

Labor and Employment Alert: New Jersey Executive Order 243: The New Rules for Office Reopening and Remote Work

6/1/2021

On Thursday, May 26, 2021, Gov. Murphy issued [Executive Order 243 \("EO243"\)](#) significantly changing the restrictions on employers operating offices in New Jersey previously set forth in Executive Order 107 ("EO107") issued on March 21, 2020.

EO243 provides the following effective Friday, June 4 at 6:00 a.m.:

- Immediate rescission of paragraphs 10 and 11 of EO107. Paragraph 10 required all businesses or non-profits in NJ to accommodate their workforce, wherever practicable, to telework or work from home. For employees who could not perform their work remotely, paragraph 11 required businesses to keep only minimal staff necessary at the business to carry on essential operations.
- Employers (as defined in Executive Order 192) are not mandated to require employees to wear face masks or social distance at the worksite where the employee provides proof that they are fully vaccinated. Where vaccination status cannot be determined or there is lack of full vaccination, employers must continue to require those employees to wear masks and social distance in indoor spaces as set forth in paragraph 3 of Executive Order 242 ("EO242") and paragraph 1 of EO192.
- Employers may require stricter mask requirements on all employees where consistent with federal and state law. In addition, employers may not restrict employees from wearing masks.
- Employers are allowed to permit customers or visitors to enter without wearing masks or social distancing, regardless of vaccination status. Employers are, however, permitted to establish a policy that requires customers and visitors to wear a mask and/or social distance, provided the policy complies with paragraph 1(b)(ii) of EO192. Employers also may not restrict customers or visitors from wearing masks.

As always, we are here to assist your company with compliance with this new Executive Order and all other labor and employment laws and regulations.

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