

DEPARTING EMPLOYEES

NY

All wages due to an employee must be paid no later than the next regular payday for the pay period during which the employee's termination took place. If asked, the employer must mail the final wages to the employee.

Employers must pay out accrued, but unused, vacation time to separating employees if it is the employer's policy to do so.

New York employers must give departing employees notice of their right to file an application for unemployment benefits at the time of separation. The notice must be on the following form: [Record of Employment](#).

New York law requires employers to notify employees in writing if they are being terminated from employment. The notice must be given within five working days after the date of termination. The notice should contain the exact date of the termination and the exact date of the cancellation of employee benefits connected with the termination.

NJ

In New Jersey, an employee's final wages must be paid to them by the next regular payday for the pay period during which the employee's termination took place. Employers must pay employees who are compensated (in part or in full) by an incentive system a reasonable approximation of all wages due on the same payday until the exact amount can be computed.

Employers must pay out accrued, but unused, vacation time to separating employees if it is the employer's policy to do so.

New Jersey employers must give departing employees notice of their right to file an application for unemployment benefits at the time of separation. The notice must be on the following form: [Notice Regarding Unemployment Benefits \(BC-10\)](#).