



1 of 54 DOCUMENTS

NEW JERSEY REGISTER

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VOLUME 49, ISSUE 24

ISSUE DATE: DECEMBER 18, 2017

RULE ADOPTIONS

**LABOR AND WORKFORCE DEVELOPMENT
INCOME SECURITY**

49 N.J.R. 4012(a)

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

2018 Maximum Weekly Benefit Rates

2018 Taxable Wage Base Under the Unemployment Compensation Law

2018 Contribution Rate of Governmental Entities and Instrumentalities

2018 Base Week

2018 Alternative Earnings Test

Proposed: September 5, 2017, at 49 N.J.R. 2881(a).

Adopted: November 17, 2017, by Aaron R. Fichtner, Ph.D., Commissioner, Department of Labor and Workforce Development.

Filed: November 17, 2017, as R.2017 d.239, **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 18, 2017.

Expiration Date: April 21, 2018.

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

A public hearing regarding the proposed amendments was held on September 26, 2017, at the Department of Labor and Workforce Development. David Fish, Executive Director, Legal and Regulatory Services, was available to preside at the public hearing and to receive testimony regarding the proposed amendments. No one testified at the public hearing and no written comments were submitted directly to the Office of Legal and Regulatory Services. Therefore, the hearing officer 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 Executive Order No. 27 (1994) is not required.

Full text of the adoption follows:

SUBCHAPTER 1. GENERAL PROVISIONS**12:15-1.2 Maximum weekly benefit rates**

(a) In accordance with the provisions of the Unemployment Compensation Law, N.J.S.A. 43:21-1 et seq., the maximum weekly benefit rate under the Unemployment Compensation Law is hereby promulgated as being \$ 681.00 per week.

(b) The maximum weekly benefit rate for State Plan temporary disability and family leave insurance benefits under the Temporary Disability Benefits Law is hereby promulgated as being \$ 637.00 per week.

(c) These maximum benefits shall be effective for the calendar year 2018 on unemployment compensation benefit years and periods of disability and family leave commencing on or after January 1, 2018.

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

In accordance with the provisions of 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 under the Unemployment Compensation Law shall include the first \$ 33,700 during the calendar year 2018.

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 2018.

12:15-1.5 Base week

In accordance with the provisions of N.J.S.A. 43:21-19(c)(1) and (t)(3) and 43:21-27(h)(4), the base week amount is hereby promulgated as being \$ 169.00 per week for calendar year 2018.

12:15-1.6 Alternative earnings test

In accordance with the provisions of 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 is hereby promulgated as being \$ 8,500 for unemployment compensation benefit years and periods of disability and family leave commencing on or after January 1, 2018.