NJ Bill Would Spark More Equal Pay Suits For Employers, Law360, ft. Anna Maria Tejada

Anna Maria Tejada, partner located in KD's New Jersey office, was quoted in a *Law360 article written by Martin Bricketto on February 12, 2016.*

She commented on a bill advancing in the New Jersey Legislature to battle the wage gap between men and women that would generate more litigation against employers in the state by saddling them with a heavier burden for defending a difference in pay, some attorneys say.

The equal pay legislation that the state Senate approved by a wide margin on Thursday would codify into state law the New Jersey Supreme Court's 2010 decision in Alexander v. Seton Hall University and the federal Lilly Ledbetter Act by restarting the statute of limitations each time an allegedly discriminatory paycheck is issued.

If passed, the state's revamped LAD could also entice more workers to bring equal pay claims in state court rather than dealing with federal court, according to Anna Maria Tejada of Kaufman Dolowich & Voluck LLP. While there is already room for such claims under the statute, the proposed amendments would make it that much more explicit and easier to plead, Tejada said.

Employers might also want to pay special attention to the job descriptions and job titles of their employees, according to Tejada, who said that an employee may have a specific title but gradually accrue responsibilities beyond its description.

"I think it's an opportunity for employers to clean up their job descriptions and figure out what the titles are and figure out what they're paying their employees," Tejada said. "An employer may not think they're doing anything deliberately, but when everything is in black and white, you may see that women are getting paid less than men for whatever reason.

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