

Labor & Employment



SEPTEMBER 28, 2026

New Jersey Employers Must Use New Portal to Report Separations

New Jersey employers are now required to report all employee separations through the new **“Employer Response Portal”** recently launched by the New Jersey Department of Labor (“NJDOl”). This new requirement applies to every type of separation—resignations, terminations, retirements, and layoffs—regardless of whether the departing employee files for unemployment benefits. This new requirement is separate from, and in addition to, the existing requirement that employers provide departing employees with Form BC-10.

BACKGROUND

On November 3, 2022, Governor Phil Murphy signed P.L. 2022, c. 120, which amended New Jersey Unemployment Compensation Law to impose new separation reporting requirements on employers. Under the amended law, employers must “immediately and simultaneously” report each separation electronically, providing the date of separation and other information the NJDOl uses

to determine benefits eligibility. Although the law took effect on July 31, 2023, the NJDOl delayed enforcement until it could build a dedicated online reporting system. Although the law took effect on July 31, 2023, the NJDOl delayed enforcement until it could build a dedicated online reporting system.

With that new system completed, the NJDOl has launched the Employer Response Portal, an online platform designed to streamline the reporting process. Employers are now required to use the portal to report separations within seven days of an employee’s separation date.

WHICH EMPLOYERS ARE COVERED

The reporting requirement applies broadly to all New Jersey employers subject to the New Jersey Unemployment Compensation Law. In general, this includes any employer, whether private or public sector, that employs one or more individuals to perform services for it in the state of New Jersey.

Employer size does not matter, so even a small, out-of-state business with one New Jersey-based employee is generally covered.

WHAT EMPLOYERS MUST DO

Register with the Employer Access System. To gain access to the Employer Response Portal, employers must first register with the Employer Access System, which involves the following steps:

1. Go to the NJDOL registration page at <https://twes.dol.nj.gov/EmployerValidator/homePage.htm>.
2. Verify the employer's credentials using its Employer Identification Number ("EIN"), business name, and an authorization code issued by the NJDOL.
3. Create a new myNewJersey account or link an existing myNewJersey account to the Employer Access System application using the prompts provided by the website.
4. The person who creates the Employer Access System account is the administrator. Only the administrator may add or remove additional users, such as payroll managers or accountants.

Report all employee separations within seven days.

Within seven days of an employee's separation date, employers must proactively report the separation through the Employer Response Portal. This applies to all types of and reasons for separation and is required regardless of whether the employee has applied (or intends to apply) for unemployment benefits. The Employer Response Portal offers a tool to report layoffs impacting multiple employees, which allows the employer to avoid completing individual responses for each worker.

Submit required information. Along with the separation notice, employers must provide the NJDOL with the following details so it can assess the employee's eligibility for benefits:

- The employee's name, Social Security number, and first and last day of work.
- The employee's work schedule and rate of pay.
- The reason for separation and whether the separation is temporary or permanent.
- Whether the employee is receiving a retirement benefit or pay after the last day of work.
- The name and job title of the employee's immediate supervisor.
- The name, job title, and phone number of the person providing the employer's response.

Continue providing Form BC-10. Employers must still give separating employees a copy of [Form BC-10](#) (Instructions for Claiming Unemployment Benefits) at the time of separation. However, employers are not required to submit a copy of this form to the Employer Response Portal.

CONSEQUENCES FOR NONCOMPLIANCE

Employers may face penalties for willfully failing to provide the required information, including fines of up to \$500 or 25 percent of any amount fraudulently withheld, whichever is greater.

KEY TAKEAWAY

New Jersey employers should take the following steps to ensure compliance with the new reporting requirements:

- Register with NJDOL's Employer Access System to gain access to the Employer Response Portal.
- Report every employee separation within seven calendar days through the portal, regardless of the reason for separation or whether the employee files for benefits.

- Submit all required details, including the reason for separation, first and last dates of work, rate of pay, work schedule, and employer contact information.
- Continue distributing Form BC-10 to all separating employees.
- Respond promptly to any NJDOL inquiries to protect your position in any benefits determination.

For more information or assistance, please contact **Daniel J. Sobol, Julia C. Riskowitz, Sarah M. Kirkpatrick**, or another member of Blank Rome's **Labor & Employment** group.

Daniel J. Sobol
215.569.5673 | daniel.sobol@blankrome.com

Julia C. Riskowitz
215. 569.5770 | julia.riskowitz@blankrome.com

Sarah M. Kirkpatrick
215.569.5341 | sarah.kirkpatrick@blankrome.com