New Jersey Employers Must Use New Portal to Report Employee Separations

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Authors:

Bria S. Beaufort

Vincent P. Browne

New Jersey employers must report *all* employee separations through the recently launched Employer Response Portal.

Earlier amendments to the New Jersey Unemployment Compensation Law added a new reporting requirement for employers. As of July 31, 2023, employers have been required to "immediately and simultaneously" electronically report employee separations, including the date of separation (as provided on Form BC-10) and other information required by the New Jersey Department of Labor (NJDOL) to determine unemployment benefits eligibility. Recently, the NJDOL launched the Employer Response Portal, which allows employers to promptly meet the reporting requirements through an online platform.

Reporting Requirements

Within seven days of the date of separation, employers must proactively report through the portal all separations of any type, including resignations, terminations, retirements, or layoffs. This requires employers to report the separation promptly, regardless of whether the employee applies for unemployment benefits. Employers must also submit additional information for the NJDOL to assess benefits eligibility, including the reason for separation, the date of separation, the employee's rate of pay and work schedule, and employer contact information.

Employers must continue to provide separating employees with Form BC-10 (Instructions for Claiming Unemployment Benefits).

If an employer fails to timely submit the required separation information to the NJDOL, a benefits determination will be made based on the information available. Employers may also be exposed to penalties for the willful failure to furnish information.

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Key Takeaway

Employers must register with Employer Access to access the portal. Employers should promptly report employee separations, submit all required information, and respond to any inquiries in a timely manner.

Should you have any questions about the Employer Response Portal or reporting obligations mentioned above, please contact the authors or any member of FBT Gibbons' Labor and Employment group.

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