



PHILIP D. MURPHY  
*Governor*

## State of New Jersey

SHEILA Y. OLIVER  
*Lieutenant Governor*

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT  
P.O. BOX 381, TRENTON, NEW JERSEY 08625-0110

ROBERT ASARO-ANGELO  
*Commissioner*

### Notice to the Bar July 29, 2021

This notice announces additional statewide steps by the New Jersey Division of Workers' Compensation to address the ongoing COVID-19 health crisis in New Jersey.

The N.J. Division of Workers' Compensation shall implement a cautious return to normal operations with the resumption of limited in-person proceedings and an increase of on-site presence of workers' compensation judges and court staff as set forth below.

Effective Monday, August 16, 2021, all fifteen N.J. workers' compensation court facilities shall be open to attorneys, litigants, court reporters, interpreters, and witnesses with specifically scheduled events or appointments. Up to 35% of judges and court staff may be present on-site in state workers' compensation court locations in accord with the N.J. Department of Labor and Workforce Development's overall reopening plan. Consistent with public health guidance, the N.J. Division of Workers' Compensation will increase on-site presence gradually with the understanding that we may change direction if COVID-19 trends worsen in the future.

In accordance with N.J.A.C §12:235-1.2, workers' compensation court rules shall continue to be relaxed, and the vast majority of workers' compensation court proceedings shall be provided virtually, either telephonically or via Microsoft TEAMS. This shall include routine list markings, pre-trial conferences, dismissals for lack of prosecution, and, if the parties consent, approval of settlements, including Section 20 settlements and Section 22 settlements (Orders Approving Settlement).

Only after a virtual conference with the presiding workers' compensation judge, in accordance with N.J.A.C. §12:235-3.11, or N.J.A.C. §§12:235-3.2 and 3.3 for Emergent and Regular Motions for Medical and Temporary Disability Benefits, will contested matters be scheduled for an in-person Trial or Motion Hearing.

All persons with business in N.J. Workers' Compensation facilities shall answer health questionnaires upon entry of our facilities in coordination with local Sheriffs, New Jersey State



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Police, and/or Allied Security. We will not ask for proof of vaccination when you enter a workers' compensation facility.

All persons with business in N.J. Workers' Compensation facilities should follow these health precautions:

- Wear a mask and maintain social distance, regardless of your vaccination status.
- Wash hands or use hand sanitizer frequently.
- Do not come to a workers' compensation courthouse if you have any of these symptoms:
  - fever or chills
  - cough
  - congestion
  - runny nose
  - fatigue
  - body aches or pains
  - headache
  - nausea or vomiting
  - diarrhea
  - shortness of breath or difficulty breathing

Gloves are not required, however, court users can wear gloves if they choose to bring them.

If possible, avoid bringing children to the courthouse unless they are involved in a court matter.

**Let security or staff know immediately if you have any of the symptoms listed above. We will talk to you about rescheduling your hearing.**

Only N.J. Division of Workers' Compensation staff shall be permitted in judicial chambers and staff areas. Attorneys will be restricted to the courtroom, hallways, and attorney conference rooms in limited numbers.

During this phase of reopening, in-person "add-on" settlements, conferences, and trials are highly discouraged.



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Administrative Supervisory Judges and Supervising Judges may make minor adjustments to these guidelines, with prior approval from the Chief Judge, based upon the specific needs of their vicinage, as long as social distancing guidelines are maintained.

Hon. Russell Wojtenko, Jr.  
Director and Chief Judge of Compensation  
N.J. Department of Labor & Workforce Development  
Division of Workers' Compensation



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