

ASSEMBLY, No. 4314

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED JULY 30, 2018

Sponsored by:

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Assemblymen DeAngelo, Wirths, Space, Conaway and Assemblywoman Downey

SYNOPSIS

Requires Commissioner of DOLWD to create list of labor organizations that represent workers on public work projects.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/26/2019)

1 AN ACT concerning a list of labor organizations that represent
2 workers on public work projects and amending P.L.1963, c.150.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 13 of P.L.1963, c.150 (C.34:11-56.37) is amended to
8 read as follows:

9 13. a. In the event that the commissioner shall determine, after
10 investigation, that any contractor or subcontractor has failed to pay
11 the prevailing wage he shall thereupon list and keep on record the
12 name of such contractor or subcontractor and forthwith give notice
13 by mail of such list to any public body who shall request the
14 commissioner so to do. Where the person responsible denies that a
15 failure to pay the prevailing wage has occurred, he shall have the
16 right to apply to the commissioner for a hearing which must be
17 afforded and a decision rendered within 48 hours of the request for
18 a hearing. If the commissioner rules against the petitioning party he
19 shall have the right to apply for injunctive relief in the Superior
20 Court against the listing by the commissioner.

21 b. The commissioner shall create, maintain, and distribute an
22 informational list for contractors and subcontractors who bid on and
23 perform public work, which includes but need not be limited to
24 wage payment, recordkeeping, and registration requirements, and
25 applicable penalties, pursuant to the "New Jersey Prevailing Wage
26 Act," P.L.1963, c.150 (C.34:11-56.25 et seq.) and "The Public
27 Works Contractor Registration Act," P.L.1999, c.238 (C.34:11-
28 56.48 et seq.). The commissioner shall prominently display the
29 informational list on a website maintained by the Department of
30 Labor and Workforce Development and shall distribute to any
31 contractor, subcontractor, or public body, upon request, the
32 informational list, as well as the list of the names of contractors and
33 subcontractors who have failed to pay prevailing wages as
34 determined pursuant to subsection a. of this section, or who have
35 failed to pay any State employer payroll tax.

36 c. The commissioner shall create, maintain, and distribute an
37 informational list of labor organizations that represent workers who
38 engage in public work, which shall contain information about
39 required hourly rates, required fringe benefit rates, and regions in
40 which the labor organizations represent workers. The
41 commissioner shall prominently display the informational list on a
42 website maintained by the Department of Labor and Workforce
43 Development and shall distribute to any contractor, subcontractor,
44 labor organization, or public body, upon request, the informational

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 list for use on public work, including projects for which the cost is
2 below the prevailing wage contract threshold amount.

3 (cf: P.L.2015, c.282, s.1)
4

5 2. This act shall take effect on the first day of the third month
6 next following enactment, except that the commissioner may take
7 any anticipatory administrative action in advance as shall be
8 necessary for the implementation of this act.
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11 STATEMENT

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13 This bill would require the Commissioner of the Department of
14 Labor and Workforce development to create and maintain an
15 informational list of labor organizations that represent workers who
16 engage in public work projects. The list would include required
17 hourly rates, required fringe benefit rates, and regions in which the
18 labor organizations represent workers. The department would
19 display the list on a website it maintains, and the list could be
20 utilized for public work projects, including projects for which the
21 cost would fall below the prevailing wage contract threshold.