NJEDA
ECONOMIC DEVELOPMENT AUTHORITY

MEDIA CONTACT
media@njeda.com

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NJEDA WAIVES 80 PERCENT PROJECT SITE REQUIREMENT AS MORE COMPANIES RESPOND TO CORONAVIRUS WITH WORK-FROM-HOME ARRANGEMENTS

TRENTON, N.J. (March 12, 2020) – Pursuant to Executive Order 103 (Murphy 2020) ("EO 103") in response to increasing numbers of employers encouraging employees to work from home in response to the COVID-19 pandemic, the New Jersey Economic Development Authority (NJEDA) is waiving certain specific requirements related to employee presence in the office for the recipients of awards under employment-based incentive programs.

This waiver will apply if the recipient provides documentation from their Human Resources department that demonstrates their work from home policy directly relates to COVID-19 and the communication to the recipient's staff that the policy has been invoked. This documentation shall be included in the recipient's 2020 annual certification submission and an email to the recipient's Servicing Officer should be sent notifying the NJEDA that this temporary waiver has been instituted.

"As companies across the state formulate plans to continue conducting business while mitigating the potential risk of COVID-19, this waiver will alleviate concern about jeopardizing incentives for which they have been approved," said NJEDA Chief Executive Officer Tim Sullivan. "Health and safety are our top priorities, and we want to support companies in making decisions that protect their employees and communities while ensuring New Jersey's economic well-being."

The waiver applies to recipients of awards under the Business Employment Incentive Program ("BEIP"), Business Retention and Relocation Assistance Grant Program ("BRRAG"), Urban Transit Hub Program ("HUB"), and the Grow New Jersey Program ("Grow NJ") who are normally bound by the following requirements in NJEDA rules:

- N.J.A.C. 19:31-10.2: In BEIP, the requirement that a full-time employee "spend at least 80 percent of his or her time at the site" to meet the definition of "full-time employee at the qualified business facility."
- N.J.A.C. 19:31-14.2: In BRRAG, the requirement that a full-time employee "spend at least 80 percent of his or her time at the site" to meet the definition of "full-time employee at the qualified business facility."
- N.J.A.C. 19:31-9.2: In HUB, the requirement that a full-time employee "spend at least 80 percent of his or her time at the site" to meet the definition of "full-time employee at the qualified business facility."
- N.J.A.C. 19:31-18.2: In Grow NJ, the requirement that a full-time employee "must spend at least 80 percent of his or her time at the qualified business facility" to meet the definition of "eligible position" or "full-time job."

The waiver shall only apply to the time the State is in a Public Health Emergency and that a State of Emergency, as proclaimed in EO 103, is in effect.

Award recipients with questions should reach out directly to their assigned Incentives Officer.

About the New Jersey Economic Development Authority

The New Jersey Economic Development Authority (NJEDA) serves as the State's principal agency for driving economic growth. The NJEDA is committed to making New Jersey a national model for inclusive and sustainable economic development by focusing on key strategies to help build strong and dynamic

communities, create good jobs for New Jersey residents, and provide pathways to a stronger and fairer economy. Through partnerships with a diverse range of stakeholders, the NJEDA creates and implements initiatives to enhance the economic vitality and quality of life in the State and strengthen New Jersey's long-term economic competitiveness.

To learn more about NJEDA resources for businesses call NJEDA Customer Care at 609-858-6767 or visit https://www.njeda.com and follow @NewJerseyEDA on Facebook, Twitter, and LinkedIn.

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CONTACT US

PO Box 990, Trenton, NJ 08625-0990

36 West State Street, Trenton, NJ 08625

(609) 858-6700

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