

WILENTZ

—ATTORNEYS AT LAW—

WILENTZ, GOLDMAN & SPITZER, P.A.

Increased Protections for Immigrant Workers Across New Jersey

09/17/24

On August 8, 2024, New Jersey lawmakers passed legislation to provide immigrant employees with greater protections under the law. The new law, effective immediately, subjects employers to fines and penalties for using an employee's immigration status as a means to retaliate against them for raising concerns or complaints about their employment.

Pursuant to the new law, employers are prohibited from: (1) threatening to reveal, disclose or report an employee's immigration status to authorities as a means of coercing the employee, (2) subduing employee complaints or (3) covering up reported labor violations. The law is intended to provide additional legal support and remedies to immigrant employees who want to complain about or report what they believe are employer violations of the law.

The law and associated penalties will be imposed and enforced by the Commissioner of Labor and Workforce Development. Depending on the circumstances, civil penalties imposed may be in addition to any related penalties for any underlying employment violations. Employers that are deemed to have violated the law shall be subject to civil penalties as follows: up to \$1,000 for the first violation, up to \$5,000 for a second violation and up to \$10,000 for any subsequent violations. Each instance of a violation relative to each affected employee shall constitute a separate violation.

Employers should be aware of the increased protections for immigrant employees and the penalties associated with violating the law. If you have questions concerning this new law or related employment laws, please reach out to the [Employment Team](#) at Wilentz.

Attorney

- Meghan Chrisner-Keefe

Practice

- Employment Law