



NJ Department of
Law & Public Safety

Gurbir S. Grewal
Attorney General



NJ Department of Labor &
Workforce Development

Rob Asaro-Angelo
Commissioner

June 27, 2019

Dear Employer:

On February 4, 2019, Governor Phil Murphy signed legislation that will raise New Jersey's minimum wage to \$15 per hour by 2024, boosting wages for more than one million workers. On behalf of the New Jersey Department of Law and Public Safety and the Department of Labor and Workforce Development (NJDOL), we write to inform you about the upcoming changes to the minimum wage, and to affirm our commitment to ending wage theft in New Jersey.

Here are some of the most important details about the new law:

- For most workers, the new law will raise the minimum wage to \$15 per hour, beginning with an increase to \$10 per hour effective July 1, 2019, and continuing with an increase of \$1 on January 1 of each year through 2024. N.J.S.A. 34:11-56a4(a).
- For seasonal and small business employees, the law raises the minimum wage to \$15 per hour, beginning with an increase to \$10.30 per hour effective January 1, 2020, and gradually rising to \$15 per hour by 2026. N.J.S.A. 34:11-56a4(c).
- For agricultural workers, the law raises the minimum wage to \$12.50 per hour, beginning with an increase to \$10.30 per hour effective January 1, 2020, and gradually rising to \$12.50 per hour by 2024. Additional increases will be subject to further determination. N.J.S.A. 34:11-56a4(d).
- The tipped wage will also rise, beginning with an increase to \$2.63 effective July 1, 2019, and gradually rising to \$5.13 per hour by 2024. That wage, combined with a worker's tips, must still reach the minimum wage. N.J.S.A. 34:11-56a4(e).
- In addition, for most classes of workers, an employer must pay the employee at least 1 ½ times their salary for any overtime worked. N.J.S.A. 34:11-56a4(b).

For more information, NJDOL makes available on its website (nj.gov/labor) a summary chart, as well as the answers to Frequently Asked Questions.

You should also be aware of the broad authority our offices possess to investigate potential violations of the new minimum wage law, to impose criminal and administrative sanctions for non-compliance, and to bring civil lawsuits to protect the rights of workers. Violations may be punished by heavy fines, administrative penalties, and even imprisonment. N.J.S.A. 34:11-56a22. The state may also pursue civil lawsuits to recover unpaid wages for workers. N.J.S.A. 34:11-56a25. We intend to use these tools to deter and punish wage and hour violations.

We urge employers to review New Jersey's wage and hour laws carefully. We will enforce these laws according to their terms, and we will not tolerate efforts to skirt labor protections. In particular, we have made it a priority to combat wage theft and employee misclassification—the practice by which certain employers have classified workers as independent contractors instead of employees, and thus deprived them of the statutory rights to which they are entitled. We will use our broad authority under the law to vigorously pursue the misclassification of workers, especially when the practice is designed to evade the protections our new minimum wage law promises. So we encourage employers to carefully review whether, under New Jersey law, their workers really do qualify as bona fide independent contractors.

Do not hesitate to contact us at 609-292-2305 if we can assist you further.

Sincerely,

A handwritten signature in black ink, appearing to read "Gurbir Grewal", followed by a period.

Gurbir Grewal
Attorney General

A handwritten signature in black ink, appearing to read "Robert Asaro-Angelo", followed by a horizontal line.

Robert Asaro-Angelo
Labor Commissioner