



Legal Landscape Assessment

Innovative Policies that Support Working Women in NJ

According to the U.S. Women, Peace, and Security Index 2020, New Jersey ranked 11th among all 50 states and the District of Columbia in terms of women's overall well-being, inclusion, justice, and security, highlighting the state's relatively strong performance in advancing gender equity. However, even as the state has made significant strides in areas such as educational attainment, workforce participation, and representation in the state legislature, several gaps remain in achieving the full inclusion and protection of working women. Most notably, although New Jersey offers several critical protections for workers, including paid family leave and earned sick leave, it does not yet meet all seven legal benchmarks identified in the Index for protecting women's rights and economic security.¹

New Jersey has long been among the most innovative states when it comes to supporting working women, particularly those in low-paid, female-dominated occupations. Through a combination of progressive labor legislation and policy interventions, the state has built a strong foundation for workplace equity. It is one of thirteen states offering paid family leave, one of twelve with a Domestic Workers' Bill of Rights, one of only two with a Temporary Workers' Bill of Rights, and one of fifteen with paid sick leave laws. Beginning in late 2025, New Jersey will also join just eleven states in implementing pay transparency laws, further reinforcing its commitment to closing gender and racial wage gaps.

Given the state's proactive approach to labor equity and its nationally recognized efforts to expand worker protections, this brief will explore New Jersey's current legal landscape supporting working women, identify potential gaps in coverage and enforcement, and recommend strategies for

¹ Klugman, J., Ortiz, E., Mukhtarova, T., Zhao, J., Gandotra, V., Christien, A., & Fin, K. (2020). *The best and worst states to be a woman: Introducing the U.S. Women, Peace, and Security Index 2020*. Georgetown Institute for Women, Peace and Security. <https://giwps.georgetown.edu/wp-content/uploads/2020/10/The-Best-and-Worst-States-to-Be-a-Woman.pdf>

advancing equitable economic opportunity. Particular attention is given to the state's version of Paid Family Leave (PFL) "Family Leave Insurance (FLI)" and Temporary Disability Insurance (TDI) policies, its Domestic Workers' Bill of Rights, its Temporary Workers' Bill of Rights, earned sick leave provisions, and its equal pay law.

>>> **Family Leave Insurance (FLI) and Temporary Disability Insurance (TDI) Programs**

New Jersey was one of the earliest adopters of a state-administered Temporary Disability Insurance (TDI) program, establishing it in 1948, just two years after California became the first state to do so. TDI provides partial wage replacement to workers who are temporarily unable to work due to a non-work-related illness, injury, or pregnancy. Building on this foundation, New Jersey became the second state in the nation to pass a Paid Family Leave (PFL) program in 2008, following California's lead in 2002. The creation of New Jersey's FLI program marked a critical step toward recognizing and compensating unpaid caregiving labor, allowing eligible workers to take time off to bond with a new child or care for a seriously ill family member without risking financial hardship. Since then, more than a dozen states and the District of Columbia have followed suit by establishing paid family and medical leave programs. These include Rhode Island (2013), New York (2016), District of Columbia (2017), Washington (2017), Massachusetts (2018), Connecticut (2019), Oregon (2019), Colorado (2020), Maryland (2022), Delaware (2022), Minnesota (2023), and Maine (2023). While many of these programs are already operational, Maryland, Delaware, Minnesota, and Maine are scheduled to begin disbursing benefits in 2026.²

To qualify for PFL or TDI benefits in New Jersey, workers must have contributed to the program through payroll deductions and meet minimum earnings requirements based on the state-defined base year. For 2025, individuals must have worked at least 20 weeks earning \$303 or more per week or have earned a total of \$15,200 in the base year. Eligibility extends to most workers in the state, with some exceptions, including federal employees, out-of-state workers, certain religious organization employees, and independent contractors. Importantly, even recently unemployed individuals may qualify and are encouraged to apply, as their applications will be evaluated under the Family Leave During Unemployment provision. The PFL program is funded entirely through worker payroll deductions, while TDI is funded through both employer and employee contributions. In 2025, workers contribute 0.33% on the first \$165,400 of covered wages, with a maximum contribution of \$545.82 annually. Employers do not contribute to the program, though they are responsible for deducting and remitting employee contributions.³

While the state's longstanding commitment to paid leave has been instrumental in supporting working families, there remain several opportunities to improve the equity and adequacy of the program. First, unlike newer programs in states such as Massachusetts, Washington, and Colorado, New Jersey maintains a fixed wage replacement rate rather than a progressive structure. This

2 Mitchell, S. (March, 2024). *History of Paid Leave in the United States*. Women's Bureau U.S. Department of Labor. <https://www.dol.gov/sites/dolgov/files/WB/paid-leave/HistoryOfPaidLeaveUS.pdf>

3 Department of Labor and Workforce Development. (n.d.). *Division of Temporary Disability and Family Leave Insurance*. Official site of the State of New Jersey. <https://www.nj.gov/labor/myleavebenefits/worker/fli/>

means low-wage workers, who are disproportionately women and people of color, receive the same percentage of wage replacement as higher earners, potentially undermining the financial security of the most economically vulnerable workers. Second, New Jersey's program does not currently provide statutory job protection through its PFL program, which means that workers must rely on federal protections under the Family and Medical Leave Act (FMLA), or the Family Leave Act administered through the Office of Civil Rights, to ensure they can return to their job after taking leave. In contrast, states like Washington, Massachusetts, Connecticut, Oregon, Colorado, Maryland, and Minnesota explicitly include job protection within their state paid leave programs, contingent on tenure or hours worked.⁴

>> Domestic Workers' Bill of Rights

In 2010, New York became the first state to pass a Domestic Workers' Bill of Rights, setting the stage for broader labor protections for this critical yet historically excluded workforce. Today, 12 states, 2 major cities, and the District of Columbia have enacted similar legislation. These states include New York (2010), California (2013 and 2016), Hawaii (2013), Massachusetts (2014), Connecticut (2015), Oregon (2015), Illinois (2016), Nevada (2017), New Mexico (2019), Virginia (2021), New Jersey (2024), and Rhode Island (2024). The two cities with municipal Domestic Workers' Bills of Rights are Seattle (2018) and Philadelphia (2019).⁵

The New Jersey Domestic Workers Bill of Rights (Bill Number: S723) was originally passed in 2022 and signed into law by Governor Phil Murphy in January 2024. It extends key labor protections to more than 50,000 domestic workers in the state, many of whom are women of color and immigrants who have long faced wage theft, lack of paid leave, and unstable schedules. The bill guarantees paid breaks and mealtimes, written employment contracts, and protections against discrimination, harassment, and retaliation. It also provides specific safeguards for live-in domestic workers, including advance notice of termination, privacy rights, and anti-trafficking measures. In addition, the law includes mechanisms to support enforcement and education, helping ensure both workers and employers understand and comply with these new protections. This victory is the result of years of grassroots organizing led by domestic workers and advocacy organizations across the state, including the NJ Domestic Worker Coalition: Adhikaar, Casa Freehold, Lazos America Unida, New Labor, Unidad Latina en Acción NJ, Wind of the Spirit, and the National Domestic Workers Alliance (NDWA).⁶

However, while the legislation represents a landmark achievement, significant implementation challenges remain. Given that many domestic workers in the state are still unaware of their rights,

4 Mitchell, S. (March, 2024). *History of Paid Leave in the United States*. Women's Bureau U.S. Department of Labor. <https://www.dol.gov/sites/dolgov/files/WB/paid-leave/HistoryOfPaidLeaveUS.pdf>

5 Kashen, J. (December, 2019). *Domestic workers bill: A model for Tomorrow's workforce*. The Century Foundation. <https://tcf.org/content/report/domestic-workers-bill-a-model-for-tomorrows-workforce>

6 National Domestic Workers Alliance. (n.d.). *New Jersey Domestic Workers Rights & Protections*. <https://www.domesticworkers.org/programs-and-campaigns/developing-policy-solutions/domestic-workers-bill-of-rights/new-jersey-domestic-workers-rights-protections/>

and that enforcement relies heavily on the workers themselves coming forward, often at great personal risk, the impact of the law will be limited without robust outreach and support.⁷

>>> Temporary Workers' Bill of Rights

Signed into law by Governor Murphy on February 6, 2023, New Jersey's Temporary Workers' Bill of Rights (P.L. 2023, Chapter 10) significantly expanded the rights and protections afforded to thousands of temporary laborers across the state.⁸ In the initial phase, which took effect on May 7, 2023, temporary help service firms were required to provide workers with an Assignment Notification form when dispatched to a third-party client, notify workers of any changes in schedule, shift, or location, and inform workers of any ongoing labor disputes at the job site, granting workers the right to refuse assignments under such conditions. The law also established anti-retaliation provisions protecting workers who file complaints, cooperate with investigations, or inform others of their rights.⁹ The remainder of the law took effect on August 5, 2023, adding additional wage protections, recordkeeping requirements, transportation safeguards, and payment rights, among other provisions.¹⁰ The law applies to approximately 127,000 temporary workers across sectors such as warehousing, construction, transportation, and other key industries.¹¹

The only other state with comparable legislation is Illinois. On August 4, 2023, Illinois passed a similar law (HB 2862) expanding its Day and Temporary Labor Services Act. Like New Jersey's law, HB 2862 mandates equal pay for temporary workers performing the same or substantially similar work, but it includes additional requirements, such as a 90-day threshold before equal pay rights take effect and the exclusion of clerical and professional roles. Other states, such as California and Massachusetts have also taken important steps toward protecting temporary and domestic workers, although their policies vary in scope.^{12,13}

>>> Earned Sick Leave

On May 2, 2018, Governor Phil Murphy signed the New Jersey Earned Sick Leave Law, guaranteeing that nearly all employees in the state earn paid sick leave, regardless of employer size.¹⁴ The law, which took effect on October 29, 2018, requires employers to provide one hour of earned sick leave for every 30 hours worked, up to a maximum of 40 hours per benefit year. Employees can use their

7 Zundl, E. (August, 2024). *Op-ed: NJ's domestic worker Bill of Rights is a first step*. NJ Spotlight News. <https://www.njspotlightnews.org/2024/08/op-ed-nj-domestic-worker-bill-of-rights-great-first-step-much-more-protection-needed>

8 New Jersey Legislature. (2023). *Temporary Workers' Bill of Rights* (P.L. 2023, c.10). https://pub.njleg.state.nj.us/Bills/2022/PL23/10_.PDF

9 New Jersey Department of Labor and Workforce Development. (May, 2023). *Sweeping "Temporary Workers' Bill of Rights" now in effect, NJDOL outlines key provisions*. https://www.nj.gov/labor/lwdhome/press/2023/20230508_temporaryworkers.shtml

10 New Jersey Department of Labor and Workforce Development. (August, 2023). *Temporary Workers' Bill of Rights provisions now fully in effect*. https://www.nj.gov/labor/lwdhome/press/2023/20230808_tempworkers.shtml

11 Sheen, R. (August, 2023). *Contract worker rights: New Jersey & Illinois break the mold*. Trusaic. <https://trusaic.com/blog/contract-worker-rights-new-jersey-illinois-break-the-mold/>

12 McNicholas, C., & Poydock, M. (November, 2019). *How California's AB5 protects workers from misclassification*. Economic Policy Institute. <https://www.epi.org/publication/how-californias-ab5-protects-workers-from-misclassification/>

13 Slaughter, J. (August, 2012). *Massachusetts temp workers win right to know their employer*. Labor Notes. <https://labornotes.org/2012/08/massachusetts-temp-workers-win-right-know-their-employer>

14 Public Partnerships. (June, 2024). *New Jersey earned sick leave law: FAQs*. <https://pplfirst.com/wp-content/uploads/2024/06/new-jersey-earned-sick-leave-law-faqs.pdf>

earned sick leave for a variety of reasons, including personal illness, caring for a family member, recovering from domestic or sexual violence, addressing workplace closures due to public health emergencies, or attending school-related meetings and events for their children. In addition, the law protects workers from retaliation for using their earned sick leave or for filing complaints about employer violations.¹⁵

As of December 2024, 18 states and the District of Columbia have enacted paid sick leave laws that require covered private employers to provide paid sick leave to eligible employees for their own health needs or those of a family member. These states include Connecticut (2012), the District of Columbia (2014), California (2014), Massachusetts (2015), Oregon (2016), Arizona (2017), Vermont (2017/2018), Rhode Island (2018), New Jersey (2018), Maryland (2018), Michigan (2019), New York (2021), Colorado (2021/2022), New Mexico (2022), Minnesota (2024), Nebraska (2025), Missouri (2025), and Alaska (2025).

Although New Jersey has been a leader in guaranteeing earned sick leave for workers, it still lags behind on some of the additional provisions other states have implemented to strengthen coverage. For instance, while New Jersey caps earned sick leave at 40 hours per year, states such as Maryland and New Mexico permit workers to accrue up to 64 hours annually. Additionally, states like Colorado and Oregon allow workers to use paid sick leave for additional life events, such as bereavement, and Maryland and Oregon extend sick leave benefits to include bonding with a new child.¹⁶

Equal Pay Law

On April 24, 2018, Governor Phil Murphy signed into law the Diane B. Allen Equal Pay Act (Equal Pay Act).¹⁷ The Equal Pay Act expanded upon the equal pay protections that already existed in the New Jersey Law Against Discrimination (LAD) by prohibiting employers from paying employees who are members of protected classes less than they pay other employees for substantially similar work. The law also prohibits employers from reducing anyone's wages to comply with equal pay requirements and protects employees from retaliation for discussing wages, seeking legal advice, or exercising their rights under the LAD.¹⁸

Like New Jersey, other states have also strengthened their equal pay protections in recent years. Colorado and New York amended their laws to extend protections beyond sex-based discrimination. Washington clarified that individuals are considered "similarly employed" based on the skills, effort, and responsibility required for their jobs, regardless of job titles, and Illinois strengthened its statute to ensure protections for "substantially similar work" rather than merely "equal" work. However,

15 New Jersey Department of Labor and Workforce Development. (n.d.). *Wage and hour laws and regulations*. Retrieved April 25, 2025, from <https://www.nj.gov/labor/wageandhour/tools-resources/laws/wageandhourlaws.shtml#11D-1>

16 Mitchell, S. (December, 2024). *State Paid Sick Leave Laws*. Women's Bureau U.S. Department of Labor. <https://www.dol.gov/sites/dolgov/files/WB/StatePaidSickLeaveLaws.pdf>

17 New Jersey Division on Civil Rights. (March, 2020). *Guidance on the Diane B. Allen Equal Pay Act*. State of New Jersey, Office of the Attorney General. <https://www.nj.gov/lps/dcr/downloads/DCR-Equal-Pay-Guidance-3.2.20.pdf>

18 New Jersey Division on Civil Rights. (n.d.). *Things you should know about the Diane B. Allen Equal Pay Act*. NJ Office of the Attorney General. Retrieved April 25, 2025, from <https://www.njcivilrights.gov>

when it comes to promoting career advancement and increasing transparency in pay practices, other states have gone further than New Jersey. For instance, Washington strengthened its equal pay law to prohibit employers from limiting or denying career advancement opportunities on the basis of gender. Additionally, several states including Maryland and Colorado have adopted salary transparency requirements.¹⁹

>>> Pay Transparency Law

On November 18, 2024, Governor Phil Murphy signed SB2310 into law, requiring New Jersey employers with ten or more employees to include compensation and benefit details in job postings. Effective June 1, 2025, the law also mandates that employers notify all affected employees of promotional opportunities before making promotion decisions, defining promotions as changes in job title and an increase in pay.²⁰

Several states including Maryland (2020), Colorado (2021), Nevada (2021), Connecticut (2021), New York (2023), California (2023), Washington (2023), Rhode Island (2023), District of Columbia (2024), Hawaii (2024), Minnesota (2025), Illinois (2025), Massachusetts (beginning October 29, 2025), and Vermont (beginning July 31, 2025) have also enacted pay transparency laws.²¹ However, although the growing number of pay transparency laws has increased salary disclosure practices nationwide, enforcement mechanisms vary significantly across states.²² In the case of New Jersey, the law does not create a private right of action for individuals. Instead, enforcement rests with the Commissioner of Labor and Workforce Development, who may impose civil penalties of up to \$300 for a first violation and \$600 for each subsequent violation.²³

>>> Conclusion

Since 2008, New Jersey has significantly expanded protections for working women through a series of innovative labor policies, including paid family leave, earned sick leave, equal pay protections, and groundbreaking legislation for domestic and temporary workers. These efforts have placed New Jersey among the leading states advancing workplace equity. However, important gaps remain. As demonstrated by the approaches taken in states such as Massachusetts, Washington, Maryland, and Colorado, New Jersey could further strengthen its leadership by adopting additional measures. These include incorporating progressive wage replacement rates into its paid leave programs to better support low-wage workers, ensuring statutory job protection for all family leave takers, broadening the range of allowable uses for earned sick leave (such as bereavement or bonding with a new child), and adopting more robust salary transparency standards with stronger enforcement provisions.

19 National Women's Law Center. (2019). *Progress in the states for equal pay* (Publication No. NWLC State Equal Pay Laws 2020-11.13). National Women's Law Center. <https://nwlc.org/wp-content/uploads/2019/12/State-Equal-Pay-Laws-2020-11.13.pdf>

20 Beining, A. R., DeSmedt, E. C., Lee, W. J., & McDowell, M. M. (November, 2024). *New Jersey passes pay transparency law* (Updated April 8, 2025). Morgan Lewis. <https://www.morganlewis.com/pubs/2024/11/new-jersey-passes-pay-transparency-law>

21 GovDocs. (March, 2025). *Pay transparency laws by state*. GovDocs. <https://www.govdocs.com/pay-transparency-laws/>

22 Sahadi, J. (November, 2024). *More states now have pay transparency laws. Here's the effect they're having*. CNN. <https://www.cnn.com/2024/11/13/business/pay-transparency-laws-by-states/index.html>

23 Beining, A. R., DeSmedt, E. C., Lee, W. J., & McDowell, M. M. (November, 2024). *New Jersey passes pay transparency law* (Updated April 8, 2025). Morgan Lewis. <https://www.morganlewis.com/pubs/2024/11/new-jersey-passes-pay-transparency-law>

As New Jersey prepares to implement its pay transparency law in late 2025, the state has an opportunity to build on its successes by continuing to close loopholes, strengthen enforcement, and promote policies that support career advancement and economic security for all workers, especially for women and workers of color who continue to face disproportionate barriers in the labor market.

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ABOUT THE CENTER FOR WOMEN AND WORK

The Center for Women and Work (CWW) engages in research, education and programming that promotes economic and social equity for women workers, their families, and communities. CWW's work focuses on addressing women's advancement in the workplace; providing technical assistance and designing programming for educators, industry, and government; and, engaging in issues that directly affect the living standards of working families in New Jersey and around the world.

ABOUT THE COUNCIL ON GENDER PARITY

The Council on Gender Parity in Labor and Education's mission is to recommend policies, strategies and programs that address gender-based barriers and encourage equal participation of students and workers in education, training, and employment. The Council on Gender Parity in Labor and Education is housed within the New Jersey State Employment and Training Commission and funded through the New Jersey State Budget.