

# ASSEMBLY, No. 2617

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

**Sponsored by:**

**Assemblywoman CAROL A. MURPHY**

**District 7 (Burlington)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Co-Sponsored by:**

**Assemblymen Verrelli, Conaway, Space and Wirths**

**SYNOPSIS**

Requires employers to provide hiring preference to employees who have reached maximum medical improvement following work related injury.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/18/2021)**

1 AN ACT concerning employment of injured workers who have  
2 reached maximum medical improvement and supplementing  
3 chapter 15 of Title 34 of the Revised Statutes (C.34:15-1 et seq.).  
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*  
7

8 1. a. Following a work-related injury, an employer shall  
9 provide a hiring preference to an employee who has reached  
10 maximum medical improvement and is unable to return to the  
11 position at which the employee was previously employed for any  
12 existing, unfilled position offered by the employer for which the  
13 employee can perform the essential duties of the position.

14 b. For purposes of this section, “employer” means an employer  
15 who employs at least 50 persons.

16 c. Nothing in this section requires an employer to create a new  
17 position to accommodate an employee who cannot return to the  
18 employee’s former position following a work-related injury despite  
19 reaching maximum medical improvement or requires an employer  
20 to remove another employee from an existing and filled position  
21 that would be suitable for the injured employee.

22 d. Nothing in this section shall be construed to impair or affect  
23 any right of an individual with a disability to a reasonable  
24 accommodation under the “Law Against Discrimination,” P.L.1945,  
25 c.169 (C.10:5-1 et seq.).  
26

27 2. This act shall take effect immediately.  
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29

30 STATEMENT  
31

32 This bill requires an employer with at least 50 employees to  
33 provide a hiring preference to an employee who was injured in a  
34 work-related injury, has reached maximum medical improvement,  
35 and cannot return to the employee’s former position with that  
36 employer. The employer is only required to provide the hiring  
37 preference if the employee can perform the essential duties of an  
38 existing, unfilled position.

39 The bill does not require an employer to create a new position  
40 for the injured employee, nor does it require the employer to  
41 remove another employee from an existing but filled position to  
42 accommodate the injured employee.