10 the date that a collective bargaining agreement takes effect.

11 Nothing contained in this act shall be construed as permitting an  
12 employer to rescind or reduce any employment benefit accrued  
13 prior to the date on which the leave taken pursuant to this act  
14 commenced.

15 g. All information provided to an employer pursuant to  
16 subsection c. of this section, and any information regarding a leave  
17 taken pursuant to this section and any failure of an employee to  
18 return to work, shall be retained in the strictest confidentiality,  
19 unless the disclosure is voluntarily authorized in writing by the  
20 employee or is required by a federal or State law, rule or regulation.

21

22 3. An employer shall not discharge, harass or otherwise  
23 discriminate or retaliate or threaten to discharge, harass or  
24 otherwise discriminate or retaliate against an employee with respect  
25 to the compensation, terms, conditions or privileges of employment  
26 on the basis that the employee took or requested any leave to which  
27 the employee was entitled pursuant to section 2 of this act or on the  
28 basis that the employee refused to authorize the release of  
29 information deemed confidential pursuant to subsection g. of  
30 section 2 of this act.

31

32 4. a. Upon a violation of any of the provisions of section 2 or  
33 section 3 of this act, an employee or former employee may institute  
34 a civil action in the Superior Court for relief. All remedies available  
35 in common law tort actions shall be available to a prevailing  
36 plaintiff. The court may also order any or all of the following relief:

37 (1) an assessment of a civil fine of not less than \$1,000 and not  
38 more than \$2,000 for the first violation of any of the provisions of  
39 section 2 or section 3 of this act and not more than \$5,000 for each  
40 subsequent violation;

41 (2) an injunction to restrain the continued violation of any of the  
42 provisions of section 2 or section 3 of this act;

43 (3) reinstatement of the employee to the same position or to a  
44 position equivalent to that which the employee held prior to  
45 unlawful discharge or retaliatory action;

46 (4) reinstatement of full fringe benefits and seniority rights;

47 (5) Compensation for any lost wages, benefits and other  
48 remuneration;

- 1 (6) payment of reasonable costs and attorney's fees.  
2 b. an action brought under this section shall be commenced  
3 within one year of the date of the alleged violation.  
4 c. any remedies provided for in this section shall be in addition  
5 to any legal or equitable relief provided by any other federal or  
6 State law, rule or regulation.  
7  
8 5. This act shall take effect immediately.  
9

10  
11 STATEMENT  
12

13 This bill, to be known as the "New Jersey Security and Financial  
14 Empowerment Act" or the "NJ SAFE Act," provides 20 days of  
15 leave time during any 12-month period for an employee who is the  
16 victim of domestic violence or sexual assault or whose family or  
17 household member was the victim.

18 The leave time is provided so as to allow the employee to (1)  
19 seek medical attention for physical or psychological injuries caused  
20 by domestic or sexual violence to the employee or the employee's  
21 family or household member; (2) obtain services from a victim  
22 services organization for the employee or the employee's family or  
23 household member; (3) obtain psychological or other counseling for  
24 the employee or the employee's family or household member; (4)  
25 participate in safety planning, temporarily or permanently  
26 relocating, or taking other actions to increase the safety of the  
27 employee or the employee's family or household member from  
28 future domestic or sexual violence or ensure economic security; (5)  
29 seek legal assistance or remedies to ensure the health and safety of  
30 the employee or the employee's family or household member,  
31 including preparing for or participating in any civil or criminal legal  
32 proceeding related to or derived from domestic or sexual violence;  
33 or (6) attend, participate in, prepare for, a criminal or civil court  
34 proceeding relating to an incident of domestic or sexual violence of  
35 which the individual, or the family or household member of the  
36 individual, was a victim.

# ASSEMBLY WOMEN AND CHILDREN COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 2919**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 14, 2012

The Assembly Women and Children Committee reports favorably and with committee amendments, Assembly Bill No. 2919.

As amended by the committee, this bill, to be known as the "New Jersey Security and Financial Empowerment Act" or the "NJ SAFE Act," provides 20 days of leave time for an employee who is the victim of domestic violence or sexual assault or whose family or household member was the victim, within one year of the incident of domestic violence or sexual assault.

The leave time is provided to allow the employee to: seek medical attention for physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member; obtain services from a victim services organization for the employee or the employee's family or household member; obtain psychological or other counseling for the employee or the employee's family or household member; participate in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic or sexual violence or ensure economic security; seek legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic or sexual violence; or attend, participate in, or prepare for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the individual, or the family or household member of the individual, was a victim.

#### COMMITTEE AMENDMENTS:

The committee amended the bill to: clarify that an employee entitled to leave under the provisions of the bill can take the leave within one year of the incident of domestic violence or sexual assault, instead of within any 12-month period as the bill currently provides; stipulate that nothing contained in the bill would permit an employer from rescinding or reducing any employment benefit unless the rescission or reduction of the benefit would have occurred if an

employee continued to work without taking the leave provided in the bill; define "employer" to mean a person or corporation, partnership, individual proprietorship, joint venture, firm or company, or other similar legal entity, as defined in the "Family Leave Act," P.L.1989, c.261 (C.34:11B-1 et seq.), which engages the services of an employee and employs 25 or more employees; and change references to the Division of Youth and Family Services from in the Department of Human Services to in the Department of Children and Families.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

## ASSEMBLY, No. 2919

with committee amendments

# STATE OF NEW JERSEY

DATED: SEPTEMBER 24, 2012

The Assembly Appropriations Committee reports favorably Assembly Bill No. 2919 (1R), with committee amendments.

The bill, as amended, is to be known as the "New Jersey Security and Financial Empowerment Act" or the "NJ SAFE Act," provides 20 days of unpaid leave time for an employee who is the victim of domestic violence or sexual assault or whose family or household member was the victim, within one year of the incident of domestic violence or sexual assault.

The leave time is provided to allow the employee to: seek medical attention for physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member; obtain services from a victim services organization for the employee or the employee's family or household member; obtain psychological or other counseling for the employee or the employee's family or household member; participate in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic or sexual violence or ensure economic security; seek legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic or sexual violence; or attend, participate in, or prepare for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the individual, or the family or household member of the individual, was a victim.

### FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that the bill may have a minimal but indeterminate cost to the State and other public entities. The OLS can not determine the overall cost to implement the bill due to uncertainty on the number of individuals who would take leave pursuant to the bill and what the costs would be, if any, to replace these individuals at their place of employment during

this leave. The bill provides 20 days of unpaid leave time, for an employee who is the victim of domestic violence or sexual assault or whose family or household member was the victim, within one year of the incident.

COMMITTEE AMENDMENTS;

The amendments: clarify that the leave is unpaid, that the leave may be taken intermittently within one year of the incident, update the reference to the Division of Youth and Family Services as the Division of Child Protection and Permanency; and delay the effective date of the bill from immediately to the first day of the third month next following the date of enactment.

STATEMENT TO  
[Second Reprint]  
**ASSEMBLY, No. 2919**

with Assembly Floor Amendments  
(Proposed by Assemblyman FUENTES)

ADOPTED: OCTOBER 18, 2012

These amendments stipulate that if an employee or the employee's child, parent, spouse, or civil union partner was a victim of an incident of domestic violence or a sexually violent offense, the employee is entitled to no more than 20 days of unpaid leave in one 12-month period, to be used in the 12-month period next following any incident of domestic violence or any sexually violent offense as provided for in the bill. For purposes of the bill, each incident of domestic violence or sexually violent offense constitutes a separate offense for which an employee is entitled to unpaid leave, provided that the employee has not exhausted the allotted 20 days for the 12-month period.

The unpaid leave can be taken intermittently in intervals of no less than one day within 12 months of the incident or offense, as needed for the purposes of engaging in any of the activities related to the incident of domestic violence or sexually violent offense listed in the bill.

The amendments delete references to "family or household member" and "individual" and replace the terms with "child, parent, spouse, or civil union partner" and "employee," respectively

The amendments define: "employee" as a person who is employed for at least 12 months by an employer, with respect to whom benefits are sought under the bill, for not less than 1,000 base hours during the immediately preceding 12-month period; and "employer" as a person or corporation, partnership, individual proprietorship, joint venture, firm, or company, or other similar legal entity which engages the services of an employee and employs 25 or more employees for each working day during each of 20 or more calendar workweeks in the then current or immediately preceding calendar year and includes the State, any political subdivision thereof, and all public offices, agencies, boards, or bodies.

The amendments remove language stipulating that an employee is entitled, at the employee's option, to take the leave provided for in the bill intermittently or on a reduced leave basis upon the approval of the employer.

The amendments also stipulate that a private cause of action would be the sole remedy for a violation of the provisions of the bill.

STATEMENT TO  
[Third Reprint]  
**ASSEMBLY, No. 2919**

with Assembly Floor Amendments  
(Proposed by Assemblyman FUENTES)

ADOPTED: DECEMBER 17, 2012

These floor amendments provide that an employee may elect, or an employer may require an employee, to use any of the employee's accrued, paid vacation leave, personal time, or medical or sick leave during any part of the 20-day period of unpaid leave provided by the bill. In such a case, paid leave would run concurrent with the unpaid leave, and the employee would receive pay pursuant to the employer's applicable paid leave policy during the period of otherwise unpaid leave. Where an employee requests leave for a reason covered by both this bill and the "Family Leave Act," P.L.1989, c.261 (C.34:11B-1 et seq.) or the federal "Family and Medical Leave Act of 1993," Pub.L.103-3 (29.U.S.C. s.2601 et seq.), the leave would count simultaneously against the employee's entitlement under each respective law. The amendments also clarify that leave granted under this bill is not to conflict with any rights pursuant to the "Family Leave Act," P.L.1989, c.261 (C.34:11B-1 et seq.), the "Temporary Disability Benefits Law," P.L.1948, c.110 (C.43:21-25 et seq.), or the federal "Family and Medical Leave Act of 1993," Pub.L.103-3 (29 U.S.C. s.2601 et seq.). The amendments clarify that the bill also applies in situations of domestic violence or sexually violent offense against an employee's domestic partner. The amendments further specify that the conspicuous notice of employees' rights and obligations required to be displayed by employers is to be prescribed by the Commissioner of Labor and Workforce Development.

STATEMENT TO  
[Fourth Reprint]  
**ASSEMBLY, No. 2919**

with Assembly Floor Amendments  
(Proposed by Assemblyman FUENTES)

ADOPTED: JANUARY 28, 2013

This floor amendment clarifies that the provisions of the bill that require an employee to provide an employer with certification or other documentation of domestic violence or a sexually violent offense against the employee or the employee's child, parent, spouse, or civil union partner also applies to the employee's domestic partner.