



NEW JERSEY

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July 31, 2023

The Honorable Robert Asaro-Angelo  
Commissioner, New Jersey Department of Labor and Workforce Development  
1 John Fitch Plaza  
Trenton, NJ 08611

**RE: UI Claims Reporting Changes**

Dear Commissioner Asaro-Angelo,

On behalf of NFIB, New Jersey's leading small business advocacy organization, we are respectfully requesting your department address through any means available, the significant concerns our members and the state's broader employer community have regarding the implementation of P.L. 202, c. 120 (SB2357). There are numerous and confusing new reporting and compliance requirements for employers and third-party administrators who regularly interface with the state's unemployment insurance and claim system.

By statute, the new reporting and compliance requirements are set to be implemented on July 31, 2023. The state of New Jersey, the Department of Labor and Workforce Development, and the Division of Employer Accounts have a responsibility, by letter and spirit of the law, to inform and educate employers about these changes and what new actions, initiatives, elections, and information is required of them. Non-compliance, even born from justifiable ignorance, can result in significant fines for all kinds of employers, including the small businesses NFIB represents. To our knowledge, the State Department of Labor and Workforce Development has not met any reasonable standard of notification for those subject to compliance with this new reporting regime aside from an innocuous and hard-to-locate web posting.

The NJ Department of Labor and Workforce Development should delay implementation until reasonable notification and education efforts have taken place. If delay is not possible, then we ask the Department to publicly state that any punitive fines or penalties for non-compliance will not be in effect until such notification and education efforts have taken place.

NFIB members and all small businesses do their best to comply with federal, state, and local regulatory requirements. We appreciate working with you to ensure questions can be answered and basic understanding achieved. When regulatory enforcement is focused on compliance rather than punishment, all parties succeed.

Never hesitate to contact our office If we can provide any additional insight or assistance on this or any other matter.

Thank you in advance for your time and consideration.

Sincerely,

Eillen Kean  
NFIB's New Jersey State Director

CC: Senate President Nicholas P. Scuteri  
Assembly Speaker Craig Coughlin  
Senator Fred H. Madden  
Senator Joseph A. Lagana  
Assemblyman Paul D. Moriarty