

UPDATE ON NEW JERSEY GENDER INEQUITY NOTICE

By *Scott J. Wenner*

A Schnader Alert recently reported on New Jersey's new law, P.L. 2012, c. 57, requiring both posting and distribution of a notice advising employees of their right to be free from inequality or bias in the terms and conditions of their employment. A copy of that *Alert*, dated October 12, 2012, is available [here](#).

In that *Alert* we predicted that while the technical effective date of the law is November 19, 2012, it would take some time beyond that date for the New Jersey Commissioner of Labor and Workplace Development to develop and publish the notification to be required by this new law. We told covered employers, therefore, that the November 19 effective date referred to in the new law could *not* mean that posting and distribution of the new notice would be required on or within 30 days of November 19.

The New Jersey Department of Labor and Workforce Development has just posted a bulletin which confirms that compliance with the posting and distribution requirement will not be expected on or within 30 days of the November 19 effective date. A copy of that bulletin is available [here](#). According to the agency's bulletin:

- "The law does not require that the notification be posted or distributed on the November 19, 2012 effective date."
- "The law does not require that the notification be posted or distributed within 30 days of the November 19, 2012 effective date."
- "The posting and distribution requirements contained in the law are not triggered until the Commissioner of Labor and Workforce

Development issues the form of notification "by regulation."

The Department's bulletin explains that "the regulatory process" that necessarily must precede final publication of the notice will take months and includes publication of a proposed form of notice on the agency's website; a 60-day comment period; followed by publication of the final form of notice in the *New Jersey Register*.

The agency promises to post updates on the status of its rulemaking on the notice on its website, which can be accessed [here](#). ♦

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