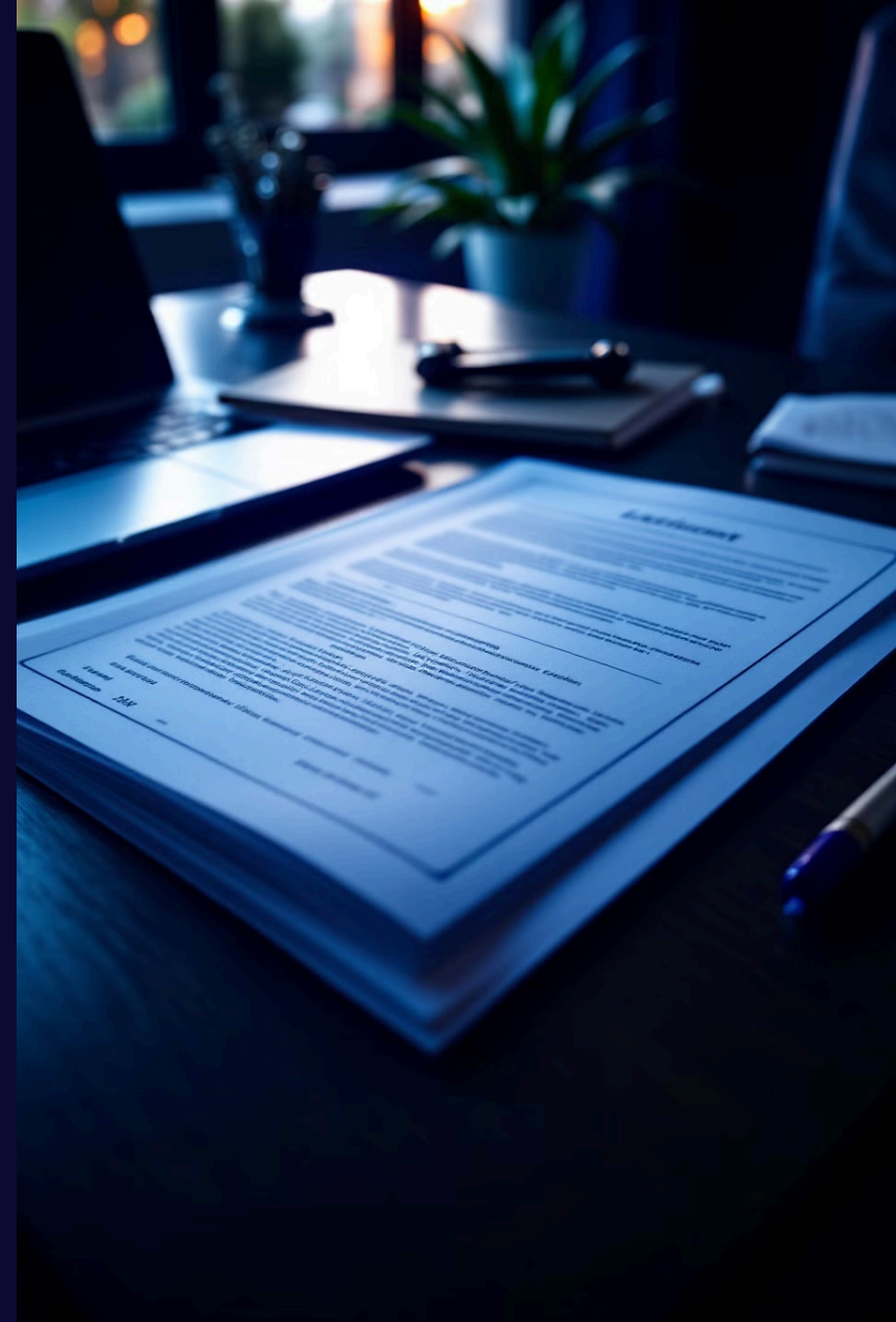


Protecting Your Rights: A Guide to Layoffs and Reductions in Force in New Jersey

This guide provides essential information on your rights during layoffs and reductions in force (RIFs) in New Jersey.

By [Swartz Swidler LLC](#)



Understanding Employment Laws in New Jersey

At-Will Employment

New Jersey is an at-will employment state, meaning employers can terminate employees for any reason, as long as it's not discriminatory.

Protected Groups

However, employers cannot terminate employees based on certain protected characteristics, such as race, religion, or disability. These are considered wrongful terminations.

Identifying a Lawful Layoff or Reduction in Force

Legitimate Business Reason

A layoff or RIF must be based on a legitimate business reason, such as economic downturn or restructuring.

Objective Criteria

Employees must be selected for layoff or RIF based on objective criteria, such as performance or seniority.

Non-Discriminatory

The decision-making process must be fair and nondiscriminatory. Employers cannot target specific groups of employees.



Your Rights During a Layoff or Reduction in Force

Notice and Severance

You may be entitled to advance notice of a layoff or RIF, as well as severance pay.

Unemployment Benefits

You may be eligible for unemployment benefits if you lose your job due to a layoff or RIF.

COBRA Coverage

You may be able to continue your health insurance coverage under COBRA, but you'll need to pay the full premium.





Navigating the Notification Process



Communication

Your employer must communicate the layoff or RIF process clearly, including the reasons for the decision and your rights.



Documentation

Keep detailed records of all communication with your employer, including any written notices or agreements.



Deadlines

Be aware of any deadlines for filing claims or appealing decisions related to your layoff or RIF.



Severance Agreements: What to Consider

1

Review Carefully

Read the severance agreement thoroughly before signing it. Understand your rights and responsibilities.

2

Negotiation

You may be able to negotiate the terms of your severance agreement, such as the amount of severance pay or the length of the non-compete clause.

3

Legal Advice

Consult with an employment lawyer to ensure the agreement is fair and protects your interests.



Seeking Assistance and Filing Complaints

1

Consult a Lawyer

An employment lawyer can provide advice and representation if you believe you've been discriminated against or wrongfully terminated.

2

File a Complaint

You may be able to file a complaint with the New Jersey Division on Civil Rights or the U.S. Equal Employment Opportunity Commission (EEOC).

Next Steps and Resources



1

Gather Information

Collect evidence to support your claim, including employment records, communication with your employer, and any relevant documents.

2

Seek Legal Advice

Consult with a lawyer to understand your legal options and how to proceed with your case.

3

Explore Options

You may have other options, such as unemployment benefits or retraining programs.

Contact Swartz Swidler LLC

Take the first step towards protecting your employment rights. Our experienced attorneys are ready to provide personalized legal guidance and aggressive representation for your workplace legal challenges. [Call us now for a confidential consultation and comprehensive support.](#)

