

# New Jersey First Residency Requirements

"New Jersey First Act" N.J.S.A. 52:14-7 (S.1730 P.L. 2011, c. 70) was amended to require that employees not subject to an exemption must be a resident of the State of New Jersey. The effective date of the law is September 1, 2011. Below are the highlights of the law.

## **Highlighted Provisions:**

Every **current employee** living outside of New Jersey on September 1, 2011 will be exempt from the new residency requirement and will continue to be so in the future as long as they remain employees without a break in service of more than seven days.

**Current employees** who now live in New Jersey but who move out of New Jersey after September 1, 2011 are not exempt from the residency requirement, unless their positions qualify for inclusion on an exempt list described below, or unless they file (and win) an appeal based on critical need or hardship.

Any individual **who begins employment** after September 1, 2011 will be required to abide by the law and establish a principal residence in New Jersey, unless their position is on the exempt list defined below or unless they file (and win) an appeal based on critical need or hardship. New employees will have a full 365 days to establish such residence, from the effective date of hire.

**Current and future employees** who are full or part-time members of the faculty, the research staff, or the administrative staff, will be exempt from the provisions of the law if their position title is included in a report to be submitted annually by the College to the Governor and the Legislature. Inclusion of any given position in that list of exempt titles will be based upon the position's "**requiring special expertise or extraordinary qualifications in an academic, scientific, technical, professional, or medical field or in administration, that, if not exempt from the residency requirement, would seriously impede [our] ability to compete successfully**" with our peer institutions in other states.

**The residency requirement shall not apply** to any person who is employed on a temporary or per-semester basis as a visiting professor, teacher, lecturer, or researcher.

If an employee is **hired after** September 1, 2011 into a position not on the exempt list, does not live in New Jersey, and believes that they have a critical need to continue to live out of state, or that a move to a permanent residence within New Jersey would constitute a hardship, they may request an exemption from the provisions of the law by appealing to a five-member committee to be established by the State for the purpose of hearing such appeals.