Sponsored by:
Assemblyman ANGEL FUENTES
District 5 (Camden and Gloucester)
Assemblywoman PAMELA R. LAMPITT
District 6 (Burlington and Camden)
Assemblywoman CELESTE M. RILEY
District 3 (Cumberland, Gloucester and Salem)

Co-Sponsored by:
Assemblyman Johnson, Assemblywomen Mosquera, Watson Coleman,
Senators Weinberg, Greenstein, Codey, Gill and Turner

SYNOPSIS
Concerns disclosure of certain employment information.

CURRENT VERSION OF TEXT
As reported by the Assembly Labor Committee on March 12, 2012, with amendments.

(Sponsorship Updated As Of: 6/22/2012)
AN ACT concerning disclosure of certain employment information

BE IT ENACTED by the Senate and General Assembly of the State
of New Jersey:

1. Section 3 of P.L.1986, c.105 (C.34:19-3) is amended to read as follows:
   3. An employer shall not take any retaliatory action against an employee because the employee does any of the following:
      a. Discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer, or another employer, with whom there is a business relationship, that the employee reasonably believes:
         (1) is in violation of a law, or a rule or regulation promulgated pursuant to law, including any violation involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care; or
         (2) is fraudulent or criminal, including any activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity;
      b. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation promulgated pursuant to law by the employer, or another employer, with whom there is a business relationship, including any violation involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into the quality of patient care; or
      c. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes:
         (1) is in violation of a law, or a rule or regulation promulgated pursuant to law, including any violation involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity, or, if the employee is a

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
1Assembly ALA committee amendments adopted March 12, 2012.
licensed or certified health care professional, constitutes improper
quality of patient care;
(2) is fraudulent or criminal, including any activity, policy or
practice of deception or misrepresentation which the employee
reasonably believes may defraud any shareholder, investor, client,
patient, customer, employee, former employee, retiree or pensioner
of the employer or any governmental entity; or
(3) is incompatible with a clear mandate of public policy
concerning the public health, safety or welfare or protection of the
environment; or

d. Discloses to any other employee or former employee of the
employer, or any authorized representative of the other employee or
former employee, or requests, whether the request was responded
to or not, information regarding the job title, occupational
category, and rate of compensation, including benefits, of any
employee or former employee, or the gender, race, ethnicity,
military status, or other characteristics national origin of the
employee or former employee for which it is a violation of law to
discriminate against an individual, if the disclosure was made in a
reasonable belief on the part of the requesting or disclosing
employee that the purpose of the request or disclosure of the
information was to assist in investigating the possibility of the
occurrence of, or in taking of legal action regarding, potential
discriminatory treatment concerning pay, compensation, bonuses,
other compensation or benefits.
(cf: P.L.2005, c.329, s.1)

2. This act shall take effect immediately.