

LEGAL Q&A

Q Are Employers in New Jersey Required to Compensate Employees for Snow Days?

A In the event that a business closes for a snow day, employers have to ask themselves, which of their workers are entitled to be paid. If the employee is a non-exempt employee (entitled to overtime), the answer is usually straight forward. New Jersey State law does not require employers to pay employees for time not actually worked. As such, unless there is some pre-existing agreement on the subject, (such as a collective bargaining agreement), no payment is required. If the workers are then required to work more than 40 hours during the week to make up for lost time, employers will still be required to provide overtime compensation for all time worked over 40 hours.

If the employee is an exempt employee, (not entitled to receive overtime), the answer is more complicated. To determine compensation owed, the employer must consider any established policies or agreements, the length of the business closure, whether the employee is entitled to vacation benefits as well as other issues.



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