

53 N.J.R. 1499(a)

VOLUME 53, ISSUE 17, SEPTEMBER 7, 2021

RULE ADOPTIONS

Reporter

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> LABOR AND WORKFORCE DEVELOPMENT -- DIVISION OF WAGE AND HOUR COMPLIANCE***

Agency

LABOR AND WORKFORCE DEVELOPMENT > DIVISION OF WAGE AND HOUR COMPLIANCE

Administrative Code Citation

Readoption: N.J.A.C. 12:63

Text

Notice of Readoption

Notification Concerning Health Benefits Plans

Authority: N.J.S.A. 34:11A-16 et seq.; in particular, 34:11A-19.

Authorized By: Robert Asaro-Angelo, Commissioner, Department of Labor and Workforce Development.

Effective Date: August 3, 2021.

New Expiration Date: August 3, 2028.

Take notice that pursuant to the provisions of N.J.S.A. 52:14B-5.1, the rules at N.J.A.C. 12:63 are readopted and shall continue in effect for a seven-year period. The rules were scheduled to expire on December 17, 2020. Pursuant to Executive Order Nos. 127 (2020) and 244 (2021) and P.L. 2021, c. 103, any chapter of the New Jersey Administrative Code that would otherwise have expired during the Public Health Emergency originally declared in Executive Order No. 103 (2020) is extended through January 1, 2022. Therefore, this chapter has not yet expired and the 30-day filing date pursuant to N.J.S.A. 52:14B-5.1.c has not yet occurred, therefore, pursuant to Executive Order No. 244 (2021), and P.L. 2021, c. 103, this notice of readoption is timely filed.

This chapter implements N.J.S.A. 34:11A-16 through 19, which requires that employees receive adequate notification from their employers of changes, to or termination of, employer-sponsored health benefits plans.

A summary of the subchapters of N.J.A.C. 12:63 follows:

N.J.A.C. 12:63-1 sets forth the purpose and scope of the chapter. It also contains definitions of words and terms used throughout the chapter.

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N.J.A.C. 12:63-2 addresses employer responsibilities relative to providing notification to employees of changes to, or termination of, health benefits plans.

N.J.A.C. 12:63-3 addresses the Department's right to enter the establishment or field site of any employer where work is performed by an employee if there is reason to believe that a violation of N.J.A.C. 12:63 has occurred, or is occurring, and to conduct such investigations as are deemed necessary, including the questioning of employees and review of records.

N.J.A.C. 12:63-4 addresses the levying of penalties by the Department for violations of N.J.A.C. 12:63 and sets forth the procedures to be followed when an alleged violator requests a formal hearing with regard to the imposition of a penalty.

The Department of Labor and Workforce Development has reviewed these rules and has determined that the rules should be readopted without change. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. In accordance with N.J.S.A. 52:14B-5.1.c(1), timely filing of this notice extended the expiration date of the chapter seven years from the date of filing.

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