

34:19-7

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2004 **CHAPTER:** 148

NJSA: 34:19-7 (Concerns notice of worker rights under "Conscientious Employee Protection Act")

BILL NO: S276 (Substituted for A342)

SPONSOR(S): Adler and others

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY:**
SENATE: Labor

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 24, 2004

SENATE: June 17, 2004

DATE OF APPROVAL: September 14, 2004

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) 1st reprint enacted

S276

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

[SENATE:](#) [Yes](#)

[FLOOR AMENDMENT STATEMENT:](#) [Yes](#)

LEGISLATIVE FISCAL ESTIMATE: No

A342

[SPONSOR'S STATEMENT:](#) (Begins on page 2 of original bill) [Yes](#)

COMMITTEE STATEMENT: [ASSEMBLY:](#) [Yes](#)

SENATE: No

[FLOOR AMENDMENT STATEMENT:](#) [Yes](#)

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

P.L. 2004, CHAPTER 148, *approved September 14, 2004*
Senate, No. 276 (*First Reprint*)

1 AN ACT concerning notices to ¹certain¹ employees and amending
2 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 7 of P.L.1986, c.105, (C.34:19-7) is amended to read as
8 follows:

9 7. An employer shall conspicuously display, and annually distribute
10 to all employees, written ¹or electronic¹ notices of its employees'
11 protections [and], obligations, rights and procedures under this act,
12 and use other appropriate means to keep its employees so informed.
13 Each notice posted or distributed pursuant to this section shall be in
14 ¹[English and in the language spoken by the majority of the employer's
15 employees, if that is not]¹ English, ¹Spanish¹ and ¹at the employer's
16 discretion, any other language spoken by the majority of the
17 employer's employees. The notice¹ shall include the name of the
18 person or persons the employer has designated to receive written
19 notifications pursuant to section 4 of this act. The Commissioner of
20 Labor shall make available to employers a text of a notice fulfilling the
21 requirements of this section and provide copies of the notice suitable
22 for display and distribution to any employers who request the copies,
23 charging them as much as is needed to pay the costs of the
24 department. ¹The commissioner shall also provide notices printed in
25 a language other than English and Spanish, at the request of the
26 employer.

27 The requirement that an employer annually distribute to all
28 employees written notices of the protections, obligations, rights and
29 procedures provided to the employees by the provisions of P.L.1986,
30 c.105 (C.34:19-1 et seq.) shall not apply to any employer who has less
31 than 10 employees.¹

32 (cf: P.L.1986, c.105, s.7)

33

34 2. This act shall take effect immediately.

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39 Concerns notice of worker rights under the "Conscientious Employee
40 Protection Act" to certain employees.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate floor amendments adopted June 10, 2004.

SENATE, No. 276

STATE OF NEW JERSEY 211th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2004 SESSION

Sponsored by:

Senator JOHN H. ADLER

District 6 (Camden)

Senator NIA H. GILL

District 34 (Essex and Passaic)

Co-Sponsored by:

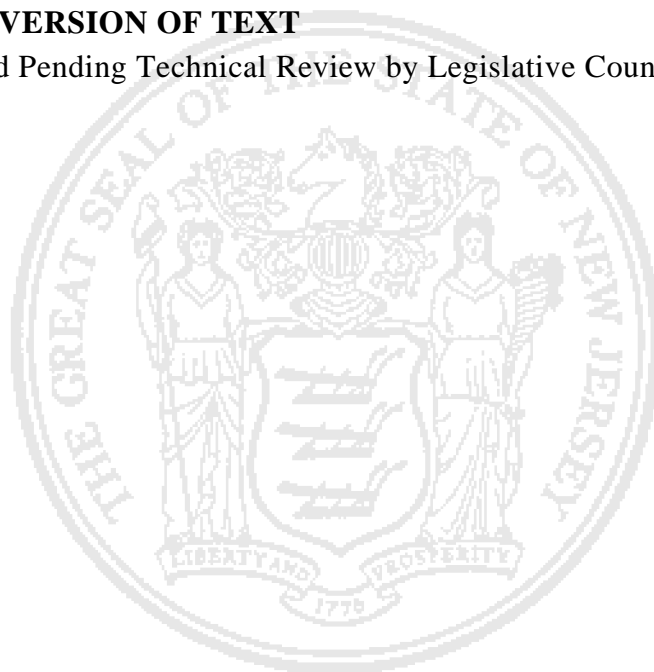
Senators Baer and Sweeney

SYNOPSIS

Concerns notice of worker rights under the "Conscientious Employee Protection Act."

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning notices to employees and amending P.L.1986,
2 c.105.

3

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

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

9 7. An employer shall conspicuously display, and annually distribute
10 to all employees, written notices of its employees' protections [and],
11 obligations, rights and procedures under this act, and use other
12 appropriate means to keep its employees so informed. Each notice
13 posted or distributed pursuant to this section shall be in English and in
14 the language spoken by the majority of the employer's employees, if
15 that is not English, and shall include the name of the person or persons
16 the employer has designated to receive written notifications pursuant
17 to section 4 of this act. The Commissioner of Labor shall make
18 available to employers a text of a notice fulfilling the requirements of
19 this section and provide copies of the notice suitable for display and
20 distribution to any employers who request the copies, charging them
21 as much as is needed to pay the costs of the department.

22 (cf: P.L.1986, c.105, s.7)

23

24 2. This act shall take effect immediately.

25

26

27

STATEMENT

28

29 This bill amends the "Conscientious Employee Protection Act,"
30 P.L.1986, c.105 (C.34:19-1 et seq.), to require employers to give
31 written notices of the protections, obligations, rights and procedures
32 provided by that law annually to each employee in English and in the
33 language spoken by the majority of the employer's employees, if that
34 is not English. The bill also requires the Commissioner of Labor to
35 make available to employers a text of a notice and provide, upon
36 employer request and at cost, copies of the notice suitable for display
37 and distribution.

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

Matter underlined thus is new matter.

SENATE LABOR COMMITTEE

STATEMENT TO

SENATE, No. 276

STATE OF NEW JERSEY

DATED: MARCH 1, 2004

The Senate Labor Committee reports favorably Senate Bill No. 276.

This bill amends the "Conscientious Employee Protection Act," P.L.1986, c.105 (C.34:19-1 et seq.), to require employers to give written notices of the protections, obligations, rights and procedures provided by that law annually to each employee in English and in the language spoken by the majority of the employer's employees, if that is not English. The bill also requires the Commissioner of Labor to make available to employers a text of a notice and provide, upon employer request and at cost, copies of the notice suitable for display and distribution.

This bill was pre-filed for introduction in the 2004 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

STATEMENT TO
SENATE, No. 276

with Senate Floor Amendments
(Proposed By Senator ADLER)

ADOPTED: JUNE 10, 2004

These Senate amendments:

1. Permit an employer to give each employee an electronic notice, as an alternative to the written notice otherwise required by the bill, of the protections, obligations, rights and procedures provided by the "Conscientious Employee Protection Act," P.L.1986, c.105 (C.34:19-1 et seq.);

2. Require that the notices be in English, Spanish and, at the employer's discretion, any other language spoken by a majority of that employer's employees. The bill as introduced, required the notice to be in English and the language spoken by the majority of employees if not English;

3. Requires the Commissioner of Labor to provide notices printed in a language other than English and Spanish, at the request of the employer;

4. Provide that the bill's requirement that employers annually distribute the notices to all employees does not apply to any employer with less than 10 employees. In 2001, 158,606 New Jersey businesses, 78.4% of all firms in the State, had less than 10 employees; and

5. Make this bill identical to Assembly Bill No. 342 (1R).

ASSEMBLY, No. 342

STATE OF NEW JERSEY 211th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2004 SESSION

Sponsored by:

Assemblywoman LORETTA WEINBERG

District 37 (Bergen)

Co-Sponsored by:

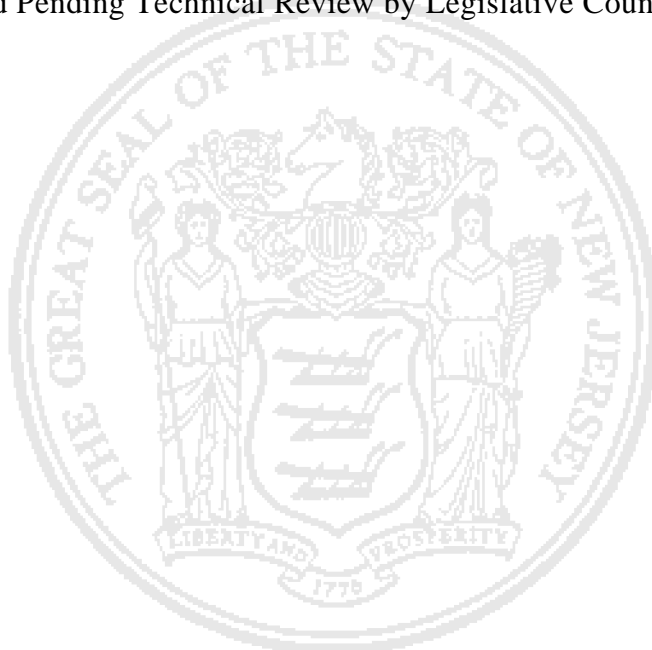
**Assemblymen Johnson, Conaway, Conners, Assemblywoman Greenstein
and Assemblyman Scalera**

SYNOPSIS

Concerns notice of worker rights under the "Conscientious Employee Protection Act."

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



A342 WEINBERG

2

1 AN ACT concerning notices to employees and amending P.L.1986,
2 c.105.

3

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7 1. Section 7 of P.L.1986, c.105, (C.34:19-7) is amended to read as
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9 7. An employer shall conspicuously display, and annually distribute
10 to all employees, written notices of its employees' protections [and],
11 obligations, rights and procedures under this act, and use other
12 appropriate means to keep its employees so informed. Each notice
13 posted or distributed pursuant to this section shall be in English and in
14 the language spoken by the majority of the employer's employees, if
15 that is not English, and shall include the name of the person or persons
16 the employer has designated to receive written notifications pursuant
17 to section 4 of this act. The Commissioner of Labor shall make
18 available to employers a text of a notice fulfilling the requirements of
19 this section and provide copies of the notice suitable for display and
20 distribution to any employers who request the copies, charging them
21 as much as is needed to pay the costs of the department.

22 (cf: P.L.1986, c.105, s.7)

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STATEMENT

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29 This bill amends the "Conscientious Employee Protection Act,"
30 P.L.1986, c.105 (C.34:19-1 et seq.), to require employers to give
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Matter underlined thus is new matter.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 342

STATE OF NEW JERSEY

DATED: MAY 6, 2004

The Assembly Labor Committee reports favorably Assembly Bill No. 342.

This bill amends the "Conscientious Employee Protection Act," P.L.1986, c.105 (C.34:19-1 et seq.), to require employers to give written notices of the protections, obligations, rights and procedures provided by that law annually to each employee in English and in the language spoken by the majority of the employer's employees, if that is not English. The bill also requires the Commissioner of Labor to make available to employers a text of a notice and provide, upon employer request and at cost, copies of the notice suitable for display and distribution.

This bill was pre-filed for introduction in the 2004-2005 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

STATEMENT TO
ASSEMBLY, No. 342

with Assembly Floor Amendments
(Proposed by Assemblywoman WEINBERG)

ADOPTED: JUNE 10, 2004

These Assembly amendments:

1. Permit an employer to give each employee an electronic notice, as an alternative to the written notice otherwise required by the bill, of the protections, obligations, rights and procedures provided by the "Conscientious Employee Protection Act," P.L.1986, c.105 (C.34:19-1 et seq.);

2. Require that the notices be in English, Spanish and, at the employer's discretion, any other language spoken by a majority of that employer's employees. The bill as introduced required the notice to be in English and the language spoken by the majority of employees if not English;

3. Requires the Commissioner of Labor to provide notices printed in a language other than English and Spanish, at the request of the employer;

4. Provide that the bill's requirement that employers annually distribute the notices to all employees does not apply to any employer with less than 10 employees. In 2001, 158,606 New Jersey businesses, 78.4% of all firms in the State, had less than 10 employees; AND

5. Make this bill identical to Senate Bill No. 276 (1R).