**NJ has a new ‘wage-theft’ law**

**10 things you need to know about this new law.**

1. If an employer fails to pay an employee his/her wages when due, the employer will owe not just the back wages but also ***liquidated damages equal to 200% of the back wage amount***. In other words, if Company owes Employee $100 in unpaid wages, then Employee will collect $300 ($100 in wages owed + $200 in liquidated damages). ***Employers do have*** ***a good-faith defense***in situations where the company had reasonable grounds for believing that the act or omission was not a violation, and the employer acknowledges that the employer violated the law and pays the amount owed within 30 days of notice of the violation.
2. The employer will also be on the hook for ***a fine or possibly some jail time***. First-time violators are looking at a fine of $500 to $1,000 or imprisonment for 10-90 days, or both. As you can imagine, repeat violations will come with larger fines or longer jail time or both. Each week in which the employer violates the law is a new offense.
3. ***Retaliation carries stiff penalties too***. You’ll be hit with fines, plus a bill for all wages lost as a result of the retaliation plus damages equal to 200 percent of the wages lost as a result of the retaliation, and reasonable costs of the action to the employee. Plus, if the employee was discharged, you must offer reinstatement, unless the reinstatement is prohibited by law. There is an assumption of retaliation if a company takes adverse action within 90 days after the employee files a wage complaint.
4. ***Failure to maintain proper records*** will also create a presumption that the company owes the employee wages.
5. A ***successor company can be responsible for unpaid wages***that a predecessor may owe to one or more employees.
6. Also, a client employer and a labor contractor providing workers to the client employer will now be subject to ***joint-and-several liability***.
7. The State is more likely to ***audit companies that violate the law***.
8. There is a new ***6-year statute of limitations*** on claims for unpaid wages, minimum wage, or overtime.
9. The new rules governing unpaid wages ***do not cover subcontractors, independent contractors, or employees in the construction industry working under a collective bargaining agreement***.
10. The new law ***takes effect on November 1, 2019***.