

ASSEMBLY, No. 2607

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

Assemblyman JOSEPH V. EGAN

District 17 (Middlesex and Somerset)

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District 34 (Essex and Passaic)

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

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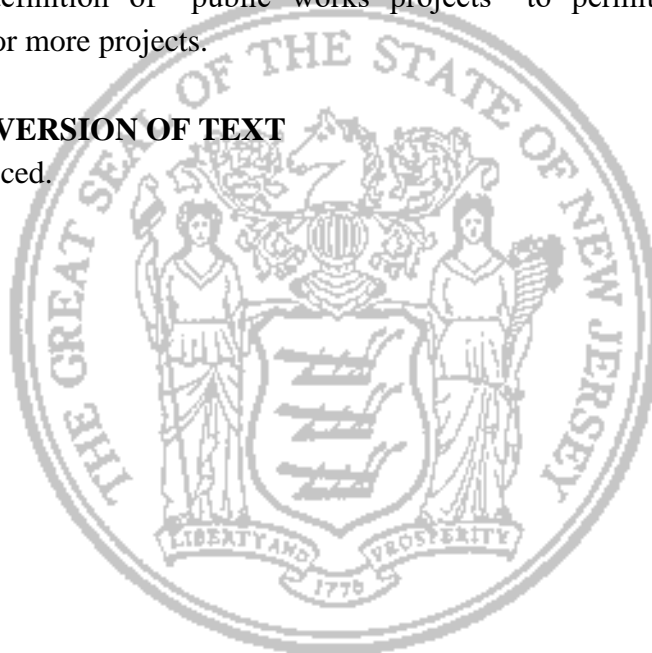
Assemblywomen Reynolds-Jackson, Chaparro, Assemblymen Taliaferro, Houghtaling, Assemblywomen Murphy, Downey, Assemblyman Wimberly, Assemblywomen Sumter, Carter and Jimenez

SYNOPSIS

Revises definition of “public works projects” to permit project labor agreements for more projects.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/15/2020)

1 AN ACT concerning project labor agreements and amending
2 P.L.2002, c.44.

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

6
7 1. Section 2 of P.L.2002, c.44 (C.52:38-2) is amended to read
8 as follows:

9 2. For the purposes of this act:

10 "Apprenticeship program" means a registered apprenticeship
11 program providing to each trainee combined classroom and on-the-
12 job training under the direct and close supervision of a highly
13 skilled worker in an occupation recognized as an apprenticeable
14 trade, and registered by the **【Bureau】** Office of Apprenticeship
15 **【and Training】** of the U.S. Department of Labor and meeting the
16 standards established by the **【bureau】** office, or registered by a
17 State apprenticeship agency recognized by the **【bureau】** office.

18 "Labor organization" means, with respect to a contracted work
19 on a public works project, an organization which represents, for
20 purposes of collective bargaining, employees involved in the
21 performance of public works contracts and eligible to be paid
22 prevailing wages under the "New Jersey Prevailing Wage Act",
23 P.L.1963, c.150 (C.34:11-56.25 et seq.) and has the present ability to
24 refer, provide or represent sufficient numbers of qualified
25 employees to perform the contracted work, in a manner consistent
26 with the provisions of this act and any plan mutually agreed upon
27 by the labor organization and the public entity pursuant to
28 subsection g. of section 5 of this act.

29 "Project labor agreement" means a form of pre-hire collective
30 bargaining agreement covering terms and conditions of a specific
31 project.

32 "Public entity" means the State, any of its political subdivisions,
33 any authority created by the Legislature and any instrumentality or
34 agency of the State or of any of its political subdivisions.

35 "Public works project" means any public works project for **【the】**
36 construction, reconstruction, demolition or renovation **【of buildings**
37 at the public expense, other than pumping stations or water or
38 sewage treatment plants,**】** for which:

39 (1) It is required by law that workers be paid the prevailing
40 wage determined by the Commissioner of Labor and Workforce
41 Development pursuant to the provisions of the "New Jersey
42 Prevailing Wage Act", P.L.1963, c.150 (C.34:11-56.25 et seq.); and

43 (2) The public entity estimates that the total cost of the project,
44 exclusive of any land acquisition costs, will equal or exceed \$5
45 million.

46 (cf: P.L.2002, c.44, s.2)

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 2. This act shall take effect immediately.

2

3

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STATEMENT

5

6 This bill expands the permissible use of project labor agreements
7 (PLAs) beyond contracts for building-based public works projects.

8 Current law allows a public entity to use a PLA for public works
9 projects that are:

10 1. Worth at least \$5 million (excluding land acquisition costs);

11 2. Subject to the prevailing wage law; and

12 3. For the construction, reconstruction, demolition, or
13 renovation of buildings at the public expense.

14 Current law does not extend the capacity of public entities to use
15 PLAs for highway, bridge, pumping station, and water and sewage
16 treatment plant projects.

17 This bill expands the permissible use of PLAs beyond building-
18 based public works contracts so as to allow public entities to use
19 PLAs for highway, bridge, pumping station, and water and sewage
20 treatment plant projects.

21 Technically, the bill revises the definition of “public works
22 project” under P.L.2002, c.44 (C.52:38-1 et seq.) to remove the
23 exclusion of non-building-based projects. By revising the
24 definition of “public works project,” the bill extends the option of
25 using a PLA to projects excluded under current law, such as
26 highways, bridges, pumping stations, and water and sewage
27 treatment plants. The bill does not change the requirements that a
28 PLA eligible project must be worth at least \$5 million and be
29 subject to the prevailing wage law.