

54 N.J.R. 2395(a)

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RULE ADOPTIONS

Reporter

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***NJ - New Jersey Register > 2022 > DECEMBER > DECEMBER 19, 2022 > RULE ADOPTIONS
> LABOR AND WORKFORCE DEVELOPMENT -- INCOME SECURITY***

Agency

LABOR AND WORKFORCE DEVELOPMENT > INCOME SECURITY

Administrative Code Citation

Adopted Amendments: N.J.A.C. 12:15-1.2, 1.3, 1.4, 1.5, and 1.6

Text

2023 Maximum Weekly Benefit Rates

2023 Taxable Wage Base Under the Unemployment Compensation Law

2023 Contribution Rate of Governmental Entities and Instrumentalities

2023 Base Week

2023 Alternative Earnings Test

Proposed: September 6, 2022, at 54 N.J.R. 1682(a).

Adopted: November 22, 2022, by Robert Asaro-Angelo., Commissioner, Department of Labor and Workforce Development.

Filed: November 22, 2022, as R.2022 d.154, **without change**.

Authority: N.J.S.A. 34:1-5, 34:1-20, 34:1A-3(e), 43:21-3(c), 43:21-4(e), 43:21-7(b)(3), 43:21-7.3(e), 43:21-19(t), 43:21-27, 43:21-40, and 43:21-41.

Effective Date: December 19, 2022.

Expiration Date: March 14, 2025.

Summary of Hearing Officer's Recommendations and Agency's Response:

The period for submission of written comments regarding the proposed amendments ended on November 5, 2022. The Department of Labor and Workforce Development (Department) received no written comments. The record of the public hearing may be reviewed by contacting David Fish, Executive Director, Legal and Regulatory Services, Department of Labor and Workforce Development, PO Box 110, Trenton, New Jersey 08625-0110. Therefore, David Fish, Executive Director of Legal and Regulatory Services for the Department, recommended that the Department proceed with the amendments without change.

Summary of Public Comment and Agency Response:

No comments were received.

Federal Standards Statement

The adopted amendments do not contain any standards or requirements that exceed standards or requirements imposed by Federal Law. The adopted amendments affect benefit and contribution levels under the Unemployment Compensation and Temporary Disability Benefits Laws. As a result, an explanation or analysis of the adopted amendments pursuant to N.J.S.A. 52:14B-23, is not required.

Full text of the adoption follows:

SUBCHAPTER 1. GENERAL PROVISIONS

12:15-1.2 Maximum weekly benefit rates

(a) For unemployment compensation claims commencing on or after January 1, 2023, the maximum weekly benefit rate pursuant to the Unemployment Compensation Law shall be \$ 830.00 per week.

(b) For periods of disability or family leave commencing on or after January 1, 2023, the maximum weekly benefit rate for State Plan temporary disability and family leave insurance benefits pursuant to the Temporary Disability Benefits Law shall be \$ 1,025.00 per week.

12:15-1.3 Taxable wage base under the Unemployment Compensation Law

(a) In accordance with the provisions at N.J.S.A. 43:21-7(b)(3), the "wages" of any individual with respect to any one employer for the purpose of contributions pursuant to the Unemployment Compensation Law shall include the first \$ 41,100 during the calendar year 2023.

(b) In accordance with the provisions at N.J.S.A. 43:21-7(b)(4), the "wages" of any individual with respect to any one employer for the purpose of contributions to the State Disability Benefits Fund, including the "Family Temporary Disability Leave Account," shall include the first \$ 156,800 during the calendar year 2023.

12:15-1.4 Contribution rate of governmental entities and instrumentalities

(a) (No change.)

(b) This contribution rate shall be effective on taxable wages paid in the calendar year 2023.

12:15-1.5 Base week

In accordance with the provisions at N.J.S.A. 43:21-19(c)(1) and (t)(3) and 43:21-27(h)(4), the base week amount shall be \$ 260.00 per week for calendar year 2023.

12:15-1.6 Alternative earnings test

In accordance with the provisions at N.J.S.A. 43:21-4(e)(4)(B) and 43:21-41(d)(2), in those instances in which the individual has not established 20 base weeks, the alternative earnings amount for establishing eligibility shall be \$

13,000 for unemployment compensation benefit years and periods of disability and family leave commencing on or after January 1, 2023.

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