

Labor and Employment Alert: What You Should Know About the NJ LAD Age Discrimination Provision Amendments

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Effective October 5, 2021, New Jersey amended the Law Against Discrimination (“LAD”) provisions relating to age discrimination. The primary purpose was to remove provisions that related to persons age seventy (70) and older. Prior to the amendments, private employers were permitted under the LAD to refuse employment to or refuse promotion of persons over seventy years of age. The amendment specifically deletes that provision in the statute. Therefore, effective immediately, employers may not refuse employment to, or promotion of, persons because they are over seventy years of age.

Employers should immediately review any employment policies or contracts that contain any mandatory retirement based upon age. The amendments do not address whether existing policies or contracts will be grandfathered thus, employers should not assume that pre-existing policies are lawful.

For additional information or assistance, contact:

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