

● **NEW JERSEY STATE WAGE AND HOUR LAW**

*STATUTORY CITATION:* N.J. Rev. Stat. §§ 34:11-56a – 34:11-56a30

*RELATED REGULATIONS:* N.J. Admin. Code 12:56, Subch. 3

*GENERAL SUMMARY:* The New Jersey State Wage and Hour Law declares the employment of workers in any occupation at an oppressive and unreasonable wage to be contrary to public policy. Under rulemaking authority granted by the statute, the state labor commissioner has adopted regulations requiring an annual cost-of-living adjustment in the state minimum wage rate last prescribed in the Wage and Hour Law, based on August-to-August changes (if any) in the consumer price index.

Effective January 1, 2017, the state minimum wage is \$8.44 per hour, which generally applies to workers 18 years of age and over.

*PROVISIONS APPLICABLE TO AGRICULTURE*

**MINIMUM WAGE** — Like their counterparts in other covered occupations, farmworkers in New Jersey who are 18 years of age and older are generally entitled to at least \$8.44 for every hour on the job. Workers paid on a piecework basis must receive for their labor no less than the minimum hourly wage rate multiplied by the total number of hours worked.

**RECORDKEEPING** — Farm operators and other employers subject to the Wage and Hour Law must keep a true and accurate record of the hours worked by and the wages paid to each covered worker.

**POSTING** — Employers must keep a summary of the law and any applicable wage orders and regulations posted in a conspicuous and accessible place on the premises where any covered worker is employed.

*SPECIAL NOTES OR ADVISORIES*

**RETALIATION** — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

*ADMINISTRATION AND ENFORCEMENT*

**PRIMARY ENFORCEMENT AGENCY** — *Division of Wage and Hour Compliance, New Jersey Department of Labor and Workforce Development, Trenton, New Jersey 08625 (609-292-2305).* Authorized representatives of the Department may enter any place of business where workers are employed, for the purpose of examining payroll records, inspecting working conditions, and questioning employees to ascertain the employer's compliance with the Wage and Hour Law and any associated wage orders or regulations. The Department may act either in response to a worker's claim for unpaid wages or on its own initiative. At the request of any employee paid less than the minimum wage to which the employee is entitled under the statute, the Department may take assignment of a wage claim and bring legal action on the worker's behalf to collect it.

**SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY** — *None.*

**PRIVATE CIVIL ACTION** — As an alternative to administrative enforcement, an employee may take legal action in civil court to recover unpaid wages and in such an action is entitled to recover the unpaid wages, plus court costs and attorney's fees.