

## **THE NEW JERSEY FIRST ACT Q&A:**

**1. Does this law cover all NJ TRANSIT employees?**

Yes, all Agreement and Non-Agreement employees must comply with the law.

**2. How about part-time employees?**

The law is not clear on its application to part-time employees. Regulations that will provide further clarification on this aspect of the law and other issues are forthcoming.

**3. How will The New Jersey First Act affect NJ TRANSIT employees?**

The law will apply to and affect employees differently.

**Current Employees** who live outside New Jersey as of September 1, 2011 are protected by a Grandfather Clause within the residency requirement law.

**Newly-hired employees** with a start date of September 1, 2011 or later who live outside of the State will have 365 days to comply with the law by making New Jersey his or her Principal Residency. New employees would not be permitted to use an in-state address as a secondary or part-time residence. Absent an exemption, the employees would have to maintain a Principal Residency in New Jersey during his or her employment with NJ TRANSIT.

**4. I understand that as of September 1, 2011, current employees who live outside of New Jersey are exempted from the residency requirement. As a current employee, if I am promoted or transferred to another position within NJ TRANSIT, am I still protected by the Grandfather Clause?**

Yes, you are still exempted from the residency requirement. The law will not apply to an employee who continues to hold his or her employment in public service.

**5. What if I leave NJ TRANSIT and take a position with another state agency, am I still exempted?**

Yes, as long as your new public service position starts within seven (7) days of your last day of employment with NJ TRANSIT, you will continue to be exempted.

**6. What if my start date for my new position with another state agency begins more than seven (7) days after I have stopped working at NJ TRANSIT—am I still exempted then?**

In this case, your separation from NJ TRANSIT will exceed the seven (7) days “Break in Service” mandate. Consequently, you may lose your exemption status.

**7. As a current employee residing in New Jersey on the effective date, my principal residence is established in New Jersey.**

- a. If I am promoted or transferred to a NJ TRANSIT job out of New Jersey, such as in the Morrisville Rail Yard in Pennsylvania, after September 1, 2011, can I reside in the state where I work?**

Yes, you can.

- b. As I approach my 2013 retirement date, my family and I plan to move to Pennsylvania in 2012. If I do that, will I still be in compliance with the mandates of the law?**

According to the law, no; but the law does provide you with a possible reprieve. You may file an application for an exemption based on your "critical needs." The five-member Committee will review your unique circumstances, and reply to your request. The Committee will determine if you will be exempted from having your Principal Residency in New Jersey.

**8. What is a "Principal Residency"?**

A Principal Residency requirement asks a person to establish that he or she actually lives in the State. This is usually demonstrated by the address listed on a driver's license or a government-issued identification card, a voter registration card, motor vehicle registration, a lease, a mortgage, an income tax return, property tax bills, utility bills, and more.

**9. I saw something that stated this quote from the law: "The fact that a person is domiciled in this State shall not by itself satisfy the requirement of Principal Residency." What does it mean?**

Typically, domicile means you have an address and some physical presence in New Jersey. To comply with the intent of The First New Jersey Act, you must live in New Jersey, vote here and pay taxes here.

**10. Will employees have to prove location of his or her Principal Residency?**

Yes. New hires will need to provide New Jersey Principal Residency at the time he or she is hired or to establish Principal Residency within New Jersey within 365 days of hire date. Periodically, NJ TRANSIT will monitor employees' address information for confirmation of compliance with The New Jersey First Act.

**11. Currently, my official address with NJ TRANSIT is listed as a P.O. Box. Can I use my P.O. Box number as proof of my Principal Residency?**

No. A P.O. Box is not proof of any type of residency; and neither are any other mail drop locations, such as Mail Boxes Etc. Employees with P.O. Box addresses may be required to provide NJ TRANSIT with confirmation of his or her Principal Residency.

**12. If I have additional questions, who should I contact?**

Please submit your questions to the [HumanResources@njtransit.com](mailto:HumanResources@njtransit.com) e-mail address, or contact:

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