Cooley

Garden State Opens Employee Separation Reporting Portal

November 4, 2026

New Jersey's Department of Labor and Workforce Development (NJDOL) has activated an online portal requiring employers to electronically report employee separations and information required to determine unemployment benefit eligibility. The portal implements a law that took effect in July 2023. Below, we outline the key aspects of this new requirement.

Who must report and when

All New Jersey employers, regardless of size, must use the portal to report every employee separation – including layoffs, terminations, resignations and retirements – whether or not the employee is expected to seek unemployment benefits. Employers must submit separation information within seven days of the separation date and should not wait for a former employee to file an unemployment claim before reporting. Employers conducting mass layoffs may report up to 1,000 separations in a single submission. Employers must register for portal access through the NJDOL; those using a third-party administrator for payroll should register for access and then grant access rights to that administrator.

Consequences of noncompliance

If an employer fails to submit separation information within the required timeframe, the NJDOL will issue a determination based on the available information. The employer will receive the determination and appeal rights by mail and must file any appeal within seven days of receipt; otherwise, the determination becomes final. Employers also face penalties for willful failure to furnish reports.

Separately, employers must continue providing departing employees with the BC-10 form (Instructions for Claiming Unemployment Benefits) but are not required to submit a copy to the NJDOL.

Claims process

Once a claim is filed, the claimant will receive a secure link to an online fact-finding application. The employer's separation response will be shown to the claimant as part of that process. If follow-up is required, an examiner may contact the employer by email or phone, and the employer will have two business days to respond with any requested information.

Action steps

Employers with New Jersey operations or employees should:

- **Register for the portal.** Register for access to the NJDOL separation reporting portal. If using a third-party administrator, the NJDOL advises employers to register for employer access first, then grant access rights to the third-party administrator.
- **Update offboarding procedures.** Integrate portal submissions into separation and termination workflows to meet the seven-day filing window.
- **Train relevant personnel.** Ensure individuals processing separations are familiar with the portal's data fields and filing requirements.

If you have any questions about the requirement or how to comply, please contact your Cooley employment

lawyer or one of the lawyers listed below.

This content is provided for general informational purposes only, and your access or use of the content does not create an attorney-client relationship between you or your organization and Cooley LLP, Cooley (UK) LLP, or any other affiliated practice or entity (collectively referred to as "Cooley"). By accessing this content, you agree that the information provided does not constitute legal or other professional advice. This content is not a substitute for obtaining legal advice from a qualified attorney licensed in your jurisdiction, and you should not act or refrain from acting based on this content. This content may be changed without notice. It is not guaranteed to be complete, correct or up to date, and it may not reflect the most current legal developments. Prior results do not guarantee a similar outcome. Do not send any confidential information to Cooley, as we do not have any duty to keep any information you provide to us confidential. When advising companies, our attorney-client relationship is with the company, not with any individual. This content may have been generated with the assistance of artificial intelligence (AI) in accordance with our AI Principles, may be considered Attorney Advertising and is subject to our legal notices.

Key Contacts

Gerard O'Shea New York	goshea@cooley.com +1 212 479 6704
Daniel Bernard New York	dbernard@cooley.com +1 212 479 6469
Sharon Davidov New York	sdavidov@cooley.com +1 212 479 6079
Joseph Lockinger New York	jlockinger@cooley.com +1 212 479 6736
Dorothy “Doro” Newman New York	dnewman@cooley.com +1 212 479 6312
Anna Matsuo New York	amatsuo@cooley.com +1 212 479 6827
Steven A. Zuckerman New York	szuckerman@cooley.com +1 212 479 6647
Alexandria Piacenti New York	apiacenti@cooley.com +1 212 479 6415

This information is a general description of the law; it is not intended to provide specific legal advice nor is it intended to create an attorney-client relationship with Cooley LLP. Before taking any action on this information

you should seek professional counsel.

Copyright © 2023 Cooley LLP, 3175 Hanover Street, Palo Alto, CA 94304; Cooley (UK) LLP, 22 Bishopsgate, London, UK EC2N 4BQ. Permission is granted to make and redistribute, without charge, copies of this entire document provided that such copies are complete and unaltered and identify Cooley LLP as the author. All other rights reserved.