

LABOR AND EMPLOYMENT LAW

INFORMATION MEMO

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Employment and Data Privacy Law Updates for 2025 in New Jersey

As we approach the end of 2024, employers in New Jersey should be preparing for the implementation of new employment and business laws and regulations in the upcoming year. This article provides an overview of some significant changes and updates in the law set to take effect in 2025, though it is not a fully comprehensive list.

- 1. Minimum Wage Increases:** Effective Jan. 1, 2025, the minimum wage will increase by \$0.36 to \$15.49 per hour for most employees. N.J.S.A. 34:11-56a4. For tipped workers, the minimum wage will increase to \$5.62 per hour, up from \$5.26. The maximum tip credit for employers remains at \$9.87. N.J.S.A. 12:56-3.5.
- 2. Pay Transparency:** On Nov. 18, 2024, Governor Phil Murphy signed a new statute requiring employers with at least 10 employees to include wage or salary information, or a compensation range, in any posting for a promotion, new job or transfer. The law, effective June 1, 2025, also requires employers to list benefits and other compensation programs for which the employee would be eligible within the employee's first 12 months of employment.
- 3. Gender Neutral Dress Code Policies:** On June 28, 2024, the New Jersey Attorney General and New Jersey Division of Civil Rights Director announced that businesses are mandated to adopt gender neutral dress codes for patrons and employees. This decision comes after the Division on Civil Rights issued a finding of probable cause where a restaurant refused to adopt a gender-neutral dress code. As part of the consent order, the restaurant agreed to modify its dress code for both employees and customers. Employers should reevaluate and modify any existing dress code policies and/or handbooks to ensure compliance with the new standards set forth by the Attorney General's Office.
- 4. New Jersey Data Protection Act:** Starting Jan. 15, 2025, New Jersey will require covered entities to: (1) limit the collection of personal data to what is adequate, relevant and reasonably necessary; (2) implement reasonable data security practices; (3) provide privacy notices; (4) allow consumers to revoke consent for processing; (5) conduct data protection impact assessments; and (6) maintain records of data protection assessments. C.56:8-166.12. Covered entities include: (a) entities that conduct business in New Jersey or produce products or services targeted to New Jersey; **and** (b) control or process the personal data of at least 100,000 consumers (not including personal data controlled solely for the purpose of completing a payment transaction), or control or process the personal data of at least 25,000 consumers **and** derive revenue or receive a discount on the price of any goods or services from the sale of personal data. C.56:8-166.5. "Consumers" are defined as a person that is a resident of New Jersey, not acting in a commercial or employment context. C.56:8-166.4(1). The Office of the Attorney General has the sole and exclusive authority to enforce a

violation of the New Jersey Data Protection Act (“NJDP A”), which are considered violations of the Consumer Fraud Act. C.56:8-166.19. Penalties for a first violation are up to \$10,000 and up to \$20,000 for subsequent violations. Given the expansive nature of this new privacy law, New Jersey businesses should consider reviewing their company’s personal data policy and retention practices.

Key Takeaways

Given these recent and forthcoming changes in New Jersey law, employers should take steps to update their employee handbooks, ensure their job postings meet compliance standards, and adjust their hiring procedures to align with updated policies and wage practices. Furthermore, New Jersey’s new far reaching cyber privacy law will require businesses to review their data privacy policies and data collection processes to ensure compliance.

If you have any questions or would like additional information regarding any policy updates, or other legal developments, please contact [Samuel Dobre](#), [Mallory Campbell](#), [Patrick Caldarelli](#) or any attorney in Bond’s [labor and employment practice](#).

