

34:11-56.50 and 34:11-56.31
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2025 **CHAPTER:** 152

NJSA: 34:11-56.50 and 34:11-56.31, Requires employer or contractor engaged in work for public body to submit payroll records to DOLWD.

BILL NO: S1403 (Substituted for A4029 (1R))

SPONSOR(S) Singleton, Troy and others

DATE INTRODUCED: 1/9/2024

COMMITTEE: **ASSEMBLY:** Budget

SENATE: Labor
Budget & Appropriations

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 06/30/2025

SENATE: 06/30/2025

DATE OF APPROVAL: 10/20/2025

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (S1403 SaSaAca (3R) enacted)

ADVANCE LAW	Yes
PAMPHLET LAW	Yes

S1403

INTRODUCED BILL: (Includes sponsor(s) statement)	Yes	
REPRINT(S):	Yes	Senate 10/28/24 1R Senate 1/14/25 2R ABU 6/26/25 3R
TECHNICAL REVIEW OF BILL:	Yes	SLA 5/6/24 TR
COMMITTEE STATEMENT: ASSEMBLY:	Yes	Budget
SENATE:	Yes	Labor Budget & Appropriations

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	Yes	10/28/2024 01/14/2025
LEGISLATIVE FISCAL ESTIMATE:	No	

A4029 (1R)

INTRODUCED BILL: (Includes sponsor(s) statement)	Yes	
REPRINT(S):	Yes	ABU 6/26/25 1R
TECHNICAL REVIEW OF BILL:	No	
COMMITTEE STATEMENT:	ASSEMBLY:	Yes Budget 06/26/2024 06/26/2025
	SENATE:	No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	No
LEGISLATIVE FISCAL ESTIMATE:	No
VETO MESSAGE:	No
GOVERNOR'S PRESS RELEASE ON SIGNING:	Yes
LEGISLATOR STATEMENT:	No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS:	No
HEARINGS:	No
NEWSPAPER ARTICLES:	No

CL/MMcB

P.L. 2025, CHAPTER 152, *approved October 20, 2025*
Senate, No. 1403 (*Third Reprint*)

1 AN ACT concerning the ¹**["registration and"]**¹ payroll records of
2 employers engaged in work for a public body and amending
3 P.L.1963, c.150 and P.L.1999, c.238.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. Section 3 of P.L.1999, c.238 (C.34:11-56.50) is amended to
9 read as follows:

10 3. As used in chapter 11 of Title 34 of the Revised Statutes:

11 "Apprenticeship Agreement" means a written agreement,
12 complying with 29 C.F.R. s.29.7, between an apprentice and either
13 the apprentice's program sponsor, or an apprenticeship committee
14 acting as agent for a program sponsor, which contains the terms and
15 conditions of the employment and training of the apprentice.

16 "Apprenticeship cohort" means the group of individual
17 apprentices registered to a specific individual program during a
18 one-year time frame, except that a cohort does not include the
19 apprentices whose apprenticeship agreement has been cancelled
20 during the probationary period.

21 "Apprenticeship committee" means those persons designated by
22 the sponsor to administer the program. A committee may be either
23 joint or non-joint, as follows:

24 (1) A joint committee is composed of an equal number of
25 representatives of the employer or employers and of the employees
26 represented by a bona fide collective bargaining agent or agents.

27 (2) A non-joint committee, which may also be known as a
28 unilateral or group non-joint committee, has employer
29 representatives, but does not have a bona fide collective bargaining
30 agent as a participant. A non-joint committee may include
31 employees.

32 "Apprenticeable occupation" means a skilled trade or technical
33 occupation that is included on the United States Department of
34 Labor's "List of Occupations Officially Recognized as
35 Apprenticeable by the Office of Apprenticeship".

36 "Apprenticeship program" means a plan containing all terms and
37 conditions for the qualification, recruitment, selection, employment,
38 and training of apprentices, as required under 29 C.F.R. ss.29 and

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted October 28, 2024.

²Senate floor amendments adopted January 14, 2025.

³Assembly ABU committee amendments adopted June 26, 2025.

1 30, including such matters as the requirement for a written
2 apprenticeship agreement.

3 "Commissioner" means the Commissioner of Labor and
4 Workforce Development or his duly authorized representatives.

5 "Completion rate" means the percentage of an apprenticeship
6 cohort who receive a certificate of apprenticeship completion within
7 one year of the projected completion date.

8 "Contractor" means a person, partnership, association, joint stock
9 company, trust, corporation, or other legal business entity or
10 successor thereof who enters into a contract which is subject to the
11 provisions of the "New Jersey Prevailing Wage Act," P.L.1963,
12 c.150 (C.34:11-56.25 et seq.), or who is required to pay its workers
13 the prevailing wage by any other provision of law, ³or who enters
14 into any other contract for work for a public body,]³ and includes
15 any subcontractor or lower tier subcontractor of a contractor as
16 defined herein. ¹With respect to the requirement that a contractor
17 register with the department pursuant to section 4 of P.L.1999,
18 c.238 (C.34:11-56.51), a contractor who performs work for a public
19 body and who is not otherwise required to register under that
20 section, shall be excluded from the definition of contractor as it
21 pertains to that registration requirement.¹

22 "Department" means the Department of Labor and Workforce
23 Development.

24 "Director" means the Director of the Division of Wage and Hour
25 Compliance in the Department of Labor and Workforce
26 Development.

27 "Worker" includes laborer, mechanic, skilled or semi-skilled
28 laborer and apprentices or helpers employed by any contractor or
29 subcontractor and engaged in the performance of services directly
30 upon a public work, who have completed or are actively
31 participating in a registered apprenticeship program, regardless of
32 whether their work becomes a component part thereof, but does not
33 include material suppliers or their employees who do not perform
34 services at the job site.

35 "Registered apprenticeship program" or "program" means an
36 apprenticeship program which is registered with and approved by
37 the United States Department of Labor, which provides each trainee
38 with combined classroom and on-the-job training in an occupation
39 recognized as an apprenticeable occupation, and which involves the
40 attainment of manual, mechanical, or technical skills and
41 knowledge which, in accordance with the industry standard for the
42 specific apprenticeable occupation, are outlined under 29 C.F.R.
43 s.29.5.

44 "Sponsor" means any person, association, committee, or
45 organization operating an apprenticeship program and in whose
46 name the program is or will be registered or approved.

1 ¹["Public body" means the State, any of its political
2 subdivisions, any authority created by the Legislature, and any
3 instrumentality or agency of the State or of any of its political
4 subdivisions.

5 "Work for a public body" means construction, reconstruction,
6 demolition, alteration, custom fabrication, duct cleaning, or repair
7 work, or maintenance work, which is done under contract and paid
8 for in whole or in part out of the funds of a public body, done on
9 any property or premises owned or leased by the public body or
10 under agreement to be owned or leased by the public body, or
11 undertaken in connection with any loan, loan guarantee, grant,
12 incentive, expenditure, investment, tax exemption or other financial
13 assistance approved, funded, authorized, administered or provided
14 by a public body, or undertaken to fulfill any condition of receiving
15 any of the financial assistance.】¹

16 (cf: P.L.2019, c.518, s.1)

17

18 ¹【2. Section 4 of P.L.1999, c.238 (C.34:11-56.51) is amended to
19 read as follows:

20 4. No contractor shall bid on any contract for public work as
21 defined in section 2 of P.L.1963, c.150 (C.34:11-56.26), or for
22 which payment of the prevailing wage is required by any other
23 provision of law, or for any other work for a public body unless the
24 contractor is registered pursuant to 【this act】 P.L.1999, c.238
25 (C.34:11-56.48 et seq.). No contractor shall list a subcontractor in a
26 bid proposal for the contract unless the subcontractor is registered
27 pursuant to P.L.1999, c.238 (C.34:11-56.48 et seq.) at the time the
28 bid is made. No contractor or subcontractor, including a
29 subcontractor not listed in the bid proposal, shall engage in the
30 performance of any public work subject to the contract, unless the
31 contractor or subcontractor is registered pursuant to that act.

32 (cf: P.L.2019, c.376, s.2)】¹

33

34 ¹【3.】 2.¹ Section 7 of P.L.1963, c.150 (C.34:11-56.31) is
35 amended to read as follows:

36 7. The commissioner shall have the authority to:

37 (a) investigate and ascertain the wages of workmen employed in
38 any public work or other work for a public body in the State;

39 (b) enter and inspect the place of business or employment of any
40 employer or workmen in any public work or other work for a public
41 body in the State, for the purpose of examining and inspecting any
42 or all books, registers, payrolls, and other records of any such
43 employer that in any way relate to or have a bearing upon the
44 question of wages, hours, and other conditions of employment of
45 any such workmen; copy any or all of such books, registers,
46 payrolls, and other records as he or his authorized representative
47 may deem necessary or appropriate; obtain proof of, and question,

1 any worker's identity to determine whether the worker's identity is
2 accurately and truthfully included or reported in any or all books,
3 registers, payrolls, and other records of the employer that in any
4 way relate to or have a bearing upon the question of wages, hours,
5 and other conditions of employment in the public work; and
6 question such workmen for the purpose of ascertaining whether the
7 provisions of this act have been and are being complied with;

8 (c) require from such employer full and correct statements in
9 writing, including sworn statements, with respect to wages, hours,
10 names, addresses, and such other information pertaining to his
11 workmen and their employment as the commissioner, or his
12 authorized representative may deem necessary or appropriate;
13 **[and]**

14 (d) require any employer to file, within 10 days of receipt of a
15 request, any records enumerated in subsections (b) and (c) of this
16 section, sworn to as to their validity and accuracy. If the employer
17 fails to provide the requested records within 10 days, the
18 commissioner may direct within 15 days the fiscal or financial
19 officer charged with the custody and disbursements of the funds of
20 the public body which contracted for the public work immediately
21 to withhold from payment to the employer up to 25% of the amount,
22 not to exceed \$100,000.00, to be paid to the employer under the
23 terms of the contract pursuant to which the public work is being
24 performed. The amount withheld shall be immediately released
25 upon receipt by the public body of a notice from the commissioner
26 indicating that the request for records has been satisfied; and

27 (e) require any employer or contractor engaged in any work for a
28 public body to file, with the commissioner and the public entity
29 with which the employer or contractor is engaged in work, within
30 10 days of receipt of a request ³from the commissioner or the
31 commissioner's authorized representative³ , any ³or all³ records
32 ³**[all]** ,³ books, registers, payrolls, and other records of any such
33 employer or contractor that in any way relate to or have a bearing
34 upon the question of wages, hours, and other conditions of
35 employment of any such workmen, and copies of any or all of such
36 books, registers, payrolls, or other records as the commissioner or
37 the commissioner's authorized representative may deem necessary
38 or appropriate. If the employer fails to provide the requested
39 records within 10 days, the commissioner may direct within 15 days
40 the fiscal or financial officer charged with the custody and
41 disbursements of the funds of the public body which contracted for
42 the public work immediately to withhold from payment to the
43 employer up to 25% of the amount, not to exceed \$100,000.00, to
44 be paid to the employer under the terms of the contract pursuant to
45 which the public work is being performed. The amount withheld
46 shall be immediately released upon receipt by the public body of a
47 notice from the commissioner indicating that the request for records

1 has been satisfied. ²The commissioner shall differentiate the
2 manner of filing records for an employer or contractor that performs
3 work that is not subject to the provisions of the “New Jersey
4 Prevailing Wage Act,” P.L.1963, c.150 (C.34:11-56.25 et seq.) or
5 that is not required to pay its workers the prevailing wage by any
6 other provisions of the law.²

7 ¹(f) As used in this section:

8 “Public body” means the State, any of its political subdivisions,
9 any authority created by the Legislature, and any instrumentality or
10 agency of the State or of any of its political subdivisions.

11 “Work for a public body” means construction, reconstruction,
12 demolition, alteration, custom fabrication, duct cleaning, or repair
13 work, or maintenance work, which is done under contract and paid
14 for in whole or in part out of the funds of a public body, done on
15 any property or premises owned or leased by the public body or
16 under agreement to be owned or leased by the public body, or
17 undertaken in connection with any loan, loan guarantee, grant,
18 incentive, expenditure, investment, tax exemption or other financial
19 assistance approved, funded, authorized, administered or provided
20 by a public body, or undertaken to fulfill any condition of receiving
21 any of the financial assistance.¹

22 (cf: P.L.2015, c.281, s.1)

23
24 ¹**[4.] 3.**¹ This act shall take effect on the 365th day next
25 following enactment, except that the Commissioner of Labor and
26 Workforce Development may take any anticipatory administrative
27 action in advance as shall be necessary for the implementation of
28 this act.

29

30

31

32

33 Requires employer or contractor engaged in work for public
34 body to submit payroll records to DOLWD.

CHAPTER 152

AN ACT concerning the payroll records of employers engaged in work for a public body and amending P.L.1963, c.150 and P.L.1999, c.238.

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

1. Section 3 of P.L.1999, c.238 (C.34:11-56.50) is amended to read as follows:

C.34:11-56.50 Definitions relative to public works contractors.

3. As used in chapter 11 of Title 34 of the Revised Statutes:

"Apprenticeship Agreement" means a written agreement, complying with 29 C.F.R. s.29.7, between an apprentice and either the apprentice's program sponsor, or an apprenticeship committee acting as agent for a program sponsor, which contains the terms and conditions of the employment and training of the apprentice.

"Apprenticeship cohort" means the group of individual apprentices registered to a specific individual program during a one-year time frame, except that a cohort does not include the apprentices whose apprenticeship agreement has been cancelled during the probationary period.

"Apprenticeship committee" means those persons designated by the sponsor to administer the program. A committee may be either joint or non-joint, as follows:

A joint committee is composed of an equal number of representatives of the employer or employers and of the employees represented by a bona fide collective bargaining agent or agents.

A non-joint committee, which may also be known as a unilateral or group non-joint committee, has employer representatives, but does not have a bona fide collective bargaining agent as a participant. A non-joint committee may include employees.

"Apprenticeable occupation" means a skilled trade or technical occupation that is included on the United States Department of Labor's "List of Occupations Officially Recognized as Apprenticeable by the Office of Apprenticeship".

"Apprenticeship program" means a plan containing all terms and conditions for the qualification, recruitment, selection, employment, and training of apprentices, as required under 29 C.F.R. ss.29 and 30, including such matters as the requirement for a written apprenticeship agreement.

"Commissioner" means the Commissioner of Labor and Workforce Development or his duly authorized representatives.

"Completion rate" means the percentage of an apprenticeship cohort who receive a certificate of apprenticeship completion within one year of the projected completion date.

"Contractor" means a person, partnership, association, joint stock company, trust, corporation, or other legal business entity or successor thereof who enters into a contract which is subject to the provisions of the "New Jersey Prevailing Wage Act," P.L.1963, c.150 (C.34:11-56.25 et seq.), or who is required to pay its workers the prevailing wage by any other provision of law and includes any subcontractor or lower tier subcontractor of a contractor as defined herein. With respect to the requirement that a contractor register with the department pursuant to section 4 of P.L.1999, c.238 (C.34:11-56.51), a contractor who performs work for a public body and who is not otherwise required to register under that section shall be excluded from the definition of contractor as it pertains to that registration requirement.

"Department" means the Department of Labor and Workforce Development.

"Director" means the Director of the Division of Wage and Hour Compliance in the Department of Labor and Workforce Development.

"Worker" includes laborer, mechanic, skilled or semi-skilled laborer, and apprentices or helpers employed by any contractor or subcontractor and engaged in the performance of

services directly upon a public work who have completed or are actively participating in a registered apprenticeship program, regardless of whether their work becomes a component part thereof, but does not include material suppliers or their employees who do not perform services at the job site.

"Registered apprenticeship program" or "program" means an apprenticeship program which is registered with and approved by the United States Department of Labor, which provides each trainee with combined classroom and on-the-job training in an occupation recognized as an apprenticeable occupation, and which involves the attainment of manual, mechanical, or technical skills and knowledge which, in accordance with the industry standard for the specific apprenticeable occupation, are outlined under 29 C.F.R. s.29.5.

"Sponsor" means any person, association, committee, or organization operating an apprenticeship program and in whose name the program is or will be registered or approved.

2. Section 7 of P.L.1963, c.150 (C.34:11-56.31) is amended to read as follows:

C.34:11-56.31 Powers of commissioner.

7. The commissioner shall have the authority to:

(a) investigate and ascertain the wages of workmen employed in any public work or other work for a public body in the State;

(b) enter and inspect the place of business or employment of any employer or workmen in any public work or other work for a public body in the State for the purpose of examining and inspecting any or all books, registers, payrolls, and other records of any such employer that in any way relate to or have a bearing upon the question of wages, hours, and other conditions of employment of any such workmen; copy any or all of such books, registers, payrolls, and other records as he or his authorized representative may deem necessary or appropriate; obtain proof of, and question, any worker's identity to determine whether the worker's identity is accurately and truthfully included or reported in any or all books, registers, payrolls, and other records of the employer that in any way relate to or have a bearing upon the question of wages, hours, and other conditions of employment in the public work; and question such workmen for the purpose of ascertaining whether the provisions of this act have been and are being complied with;

(c) require from such employer full and correct statements in writing, including sworn statements, with respect to wages, hours, names, addresses, and such other information pertaining to his workmen and their employment as the commissioner or his authorized representative may deem necessary or appropriate;

(d) require any employer to file, within 10 days of receipt of a request, any records enumerated in subsections (b) and (c) of this section, sworn to as to their validity and accuracy. If the employer fails to provide the requested records within 10 days, the commissioner may direct within 15 days the fiscal or financial officer charged with the custody and disbursements of the funds of the public body which contracted for the public work immediately to withhold from payment to the employer up to 25% of the amount, not to exceed \$100,000.00, to be paid to the employer under the terms of the contract pursuant to which the public work is being performed. The amount withheld shall be immediately released upon receipt by the public body of a notice from the commissioner indicating that the request for records has been satisfied; and

(e) require any employer or contractor engaged in any work for a public body to file, with the commissioner and the public entity with which the employer or contractor is engaged in work, within 10 days of receipt of a request from the commissioner or the commissioner's

authorized representative, any or all records, books, registers, payrolls, and other records of any such employer or contractor that in any way relate to or have a bearing upon the question of wages, hours, and other conditions of employment of any such workmen and copies of any or all of such books, registers, payrolls, or other records as the commissioner or the commissioner's authorized representative may deem necessary or appropriate. If the employer fails to provide the requested records within 10 days, the commissioner may direct within 15 days the fiscal or financial officer charged with the custody and disbursements of the funds of the public body which contracted for the public work immediately to withhold from payment to the employer up to 25% of the amount, not to exceed \$100,000.00, to be paid to the employer under the terms of the contract pursuant to which the public work is being performed. The amount withheld shall be immediately released upon receipt by the public body of a notice from the commissioner indicating that the request for records has been satisfied. The commissioner shall differentiate the manner of filing records for an employer or contractor that performs work that is not subject to the provisions of the "New Jersey Prevailing Wage Act," P.L.1963, c.150 (C.34:11-56.25 et seq.) or that is not required to pay its workers the prevailing wage by any other provisions of the law.

(f) As used in this section:

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

"Work for a public body" means construction, reconstruction, demolition, alteration, custom fabrication, duct cleaning, or repair work or maintenance work, which is done under contract and paid for in whole or in part out of the funds of a public body, done on any property or premises owned or leased by the public body or under agreement to be owned or leased by the public body, or undertaken in connection with any loan, loan guarantee, grant, incentive, expenditure, investment, tax exemption, or other financial assistance approved, funded, authorized, administered, or provided by a public body or undertaken to fulfill any condition of receiving any of the financial assistance.

3. This act shall take effect on the 365th day next following enactment, except that the Commissioner of Labor and Workforce Development may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

Approved October 20, 2025.

SENATE, No. 1403

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator PARKER SPACE

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

**Senators Johnson, Greenstein, Corrado, Singer, Burzichelli, Amato,
McKnight and Pou**

SYNOPSIS

Requires employer or contractor engaged in work for a public body to register with and submit payroll records to DOLWD.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 5/6/2024)

1 **AN ACT** concerning the registration and payroll records of
2 employers engaged in work for a public body and amending
3 P.L.1963, c.150 and P.L.1999, c.238.

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

7
8 1. Section 3 of P.L.1999, c.238 (C.34:11-56.50) is amended to
9 read as follows:

10 3. As used in chapter 11 of Title 34 of the Revised Statutes:

11 "Apprenticeship Agreement" means a written agreement,
12 complying with 29 C.F.R. s.29.7, between an apprentice and either the
13 apprentice's program sponsor, or an apprenticeship committee acting
14 as agent for a program sponsor, which contains the terms and
15 conditions of the employment and training of the apprentice.

16 "Apprenticeship cohort" means the group of individual apprentices
17 registered to a specific individual program during a one-year time
18 frame, except that a cohort does not include the apprentices whose
19 apprenticeship agreement has been cancelled during the probationary
20 period.

21 "Apprenticeship committee" means those persons designated by
22 the sponsor to administer the program. A committee may be either
23 joint or non-joint, as follows:

24 (1) A joint committee is composed of an equal number of
25 representatives of the employer or employers and of the employees
26 represented by a bona fide collective bargaining agent or agents.

27 (2) A non-joint committee, which may also be known as a
28 unilateral or group non-joint committee, has employer representatives,
29 but does not have a bona fide collective bargaining agent as a
30 participant. A non-joint committee may include employees.

31 "Apprenticeable occupation" means a skilled trade or technical
32 occupation that

33 is included on the United States Department of Labor's "List of
34 Occupations Officially Recognized as Apprenticeable by the Office of
35 Apprenticeship".

36 "Apprenticeship program" means a plan containing all terms and
37 conditions for the qualification, recruitment, selection, employment,
38 and training of apprentices, as required under 29 C.F.R. ss.29 and 30,
39 including such matters as the requirement for a written apprenticeship
40 agreement.

41 "Commissioner" means the Commissioner of Labor and Workforce
42 Development or his duly authorized representatives.

43 "Completion rate" means the percentage of an apprenticeship
44 cohort who receive a certificate of apprenticeship completion within
45 one year of the projected completion date.

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 "Contractor" means a person, partnership, association, joint stock
2 company, trust, corporation, or other legal business entity or
3 successor thereof who enters into a contract which is subject to the
4 provisions of the "New Jersey Prevailing Wage Act," P.L.1963,
5 c.150 (C.34:11-56.25 et seq.), or who is required to pay its workers
6 the prevailing wage by any other provision of law, or who enters
7 into any other contract for work for a public body, and includes any
8 subcontractor or lower tier subcontractor of a contractor as defined
9 herein.

10 "Department" means the Department of Labor and Workforce
11 Development.

12 "Director" means the Director of the Division of Wage and Hour
13 Compliance in the Department of Labor and Workforce Development.

14 "Worker" includes laborer, mechanic, skilled or semi-skilled
15 laborer and apprentices or helpers employed by any contractor or
16 subcontractor and engaged in the performance of services directly
17 upon a public work, who have completed or are actively participating
18 in a registered apprenticeship program, regardless of whether their
19 work becomes a component part thereof, but does not include material
20 suppliers or their employees who do not perform services at the job
21 site.

22 "Registered apprenticeship program" or "program" means an
23 apprenticeship program which is registered with and approved by the
24 United States Department of Labor, which provides each trainee with
25 combined classroom and on-the-job training in an occupation
26 recognized as an apprenticeable occupation, and which involves the
27 attainment of manual, mechanical, or technical skills and knowledge
28 which, in accordance with the industry standard for the specific
29 apprenticeable occupation, are outlined under 29 C.F.R. s.29.5.

30 "Sponsor" means any person, association, committee, or
31 organization operating an apprenticeship program and in whose name
32 the program is or will be registered or approved.

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

36 "Work for a public body" means construction, reconstruction,
37 demolition, alteration, custom fabrication, duct cleaning, or repair
38 work, or maintenance work, which is done under contract and paid for
39 in whole or in part out of the funds of a public body, done on any
40 property or premises owned or leased by the public body or under
41 agreement to be owned or leased by the public body, or undertaken in
42 connection with any loan, loan guarantee, grant, incentive,
43 expenditure, investment, tax exemption or other financial assistance
44 approved, funded, authorized, administered or provided by a public
45 body, or undertaken to fulfill any condition of receiving any of the
46 financial assistance.

47 (cf: P.L.2019, c.518, s.1)

1 2. Section 4 of P.L.1999, c.238 (C.34:11-56.51) is amended to
2 read as follows:

3 4. No contractor shall bid on any contract for public work as
4 defined in section 2 of P.L.1963, c.150 (C.34:11-56.26), or for
5 which payment of the prevailing wage is required by any other
6 provision of law, or for any other work for a public body unless the
7 contractor is registered pursuant to **【this act】** P.L.1999, c.238
8 (C.34:11-56.48 et seq.). No contractor shall list a subcontractor in a
9 bid proposal for the contract unless the subcontractor is registered
10 pursuant to P.L.1999, c.238 (C.34:11-56.48 et seq.) at the time the
11 bid is made. No contractor or subcontractor, including a
12 subcontractor not listed in the bid proposal, shall engage in the
13 performance of any public work subject to the contract, unless the
14 contractor or subcontractor is registered pursuant to that act.
15 (cf: P.L.2019, c.376, s.2)

16
17 3. Section 7 of P.L.1963, c.150 (C.34:11-56.31) is amended to
18 read as follows:

19 7. The commissioner shall have the authority to:

20 (a) investigate and ascertain the wages of workmen employed in
21 any public work or other work for a public body in the State;

22 (b) enter and inspect the place of business or employment of any
23 employer or workmen in any public work or other work for a public
24 body in the State, for the purpose of examining and inspecting any
25 or all books, registers, payrolls, and other records of any such
26 employer that in any way relate to or have a bearing upon the
27 question of wages, hours, and other conditions of employment of
28 any such workmen; copy any or all of such books, registers,
29 payrolls, and other records as he or his authorized representative
30 may deem necessary or appropriate; obtain proof of, and question,
31 any worker's identity to determine whether the worker's identity is
32 accurately and truthfully included or reported in any or all books,
33 registers, payrolls, and other records of the employer that in any
34 way relate to or have a bearing upon the question of wages, hours,
35 and other conditions of employment in the public work; and
36 question such workmen for the purpose of ascertaining whether the
37 provisions of this act have been and are being complied with;

38 (c) require from such employer full and correct statements in
39 writing, including sworn statements, with respect to wages, hours,
40 names, addresses, and such other information pertaining to his
41 workmen and their employment as the commissioner, or his
42 authorized representative may deem necessary or appropriate;
43 **【and】**

44 (d) require any employer to file, within 10 days of receipt of a
45 request, any records enumerated in subsections (b) and (c) of this
46 section, sworn to as to their validity and accuracy. If the employer
47 fails to provide the requested records within 10 days, the
48 commissioner may direct within 15 days the fiscal or financial

1 officer charged with the custody and disbursements of the funds of
2 the public body which contracted for the public work immediately
3 to withhold from payment to the employer up to 25% of the amount,
4 not to exceed \$100,000.00, to be paid to the employer under the
5 terms of the contract pursuant to which the public work is being
6 performed. The amount withheld shall be immediately released
7 upon receipt by the public body of a notice from the commissioner
8 indicating that the request for records has been satisfied; and

9 (e) require any employer or contractor engaged in any work for a
10 public body to file, with the commissioner and the public entity
11 with which the employer or contractor is engaged in work, within
12 10 days of receipt of a request, any records all books, registers,
13 payrolls, and other records of any such employer or contractor that
14 in any way relate to or have a bearing upon the question of wages,
15 hours, and other conditions of employment of any such workmen,
16 and copies of any or all of such books, registers, payrolls, or other
17 records as the commissioner or the commissioner's authorized
18 representative may deem necessary or appropriate. If the employer
19 fails to provide the requested records within 10 days, the
20 commissioner may direct within 15 days the fiscal or financial
21 officer charged with the custody and disbursements of the funds of
22 the public body which contracted for the public work immediately
23 to withhold from payment to the employer up to 25% of the amount,
24 not to exceed \$100,000.00, to be paid to the employer under the
25 terms of the contract pursuant to which the public work is being
26 performed. The amount withheld shall be immediately released
27 upon receipt by the public body of a notice from the commissioner
28 indicating that the request for records has been satisfied.

29 (cf: P.L.2015, c.281, s.1)

30
31 4. This act shall take effect on the 365th day next following
32 enactment, except that the Commissioner of Labor and Workforce
33 Development may take any anticipatory administrative action in
34 advance as shall be necessary for the implementation of this act.

37 STATEMENT

38
39 This bill requires any employer or contractor engaged in work
40 for a public body to register with the Department of Labor and
41 Workforce Development and submit certified payroll records to the
42 department and to the public entity with which the employer or
43 contractor is engaged to work. Under current law, employers and
44 contractors engaged in public work, or otherwise subject to the
45 State's prevailing wage requirements, are required to register with
46 the State and submit certified payroll records. This bill would
47 require all contractors engaged in work for a public body to register,

1 whether or not that work is subject to the prevailing wage law or
2 constitutes public work under the law.

3 Under the bill, a “public body” is defined as “the State of New
4 Jersey, any of its political subdivisions, any authority created by the
5 Legislature of the State of New Jersey and any instrumentality or
6 agency of the State of New Jersey or of any of its political
7 subdivisions.” The bill defines “work for a public body” as
8 “construction, reconstruction, demolition, alteration, custom
9 fabrication, duct cleaning, or repair work, or maintenance work,
10 which is done under contract and paid for in whole or in part out of
11 the funds of a public body, done on any property or premises owned
12 or leased by the public body or under agreement to be owned or
13 leased by the public body, or undertaken in connection with any
14 loan, loan guarantee, grant, incentive, expenditure, investment, tax
15 exemption or other financial assistance approved, funded,
16 authorized, administered or provided by a public body, or
17 undertaken to fulfill any condition of receiving any of the financial
18 assistance.”

[First Reprint]

SENATE, No. 1403

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator PARKER SPACE

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

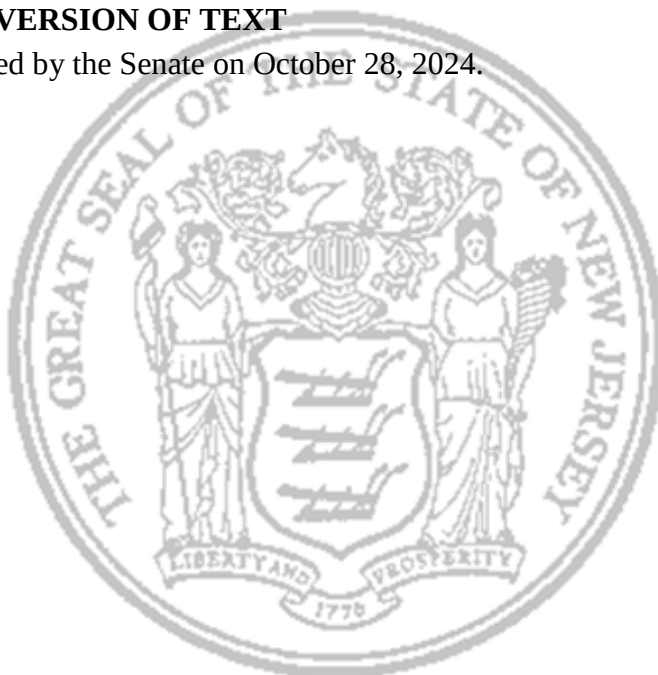
**Senators Johnson, Greenstein, Corrado, Singer, Burzichelli, Amato,
McKnight, Pou, Stack and Moriarty**

SYNOPSIS

Requires employer or contractor engaged in work for public body to submit payroll records to DOLWD.

CURRENT VERSION OF TEXT

As amended by the Senate on October 28, 2024.



(Sponsorship Updated As Of: 1/14/2025)

1 **AN ACT** concerning the ¹**['registration and']**¹ payroll records of
 2 employers engaged in work for a public body and amending
 3 P.L.1963, c.150 and P.L.1999, c.238.

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

7
 8 1. Section 3 of P.L.1999, c.238 (C.34:11-56.50) is amended to
 9 read as follows:

10 3. As used in chapter 11 of Title 34 of the Revised Statutes:

11 "Apprenticeship Agreement" means a written agreement,
 12 complying with 29 C.F.R. s.29.7, between an apprentice and either the
 13 apprentice's program sponsor, or an apprenticeship committee acting
 14 as agent for a program sponsor, which contains the terms and
 15 conditions of the employment and training of the apprentice.

16 "Apprenticeship cohort" means the group of individual apprentices
 17 registered to a specific individual program during a one-year time
 18 frame, except that a cohort does not include the apprentices whose
 19 apprenticeship agreement has been cancelled during the probationary
 20 period.

21 "Apprenticeship committee" means those persons designated by
 22 the sponsor to administer the program. A committee may be either
 23 joint or non-joint, as follows:

24 (1) A joint committee is composed of an equal number of
 25 representatives of the employer or employers and of the employees
 26 represented by a bona fide collective bargaining agent or agents.

27 (2) A non-joint committee, which may also be known as a
 28 unilateral or group non-joint committee, has employer representatives,
 29 but does not have a bona fide collective bargaining agent as a
 30 participant. A non-joint committee may include employees.

31 "Apprenticeable occupation" means a skilled trade or technical
 32 occupation that is included on the United States Department of Labor's
 33 "List of Occupations Officially Recognized as Apprenticeable by the
 34 Office of Apprenticeship".

35 "Apprenticeship program" means a plan containing all terms and
 36 conditions for the qualification, recruitment, selection, employment,
 37 and training of apprentices, as required under 29 C.F.R. ss.29 and 30,
 38 including such matters as the requirement for a written apprenticeship
 39 agreement.

40 "Commissioner" means the Commissioner of Labor and Workforce
 41 Development or his duly authorized representatives.

42 "Completion rate" means the percentage of an apprenticeship
 43 cohort who receive a certificate of apprenticeship completion within
 44 one year of the projected completion date.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted October 28, 2024.

1 "Contractor" means a person, partnership, association, joint stock
2 company, trust, corporation, or other legal business entity or
3 successor thereof who enters into a contract which is subject to the
4 provisions of the "New Jersey Prevailing Wage Act," P.L.1963,
5 c.150 (C.34:11-56.25 et seq.), or who is required to pay its workers
6 the prevailing wage by any other provision of law, or who enters
7 into any other contract for work for a public body, and includes any
8 subcontractor or lower tier subcontractor of a contractor as defined
9 herein. ¹With respect to the requirement that a contractor register
10 with the department pursuant to section 4 of P.L.1999, c.238
11 (C.34:11-56.51), a contractor who performs work for a public body
12 and who is not otherwise required to register under that section,
13 shall be excluded from the definition of contractor as it pertains to
14 that registration requirement.¹

15 "Department" means the Department of Labor and Workforce
16 Development.

17 "Director" means the Director of the Division of Wage and Hour
18 Compliance in the Department of Labor and Workforce Development.

19 "Worker" includes laborer, mechanic, skilled or semi-skilled
20 laborer and apprentices or helpers employed by any contractor or
21 subcontractor and engaged in the performance of services directly
22 upon a public work, who have completed or are actively participating
23 in a registered apprenticeship program, regardless of whether their
24 work becomes a component part thereof, but does not include material
25 suppliers or their employees who do not perform services at the job
26 site.

27 "Registered apprenticeship program" or "program" means an
28 apprenticeship program which is registered with and approved by the
29 United States Department of Labor, which provides each trainee with
30 combined classroom and on-the-job training in an occupation
31 recognized as an apprenticeable occupation, and which involves the
32 attainment of manual, mechanical, or technical skills and knowledge
33 which, in accordance with the industry standard for the specific
34 apprenticeable occupation, are outlined under 29 C.F.R. s.29.5.

35 "Sponsor" means any person, association, committee, or
36 organization operating an apprenticeship program and in whose name
37 the program is or will be registered or approved.

38 ¹["Public body" means the State, any of its political subdivisions,
39 any authority created by the Legislature, and any instrumentality or
40 agency of the State or of any of its political subdivisions.

41 "Work for a public body" means construction, reconstruction,
42 demolition, alteration, custom fabrication, duct cleaning, or repair
43 work, or maintenance work, which is done under contract and paid for
44 in whole or in part out of the funds of a public body, done on any
45 property or premises owned or leased by the public body or under
46 agreement to be owned or leased by the public body, or undertaken in
47 connection with any loan, loan guarantee, grant, incentive,
48 expenditure, investment, tax exemption or other financial assistance

1 approved, funded, authorized, administered or provided by a public
2 body, or undertaken to fulfill any condition of receiving any of the
3 financial assistance.】¹

4 (cf: P.L.2019, c.518, s.1)

6 ¹【2. Section 4 of P.L.1999, c.238 (C.34:11-56.51) is amended to
7 read as follows:

8 4. No contractor shall bid on any contract for public work as
9 defined in section 2 of P.L.1963, c.150 (C.34:11-56.26), or for
10 which payment of the prevailing wage is required by any other
11 provision of law, or for any other work for a public body unless the
12 contractor is registered pursuant to **【this act】** P.L.1999, c.238
13 (C.34:11-56.48 et seq.). No contractor shall list a subcontractor in a
14 bid proposal for the contract unless the subcontractor is registered
15 pursuant to P.L.1999, c.238 (C.34:11-56.48 et seq.) at the time the
16 bid is made. No contractor or subcontractor, including a
17 subcontractor not listed in the bid proposal, shall engage in the
18 performance of any public work subject to the contract, unless the
19 contractor or subcontractor is registered pursuant to that act.

20 (cf: P.L.2019, c.376, s.2)】¹

22 ¹【3.】2.¹ Section 7 of P.L.1963, c.150 (C.34:11-56.31) is amended
23 to read as follows:

24 7. The commissioner shall have the authority to:

25 (a) investigate and ascertain the wages of workmen employed in
26 any public work or other work for a public body in the State;

27 (b) enter and inspect the place of business or employment of any
28 employer or workmen in any public work or other work for a public
29 body in the State, for the purpose of examining and inspecting any or
30 all books, registers, payrolls, and other records of any such employer
31 that in any way relate to or have a bearing upon the question of wages,
32 hours, and other conditions of employment of any such workmen;
33 copy any or all of such books, registers, payrolls, and other records as
34 he or his authorized representative may deem necessary or appropriate;
35 obtain proof of, and question, any worker's identity to determine
36 whether the worker's identity is accurately and truthfully included or
37 reported in any or all books, registers, payrolls, and other records of
38 the employer that in any way relate to or have a bearing upon the
39 question of wages, hours, and other conditions of employment in the
40 public work; and question such workmen for the purpose of
41 ascertaining whether the provisions of this act have been and are being
42 complied with;

43 (c) require from such employer full and correct statements in
44 writing, including sworn statements, with respect to wages, hours,
45 names, addresses, and such other information pertaining to his
46 workmen and their employment as the commissioner, or his authorized
47 representative may deem necessary or appropriate; **【and】**

1 (d) require any employer to file, within 10 days of receipt of a
2 request, any records enumerated in subsections (b) and (c) of this
3 section, sworn to as to their validity and accuracy. If the employer fails
4 to provide the requested records within 10 days, the commissioner
5 may direct within 15 days the fiscal or financial officer charged with
6 the custody and disbursements of the funds of the public body which
7 contracted for the public work immediately to withhold from payment
8 to the employer up to 25% of the amount, not to exceed \$100,000.00,
9 to be paid to the employer under the terms of the contract pursuant to
10 which the public work is being performed. The amount withheld shall
11 be immediately released upon receipt by the public body of a notice
12 from the commissioner indicating that the request for records has been
13 satisfied; and

14 (e) require any employer or contractor engaged in any work for a
15 public body to file, with the commissioner and the public entity with
16 which the employer or contractor is engaged in work, within 10 days
17 of receipt of a request, any records all books, registers, payrolls, and
18 other records of any such employer or contractor that in any way relate
19 to or have a bearing upon the question of wages, hours, and other
20 conditions of employment of any such workmen, and copies of any or
21 all of such books, registers, payrolls, or other records as the
22 commissioner or the commissioner's authorized representative may
23 deem necessary or appropriate. If the employer fails to provide the
24 requested records within 10 days, the commissioner may direct within
25 15 days the fiscal or financial officer charged with the custody and
26 disbursements of the funds of the public body which contracted for the
27 public work immediately to withhold from payment to the employer
28 up to 25% of the amount, not to exceed \$100,000.00, to be paid to the
29 employer under the terms of the contract pursuant to which the public
30 work is being performed. The amount withheld shall be immediately
31 released upon receipt by the public body of a notice from the
32 commissioner indicating that the request for records has been satisfied.

33 ¹(f) As used in this section:

34 "Public body" means the State, any of its political subdivisions,
35 any authority created by the Legislature, and any instrumentality or
36 agency of the State or of any of its political subdivisions.

37 "Work for a public body" means construction, reconstruction,
38 demolition, alteration, custom fabrication, duct cleaning, or repair
39 work, or maintenance work, which is done under contract and paid for
40 in whole or in part out of the funds of a public body, done on any
41 property or premises owned or leased by the public body or under
42 agreement to be owned or leased by the public body, or undertaken in
43 connection with any loan, loan guarantee, grant, incentive,
44 expenditure, investment, tax exemption or other financial assistance
45 approved, funded, authorized, administered or provided by a public
46 body, or undertaken to fulfill any condition of receiving any of the
47 financial assistance.¹

48 (cf: P.L.2015, c.281, s.1)

1 ¹~~4.~~ 3. This act shall take effect on the 365th day next
2 following enactment, except that the Commissioner of Labor and
3 Workforce Development may take any anticipatory administrative
4 action in advance as shall be necessary for the implementation of
5 this act.

[Second Reprint]

SENATE, No. 1403

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator PARKER SPACE

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

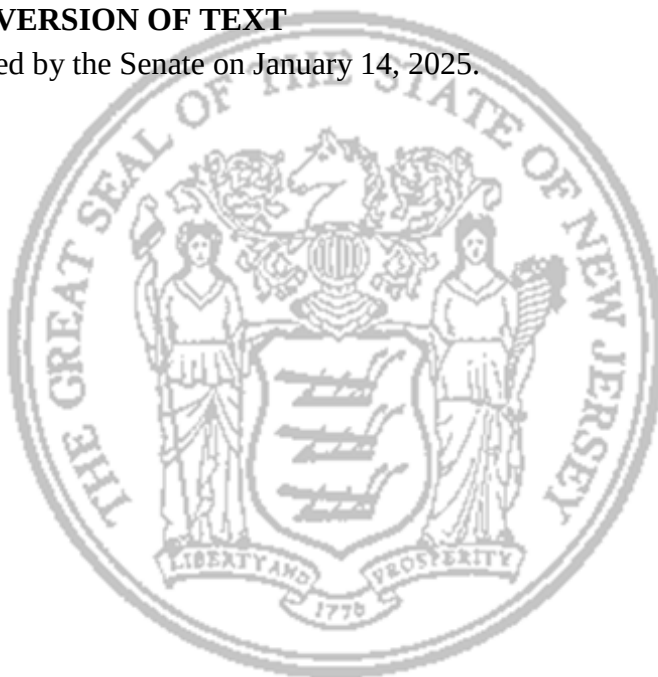
**Senators Johnson, Greenstein, Corrado, Singer, Burzichelli, Amato,
McKnight, Pou, Stack, Moriarty and Diegnan**

SYNOPSIS

Requires employer or contractor engaged in work for public body to submit payroll records to DOLWD.

CURRENT VERSION OF TEXT

As amended by the Senate on January 14, 2025.



(Sponsorship Updated As Of: 1/30/2025)

1 AN ACT concerning the ¹**[registration and]**¹ payroll records of
2 employers engaged in work for a public body and amending
3 P.L.1963, c.150 and P.L.1999, c.238.

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

7
8 1. Section 3 of P.L.1999, c.238 (C.34:11-56.50) is amended to
9 read as follows:

10 3. As used in chapter 11 of Title 34 of the Revised Statutes:

11 "Apprenticeship Agreement" means a written agreement,
12 complying with 29 C.F.R. s.29.7, between an apprentice and either the
13 apprentice's program sponsor, or an apprenticeship committee acting
14 as agent for a program sponsor, which contains the terms and
15 conditions of the employment and training of the apprentice.

16 "Apprenticeship cohort" means the group of individual apprentices
17 registered to a specific individual program during a one-year time
18 frame, except that a cohort does not include the apprentices whose
19 apprenticeship agreement has been cancelled during the probationary
20 period.

21 "Apprenticeship committee" means those persons designated by
22 the sponsor to administer the program. A committee may be either
23 joint or non-joint, as follows:

24 (1) A joint committee is composed of an equal number of
25 representatives of the employer or employers and of the employees
26 represented by a bona fide collective bargaining agent or agents.

27 (2) A non-joint committee, which may also be known as a
28 unilateral or group non-joint committee, has employer representatives,
29 but does not have a bona fide collective bargaining agent as a
30 participant. A non-joint committee may include employees.

31 "Apprenticeable occupation" means a skilled trade or technical
32 occupation that is included on the United States Department of Labor's
33 "List of Occupations Officially Recognized as Apprenticeable by the
34 Office of Apprenticeship".

35 "Apprenticeship program" means a plan containing all terms and
36 conditions for the qualification, recruitment, selection, employment,
37 and training of apprentices, as required under 29 C.F.R. ss.29 and 30,
38 including such matters as the requirement for a written apprenticeship
39 agreement.

40 "Commissioner" means the Commissioner of Labor and Workforce
41 Development or his duly authorized representatives.

42 "Completion rate" means the percentage of an apprenticeship
43 cohort who receive a certificate of apprenticeship completion within
44 one year of the projected completion date.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted October 28, 2024.

²Senate floor amendments adopted January 14, 2025.

1 "Contractor" means a person, partnership, association, joint stock
2 company, trust, corporation, or other legal business entity or
3 successor thereof who enters into a contract which is subject to the
4 provisions of the "New Jersey Prevailing Wage Act," P.L.1963,
5 c.150 (C.34:11-56.25 et seq.), or who is required to pay its workers
6 the prevailing wage by any other provision of law, or who enters
7 into any other contract for work for a public body, and includes any
8 subcontractor or lower tier subcontractor of a contractor as defined
9 herein. ¹With respect to the requirement that a contractor register
10 with the department pursuant to section 4 of P.L.1999, c.238
11 (C.34:11-56.51), a contractor who performs work for a public body
12 and who is not otherwise required to register under that section,
13 shall be excluded from the definition of contractor as it pertains to
14 that registration requirement.¹

15 "Department" means the Department of Labor and Workforce
16 Development.

17 "Director" means the Director of the Division of Wage and Hour
18 Compliance in the Department of Labor and Workforce Development.

19 "Worker" includes laborer, mechanic, skilled or semi-skilled
20 laborer and apprentices or helpers employed by any contractor or
21 subcontractor and engaged in the performance of services directly
22 upon a public work, who have completed or are actively participating
23 in a registered apprenticeship program, regardless of whether their
24 work becomes a component part thereof, but does not include material
25 suppliers or their employees who do not perform services at the job
26 site.

27 "Registered apprenticeship program" or "program" means an
28 apprenticeship program which is registered with and approved by the
29 United States Department of Labor, which provides each trainee with
30 combined classroom and on-the-job training in an occupation
31 recognized as an apprenticeable occupation, and which involves the
32 attainment of manual, mechanical, or technical skills and knowledge
33 which, in accordance with the industry standard for the specific
34 apprenticeable occupation, are outlined under 29 C.F.R. s.29.5.

35 "Sponsor" means any person, association, committee, or
36 organization operating an apprenticeship program and in whose name
37 the program is or will be registered or approved.

38 ¹["Public body" means the State, any of its political subdivisions,
39 any authority created by the Legislature, and any instrumentality or
40 agency of the State or of any of its political subdivisions.

41 "Work for a public body" means construction, reconstruction,
42 demolition, alteration, custom fabrication, duct cleaning, or repair
43 work, or maintenance work, which is done under contract and paid for
44 in whole or in part out of the funds of a public body, done on any
45 property or premises owned or leased by the public body or under
46 agreement to be owned or leased by the public body, or undertaken in
47 connection with any loan, loan guarantee, grant, incentive,

1 expenditure, investment, tax exemption or other financial assistance
2 approved, funded, authorized, administered or provided by a public
3 body, or undertaken to fulfill any condition of receiving any of the
4 financial assistance.】¹

5 (cf: P.L.2019, c.518, s.1)

6
7 ¹【2. Section 4 of P.L.1999, c.238 (C.34:11-56.51) is amended to
8 read as follows:

9 4. No contractor shall bid on any contract for public work as
10 defined in section 2 of P.L.1963, c.150 (C.34:11-56.26), or for
11 which payment of the prevailing wage is required by any other
12 provision of law, or for any other work for a public body unless the
13 contractor is registered pursuant to **【this act】** P.L.1999, c.238
14 (C.34:11-56.48 et seq.). No contractor shall list a subcontractor in a
15 bid proposal for the contract unless the subcontractor is registered
16 pursuant to P.L.1999, c.238 (C.34:11-56.48 et seq.) at the time the
17 bid is made. No contractor or subcontractor, including a
18 subcontractor not listed in the bid proposal, shall engage in the
19 performance of any public work subject to the contract, unless the
20 contractor or subcontractor is registered pursuant to that act.

21 (cf: P.L.2019, c.376, s.2)】¹

22
23 ¹【3.】 ^{2.1} Section 7 of P.L.1963, c.150 (C.34:11-56.31) is amended
24 to read as follows:

25 7. The commissioner shall have the authority to:

26 (a) investigate and ascertain the wages of workmen employed in
27 any public work or other work for a public body in the State;

28 (b) enter and inspect the place of business or employment of any
29 employer or workmen in any public work or other work for a public
30 body in the State, for the purpose of examining and inspecting any or
31 all books, registers, payrolls, and other records of any such employer
32 that in any way relate to or have a bearing upon the question of wages,
33 hours, and other conditions of employment of any such workmen;
34 copy any or all of such books, registers, payrolls, and other records as
35 he or his authorized representative may deem necessary or appropriate;
36 obtain proof of, and question, any worker's identity to determine
37 whether the worker's identity is accurately and truthfully included or
38 reported in any or all books, registers, payrolls, and other records of
39 the employer that in any way relate to or have a bearing upon the
40 question of wages, hours, and other conditions of employment in the
41 public work; and question such workmen for the purpose of
42 ascertaining whether the provisions of this act have been and are being
43 complied with;

44 (c) require from such employer full and correct statements in
45 writing, including sworn statements, with respect to wages, hours,
46 names, addresses, and such other information pertaining to his

workmen and their employment as the commissioner, or his authorized representative may deem necessary or appropriate; **[and]**

(d) require any employer to file, within 10 days of receipt of a request, any records enumerated in subsections (b) and (c) of this section, sworn to as to their validity and accuracy. If the employer fails to provide the requested records within 10 days, the commissioner may direct within 15 days the fiscal or financial officer charged with the custody and disbursements of the funds of the public body which contracted for the public work immediately to withhold from payment to the employer up to 25% of the amount, not to exceed \$100,000.00, to be paid to the employer under the terms of the contract pursuant to which the public work is being performed. The amount withheld shall be immediately released upon receipt by the public body of a notice from the commissioner indicating that the request for records has been satisfied; and

(e) require any employer or contractor engaged in any work for a public body to file, with the commissioner and the public entity with which the employer or contractor is engaged in work, within 10 days of receipt of a request, any records all books, registers, payrolls, and other records of any such employer or contractor that in any way relate to or have a bearing upon the question of wages, hours, and other conditions of employment of any such workmen, and copies of any or all of such books, registers, payrolls, or other records as the commissioner or the commissioner's authorized representative may deem necessary or appropriate. If the employer fails to provide the requested records within 10 days, the commissioner may direct within 15 days the fiscal or financial officer charged with the custody and disbursements of the funds of the public body which contracted for the public work immediately to withhold from payment to the employer up to 25% of the amount, not to exceed \$100,000.00, to be paid to the employer under the terms of the contract pursuant to which the public work is being performed. The amount withheld shall be immediately released upon receipt by the public body of a notice from the commissioner indicating that the request for records has been satisfied.

²The commissioner shall differentiate the manner of filing records for an employer or contractor that performs work that is not subject to the provisions of the "New Jersey Prevailing Wage Act," P.L.1963, c.150 (C.34:11-56.25 et seq.) or that is not required to pay its workers the prevailing wage by any other provisions of the law.²

¹(f) As used in this section:

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

"Work for a public body" means construction, reconstruction, demolition, alteration, custom fabrication, duct cleaning, or repair work, or maintenance work, which is done under contract and paid for in whole or in part out of the funds of a public body, done on any

1 property or premises owned or leased by the public body or under
2 agreement to be owned or leased by the public body, or undertaken in
3 connection with any loan, loan guarantee, grant, incentive,
4 expenditure, investment, tax exemption or other financial assistance
5 approved, funded, authorized, administered or provided by a public
6 body, or undertaken to fulfill any condition of receiving any of the
7 financial assistance.¹

8 (cf: P.L.2015, c.281, s.1)

9

10 ¹**[4.]** 3.¹ This act shall take effect on the 365th day next
11 following enactment, except that the Commissioner of Labor and
12 Workforce Development may take any anticipatory administrative
13 action in advance as shall be necessary for the implementation of
14 this act.

[Third Reprint]

SENATE, No. 1403

STATE OF NEW JERSEY

221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator PARKER SPACE

District 24 (Morris, Sussex and Warren)

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblywoman GARNET R. HALL

District 28 (Essex and Union)

Co-Sponsored by:

Senators Johnson, Greenstein, Corrado, Singer, Burzichelli, Amato, McKnight, Pou, Stack, Moriarty, Diegnan, Assemblywomen Quijano, Reynolds-Jackson, Assemblymen Karabinchak, Kanitra, Miller, Hutchison, Assemblywomen Speight, McCann Stamato, McCoy, Morales, Simmons, Assemblymen Abdelaziz, Allen, Daniels, Assemblywomen Ramirez, Katz, Assemblyman Singh, Assemblywomen Matsikoudis, Swain, Assemblymen Tully, Schnall, Assemblywomen Bagolie, Collazos-Gill, Assemblyman Bailey and Assemblywoman Murphy

SYNOPSIS

Requires employer or contractor engaged in work for public body to submit payroll records to DOLWD.

CURRENT VERSION OF TEXT

As reported by the Assembly Budget Committee on June 26, 2025, with amendments.

(Sponsorship Updated As Of: 6/30/2025)

1 AN ACT concerning the ¹**["registration and"]**¹ payroll records of
2 employers engaged in work for a public body and amending
3 P.L.1963, c.150 and P.L.1999, c.238.

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

7
8 1. Section 3 of P.L.1999, c.238 (C.34:11-56.50) is amended to
9 read as follows:

10 3. As used in chapter 11 of Title 34 of the Revised Statutes:
11 "Apprenticeship Agreement" means a written agreement,
12 complying with 29 C.F.R. s.29.7, between an apprentice and either
13 the apprentice's program sponsor, or an apprenticeship committee
14 acting as agent for a program sponsor, which contains the terms and
15 conditions of the employment and training of the apprentice.

16 "Apprenticeship cohort" means the group of individual
17 apprentices registered to a specific individual program during a
18 one-year time frame, except that a cohort does not include the
19 apprentices whose apprenticeship agreement has been cancelled
20 during the probationary period.

21 "Apprenticeship committee" means those persons designated by
22 the sponsor to administer the program. A committee may be either
23 joint or non-joint, as follows:

24 (1) A joint committee is composed of an equal number of
25 representatives of the employer or employers and of the employees
26 represented by a bona fide collective bargaining agent or agents.

27 (2) A non-joint committee, which may also be known as a
28 unilateral or group non-joint committee, has employer
29 representatives, but does not have a bona fide collective bargaining
30 agent as a participant. A non-joint committee may include
31 employees.

32 "Apprenticeable occupation" means a skilled trade or technical
33 occupation that is included on the United States Department of
34 Labor's "List of Occupations Officially Recognized as
35 Apprenticeable by the Office of Apprenticeship".

36 "Apprenticeship program" means a plan containing all terms and
37 conditions for the qualification, recruitment, selection, employment,
38 and training of apprentices, as required under 29 C.F.R. ss.29 and
39 30, including such matters as the requirement for a written
40 apprenticeship agreement.

41 "Commissioner" means the Commissioner of Labor and
42 Workforce Development or his duly authorized representatives.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted October 28, 2024.

²Senate floor amendments adopted January 14, 2025.

³Assembly ABU committee amendments adopted June 26, 2025.

1 "Completion rate" means the percentage of an apprenticeship
2 cohort who receive a certificate of apprenticeship completion within
3 one year of the projected completion date.

4 "Contractor" means a person, partnership, association, joint stock
5 company, trust, corporation, or other legal business entity or
6 successor thereof who enters into a contract which is subject to the
7 provisions of the "New Jersey Prevailing Wage Act," P.L.1963,
8 c.150 (C.34:11-56.25 et seq.), or who is required to pay its workers
9 the prevailing wage by any other provision of law, ³or who enters
10 into any other contract for work for a public body.³ and includes
11 any subcontractor or lower tier subcontractor of a contractor as
12 defined herein. ¹With respect to the requirement that a contractor
13 register with the department pursuant to section 4 of P.L.1999,
14 c.238 (C.34:11-56.51), a contractor who performs work for a public
15 body and who is not otherwise required to register under that
16 section, shall be excluded from the definition of contractor as it
17 pertains to that registration requirement.¹

18 "Department" means the Department of Labor and Workforce
19 Development.

20 "Director" means the Director of the Division of Wage and Hour
21 Compliance in the Department of Labor and Workforce
22 Development.

23 "Worker" includes laborer, mechanic, skilled or semi-skilled
24 laborer and apprentices or helpers employed by any contractor or
25 subcontractor and engaged in the performance of services directly
26 upon a public work, who have completed or are actively
27 participating in a registered apprenticeship program, regardless of
28 whether their work becomes a component part thereof, but does not
29 include material suppliers or their employees who do not perform
30 services at the job site.

31 "Registered apprenticeship program" or "program" means an
32 apprenticeship program which is registered with and approved by
33 the United States Department of Labor, which provides each trainee
34 with combined classroom and on-the-job training in an occupation
35 recognized as an apprenticeable occupation, and which involves the
36 attainment of manual, mechanical, or technical skills and
37 knowledge which, in accordance with the industry standard for the
38 specific apprenticeable occupation, are outlined under 29 C.F.R.
39 s.29.5.

40 "Sponsor" means any person, association, committee, or
41 organization operating an apprenticeship program and in whose
42 name the program is or will be registered or approved.

43 ¹["Public body" means the State, any of its political
44 subdivisions, any authority created by the Legislature, and any
45 instrumentality or agency of the State or of any of its political
46 subdivisions.

1 “Work for a public body” means construction, reconstruction,
 2 demolition, alteration, custom fabrication, duct cleaning, or repair
 3 work, or maintenance work, which is done under contract and paid
 4 for in whole or in part out of the funds of a public body, done on
 5 any property or premises owned or leased by the public body or
 6 under agreement to be owned or leased by the public body, or
 7 undertaken in connection with any loan, loan guarantee, grant,
 8 incentive, expenditure, investment, tax exemption or other financial
 9 assistance approved, funded, authorized, administered or provided
 10 by a public body, or undertaken to fulfill any condition of receiving
 11 any of the financial assistance.】¹

12 (cf: P.L.2019, c.518, s.1)

13

14 ¹【2. Section 4 of P.L.1999, c.238 (C.34:11-56.51) is amended to
 15 read as follows:

16 4. No contractor shall bid on any contract for public work as
 17 defined in section 2 of P.L.1963, c.150 (C.34:11-56.26), or for
 18 which payment of the prevailing wage is required by any other
 19 provision of law, or for any other work for a public body unless the
 20 contractor is registered pursuant to **【this act】** P.L.1999, c.238
 21 (C.34:11-56.48 et seq.). No contractor shall list a subcontractor in a
 22 bid proposal for the contract unless the subcontractor is registered
 23 pursuant to P.L.1999, c.238 (C.34:11-56.48 et seq.) at the time the
 24 bid is made. No contractor or subcontractor, including a
 25 subcontractor not listed in the bid proposal, shall engage in the
 26 performance of any public work subject to the contract, unless the
 27 contractor or subcontractor is registered pursuant to that act.

28 (cf: P.L.2019, c.376, s.2)】¹

29

30 ¹【3.】 2.¹ Section 7 of P.L.1963, c.150 (C.34:11-56.31) is
 31 amended to read as follows:

32 7. The commissioner shall have the authority to:

33 (a) investigate and ascertain the wages of workmen employed in
 34 any public work or other work for a public body in the State;

35 (b) enter and inspect the place of business or employment of any
 36 employer or workmen in any public work or other work for a public
 37 body in the State, for the purpose of examining and inspecting any
 38 or all books, registers, payrolls, and other records of any such
 39 employer that in any way relate to or have a bearing upon the
 40 question of wages, hours, and other conditions of employment of
 41 any such workmen; copy any or all of such books, registers,
 42 payrolls, and other records as he or his authorized representative
 43 may deem necessary or appropriate; obtain proof of, and question,
 44 any worker's identity to determine whether the worker's identity is
 45 accurately and truthfully included or reported in any or all books,
 46 registers, payrolls, and other records of the employer that in any
 47 way relate to or have a bearing upon the question of wages, hours,

1 and other conditions of employment in the public work; and
2 question such workmen for the purpose of ascertaining whether the
3 provisions of this act have been and are being complied with;

4 (c) require from such employer full and correct statements in
5 writing, including sworn statements, with respect to wages, hours,
6 names, addresses, and such other information pertaining to his
7 workmen and their employment as the commissioner, or his
8 authorized representative may deem necessary or appropriate;
9 **[and]**

10 (d) require any employer to file, within 10 days of receipt of a
11 request, any records enumerated in subsections (b) and (c) of this
12 section, sworn to as to their validity and accuracy. If the employer
13 fails to provide the requested records within 10 days, the
14 commissioner may direct within 15 days the fiscal or financial
15 officer charged with the custody and disbursements of the funds of
16 the public body which contracted for the public work immediately
17 to withhold from payment to the employer up to 25% of the amount,
18 not to exceed \$100,000.00, to be paid to the employer under the
19 terms of the contract pursuant to which the public work is being
20 performed. The amount withheld shall be immediately released
21 upon receipt by the public body of a notice from the commissioner
22 indicating that the request for records has been satisfied; and

23 (e) require any employer or contractor engaged in any work for a
24 public body to file, with the commissioner and the public entity
25 with which the employer or contractor is engaged in work, within
26 10 days of receipt of a request ³from the commissioner or the
27 commissioner's authorized representative³, any ³or all³ records
28 ³[all] , ³ books, registers, payrolls, and other records of any such
29 employer or contractor that in any way relate to or have a bearing
30 upon the question of wages, hours, and other conditions of
31 employment of any such workmen, and copies of any or all of such
32 books, registers, payrolls, or other records as the commissioner or
33 the commissioner's authorized representative may deem necessary
34 or appropriate. If the employer fails to provide the requested
35 records within 10 days, the commissioner may direct within 15 days
36 the fiscal or financial officer charged with the custody and
37 disbursements of the funds of the public body which contracted for
38 the public work immediately to withhold from payment to the
39 employer up to 25% of the amount, not to exceed \$100,000.00, to
40 be paid to the employer under the terms of the contract pursuant to
41 which the public work is being performed. The amount withheld
42 shall be immediately released upon receipt by the public body of a
43 notice from the commissioner indicating that the request for records
44 has been satisfied. ²The commissioner shall differentiate the
45 manner of filing records for an employer or contractor that performs
46 work that is not subject to the provisions of the "New Jersey
47 Prevailing Wage Act," P.L.1963, c.150 (C.34:11-56.25 et seq.) or

1 that is not required to pay its workers the prevailing wage by any
2 other provisions of the law.²

3 ¹(f) As used in this section:

4 “Public body” means the State, any of its political subdivisions,
5 any authority created by the Legislature, and any instrumentality or
6 agency of the State or of any of its political subdivisions.

7 “Work for a public body” means construction, reconstruction,
8 demolition, alteration, custom fabrication, duct cleaning, or repair
9 work, or maintenance work, which is done under contract and paid
10 for in whole or in part out of the funds of a public body, done on
11 any property or premises owned or leased by the public body or
12 under agreement to be owned or leased by the public body, or
13 undertaken in connection with any loan, loan guarantee, grant,
14 incentive, expenditure, investment, tax exemption or other financial
15 assistance approved, funded, authorized, administered or provided
16 by a public body, or undertaken to fulfill any condition of receiving
17 any of the financial assistance.¹

18 (cf: P.L.2015, c.281, s.1)

19
20 ¹[4.] 3.¹ This act shall take effect on the 365th day next
21 following enactment, except that the Commissioner of Labor and
22 Workforce Development may take any anticipatory administrative
23 action in advance as shall be necessary for the implementation of
24 this act.

SENATE, No. 1403

STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator PARKER SPACE

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

**Senators Johnson, Greenstein, Corrado, Singer, Burzichelli, Amato,
McKnight and Pou**

SYNOPSIS

Requires employer or contractor engaged in work for a public body to register with and submit payroll records to DOLWD.

CURRENT VERSION OF TEXT

As reported by the Senate Labor Committee with technical review.



(Sponsorship Updated As Of: 5/6/2024)

1 **AN ACT** concerning the registration and payroll records of
2 employers engaged in work for a public body and amending
3 P.L.1963, c.150 and P.L.1999, c.238.

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

7
8 1. Section 3 of P.L.1999, c.238 (C.34:11-56.50) is amended to
9 read as follows:

10 3. As used in chapter 11 of Title 34 of the Revised Statutes:

11 "Apprenticeship Agreement" means a written agreement,
12 complying with 29 C.F.R. s.29.7, between an apprentice and either the
13 apprentice's program sponsor, or an apprenticeship committee acting
14 as agent for a program sponsor, which contains the terms and
15 conditions of the employment and training of the apprentice.

16 "Apprenticeship cohort" means the group of individual apprentices
17 registered to a specific individual program during a one-year time
18 frame, except that a cohort does not include the apprentices whose
19 apprenticeship agreement has been cancelled during the probationary
20 period.

21 "Apprenticeship committee" means those persons designated by
22 the sponsor to administer the program. A committee may be either
23 joint or non-joint, as follows:

24 (1) A joint committee is composed of an equal number of
25 representatives of the employer or employers and of the employees
26 represented by a bona fide collective bargaining agent or agents.

27 (2) A non-joint committee, which may also be known as a
28 unilateral or group non-joint committee, has employer representatives,
29 but does not have a bona fide collective bargaining agent as a
30 participant. A non-joint committee may include employees.

31 "Apprenticeable occupation" means a skilled trade or technical
32 occupation that

33 is included on the United States Department of Labor's "List of
34 Occupations Officially Recognized as Apprenticeable by the Office of
35 Apprenticeship".

36 "Apprenticeship program" means a plan containing all terms and
37 conditions for the qualification, recruitment, selection, employment,
38 and training of apprentices, as required under 29 C.F.R. ss.29 and 30,
39 including such matters as the requirement for a written apprenticeship
40 agreement.

41 "Commissioner" means the Commissioner of Labor and Workforce
42 Development or his duly authorized representatives.

43 "Completion rate" means the percentage of an apprenticeship
44 cohort who receive a certificate of apprenticeship completion within
45 one year of the projected completion date.

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 "Contractor" means a person, partnership, association, joint stock
2 company, trust, corporation, or other legal business entity or
3 successor thereof who enters into a contract which is subject to the
4 provisions of the "New Jersey Prevailing Wage Act," P.L.1963,
5 c.150 (C.34:11-56.25 et seq.), or who is required to pay its workers
6 the prevailing wage by any other provision of law, or who enters
7 into any other contract for work for a public body, and includes any
8 subcontractor or lower tier subcontractor of a contractor as defined
9 herein.

10 "Department" means the Department of Labor and Workforce
11 Development.

12 "Director" means the Director of the Division of Wage and Hour
13 Compliance in the Department of Labor and Workforce Development.

14 "Worker" includes laborer, mechanic, skilled or semi-skilled
15 laborer and apprentices or helpers employed by any contractor or
16 subcontractor and engaged in the performance of services directly
17 upon a public work, who have completed or are actively participating
18 in a registered apprenticeship program, regardless of whether their
19 work becomes a component part thereof, but does not include material
20 suppliers or their employees who do not perform services at the job
21 site.

22 "Registered apprenticeship program" or "program" means an
23 apprenticeship program which is registered with and approved by the
24 United States Department of Labor, which provides each trainee with
25 combined classroom and on-the-job training in an occupation
26 recognized as an apprenticeable occupation, and which involves the
27 attainment of manual, mechanical, or technical skills and knowledge
28 which, in accordance with the industry standard for the specific
29 apprenticeable occupation, are outlined under 29 C.F.R. s.29.5.

30 "Sponsor" means any person, association, committee, or
31 organization operating an apprenticeship program and in whose name
32 the program is or will be registered or approved.

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

36 "Work for a public body" means construction, reconstruction,
37 demolition, alteration, custom fabrication, duct cleaning, or repair
38 work, or maintenance work, which is done under contract and paid for
39 in whole or in part out of the funds of a public body, done on any
40 property or premises owned or leased by the public body or under
41 agreement to be owned or leased by the public body, or undertaken in
42 connection with any loan, loan guarantee, grant, incentive,
43 expenditure, investment, tax exemption or other financial assistance
44 approved, funded, authorized, administered or provided by a public
45 body, or undertaken to fulfill any condition of receiving any of the
46 financial assistance.

47 (cf: P.L.2019, c.518, s.1)

1 2. Section 4 of P.L.1999, c.238 (C.34:11-56.51) is amended to
2 read as follows:

3 4. No contractor shall bid on any contract for public work as
4 defined in section 2 of P.L.1963, c.150 (C.34:11-56.26), or for
5 which payment of the prevailing wage is required by any other
6 provision of law, or for any other work for a public body unless the
7 contractor is registered pursuant to **【this act】** P.L.1999, c.238
8 (C.34:11-56.48 et seq.). No contractor shall list a subcontractor in a
9 bid proposal for the contract unless the subcontractor is registered
10 pursuant to P.L.1999, c.238 (C.34:11-56.48 et seq.) at the time the
11 bid is made. No contractor or subcontractor, including a
12 subcontractor not listed in the bid proposal, shall engage in the
13 performance of any public work subject to the contract, unless the
14 contractor or subcontractor is registered pursuant to that act.
15 (cf: P.L.2019, c.376, s.2)

16
17 3. Section 7 of P.L.1963, c.150 (C.34:11-56.31) is amended to
18 read as follows:

19 7. The commissioner shall have the authority to:

20 (a) investigate and ascertain the wages of workmen employed in
21 any public work or other work for a public body in the State;

22 (b) enter and inspect the place of business or employment of any
23 employer or workmen in any public work or other work for a public
24 body in the State, for the purpose of examining and inspecting any
25 or all books, registers, payrolls, and other records of any such
26 employer that in any way relate to or have a bearing upon the
27 question of wages, hours, and other conditions of employment of
28 any such workmen; copy any or all of such books, registers,
29 payrolls, and other records as he or his authorized representative
30 may deem necessary or appropriate; obtain proof of, and question,
31 any worker's identity to determine whether the worker's identity is
32 accurately and truthfully included or reported in any or all books,
33 registers, payrolls, and other records of the employer that in any
34 way relate to or have a bearing upon the question of wages, hours,
35 and other conditions of employment in the public work; and
36 question such workmen for the purpose of ascertaining whether the
37 provisions of this act have been and are being complied with;

38 (c) require from such employer full and correct statements in
39 writing, including sworn statements, with respect to wages, hours,
40 names, addresses, and such other information pertaining to his
41 workmen and their employment as the commissioner, or his
42 authorized representative may deem necessary or appropriate;
43 **【and】**

44 (d) require any employer to file, within 10 days of receipt of a
45 request, any records enumerated in subsections (b) and (c) of this
46 section, sworn to as to their validity and accuracy. If the employer
47 fails to provide the requested records within 10 days, the
48 commissioner may direct within 15 days the fiscal or financial

1 officer charged with the custody and disbursements of the funds of
2 the public body which contracted for the public work immediately
3 to withhold from payment to the employer up to 25% of the amount,
4 not to exceed \$100,000.00, to be paid to the employer under the
5 terms of the contract pursuant to which the public work is being
6 performed. The amount withheld shall be immediately released
7 upon receipt by the public body of a notice from the commissioner
8 indicating that the request for records has been satisfied; and

9 (e) require any employer or contractor engaged in any work for a
10 public body to file, with the commissioner and the public entity
11 with which the employer or contractor is engaged in work, within
12 10 days of receipt of a request, any records all books, registers,
13 payrolls, and other records of any such employer or contractor that
14 in any way relate to or have a bearing upon the question of wages,
15 hours, and other conditions of employment of any such workmen,
16 and copies of any or all of such books, registers, payrolls, or other
17 records as the commissioner or the commissioner's authorized
18 representative may deem necessary or appropriate. If the employer
19 fails to provide the requested records within 10 days, the
20 commissioner may direct within 15 days the fiscal or financial
21 officer charged with the custody and disbursements of the funds of
22 the public body which contracted for the public work immediately
23 to withhold from payment to the employer up to 25% of the amount,
24 not to exceed \$100,000.00, to be paid to the employer under the
25 terms of the contract pursuant to which the public work is being
26 performed. The amount withheld shall be immediately released
27 upon receipt by the public body of a notice from the commissioner
28 indicating that the request for records has been satisfied.

29 (cf: P.L.2015, c.281, s.1)

30
31 4. This act shall take effect on the 365th day next following
32 enactment, except that the Commissioner of Labor and Workforce
33 Development may take any anticipatory administrative action in
34 advance as shall be necessary for the implementation of this act.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

[Second Reprint]

SENATE, No. 1403

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 26, 2025

The Assembly Budget Committee reports favorably and with committee amendments Senate Bill No. 1403 (2R).

This bill requires any employer or contractor engaged in work for a public body to submit certified payroll records to the Department of Labor and Workforce Development and to the public entity with which the employer or contractor is engaged to work. Under current law, employers and contractors engaged in public work, or otherwise subject to the State's prevailing wage requirements, are required to register with the State and submit certified payroll records. The bill clarifies that employers and contractors who perform work for a public body and who are not currently required to be registered under "The Public Works Contractor Registration Act" are exempt from registration.

Under the bill, a "public body" is defined as the State, any of its political subdivisions, any authority created by the Legislature, and any instrumentality or agency of the State or of any of its political subdivisions. The bill defines "work for a public body" as construction, reconstruction, demolition, alteration, custom fabrication, duct cleaning, or repair work, or maintenance work, which is done under contract and paid for in whole or in part out of the funds of a public body, done on any property or premises owned or leased by the public body or under agreement to be owned or leased by the public body, or undertaken in connection with any loan, loan guarantee, grant, incentive, expenditure, investment, tax exemption or other financial assistance approved, funded, authorized, administered or provided by a public body, or undertaken to fulfill any condition of receiving any of the financial assistance.

As amended and reported by the committee, Senate Bill No. 1403 (2R) is identical to Assembly Bill No. 4029, which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

(1) revise the definition of “contractor” to remove language that includes workers who enter into any other contract for work for a public body; and

(2) clarify that an employer or contractor engaged in any work for a public body will file, within 10 days of receipt of a request from the commissioner or the commissioner’s authorized representative, any or all records, books, registers, payrolls, and other records that relate to or have a bearing upon the question of wages, hours, and other conditions of employment of any such workmen, and copies of any or all of such books, registers, payrolls, or other records as the commissioner or the commissioner’s authorized representative may deem necessary or appropriate.

FISCAL IMPACT:

This bill has not been certified as requiring a fiscal note.

SENATE LABOR COMMITTEE

STATEMENT TO

SENATE, No. 1403

STATE OF NEW JERSEY

DATED: MAY 6, 2024

The Senate Labor Committee reports favorably Senate Bill No. 1403.

This bill requires any employer or contractor engaged in work for a public body to register with the Department of Labor and Workforce Development and submit certified payroll records to the department and to the public entity with which the employer or contractor is engaged to work. Under current law, employers and contractors engaged in public work, or otherwise subject to the State's prevailing wage requirements, are required to register with the State and submit certified payroll records. This bill would require all contractors engaged in work for a public body to register, whether or not that work is subject to the prevailing wage law or constitutes public work under the law.

Under the bill, a "public body" is defined as "the State of New Jersey, any of its political subdivisions, any authority created by the Legislature of the State of New Jersey and any instrumentality or agency of the State of New Jersey or of any of its political subdivisions." The bill defines "work for a public body" as "construction, reconstruction, demolition, alteration, custom fabrication, duct cleaning, or repair work, or maintenance work, which is done under contract and paid for in whole or in part out of the funds of a public body, done on any property or premises owned or leased by the public body or under agreement to be owned or leased by the public body, or undertaken in connection with any loan, loan guarantee, grant, incentive, expenditure, investment, tax exemption or other financial assistance approved, funded, authorized, administered or provided by a public body, or undertaken to fulfill any condition of receiving any of the financial assistance."

This bill was pre-filed for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 1403

STATE OF NEW JERSEY

DATED: JUNE 24, 2024

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1403.

This bill requires any employer or contractor engaged in work for a public body to register with the Department of Labor and Workforce Development and submit certified payroll records to the department and to the public entity with which the employer or contractor is engaged to work. Under current law, employers and contractors engaged in public work, or otherwise subject to the State's prevailing wage requirements, are required to register with the State and submit certified payroll records. This bill would require all contractors engaged in work for a public body to register, whether or not that work is subject to the prevailing wage law or constitutes public work under the law.

Under the bill, a "public body" is defined as "the State of New Jersey, any of its political subdivisions, any authority created by the Legislature of the State of New Jersey and any instrumentality or agency of the State of New Jersey or of any of its political subdivisions." The bill defines "work for a public body" as "construction, reconstruction, demolition, alteration, custom fabrication, duct cleaning, or repair work, or maintenance work, which is done under contract and paid for in whole or in part out of the funds of a public body, done on any property or premises owned or leased by the public body or under agreement to be owned or leased by the public body, or undertaken in connection with any loan, loan guarantee, grant, incentive, expenditure, investment, tax exemption or other financial assistance approved, funded, authorized, administered or provided by a public body, or undertaken to fulfill any condition of receiving any of the financial assistance."

FISCAL IMPACT:

This bill has not been certified for a fiscal note.

STATEMENT TO

SENATE, No. 1403

with Senate Floor Amendments
(Proposed by Senator SINGLETON)

ADOPTED: OCTOBER 28, 2024

These Senate amendments clarify that employers and contractors who are not currently required to be registered under the “Public Works Contractor Registration Act,” P.L.1999, c.238 (C.34:11-56.48 et seq.) are exempt from registration.

STATEMENT TO

[First Reprint]

SENATE, No. 1403

with Senate Floor Amendments
(Proposed by Senator SINGLETON)

ADOPTED: JANUARY 14, 2025

These floor amendments clarify that the Commissioner of Labor and Workforce Development will differentiate the manner of filing payroll records for an employer or contractor that performs work that is not subject to the provisions of the “New Jersey Prevailing Wage Act,” or that is not required to pay its workers the prevailing wage by any other provisions of the law.

ASSEMBLY, No. 4029

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MARCH 7, 2024

Sponsored by:

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblywoman GARNET R. HALL

District 28 (Essex and Union)

Co-Sponsored by:

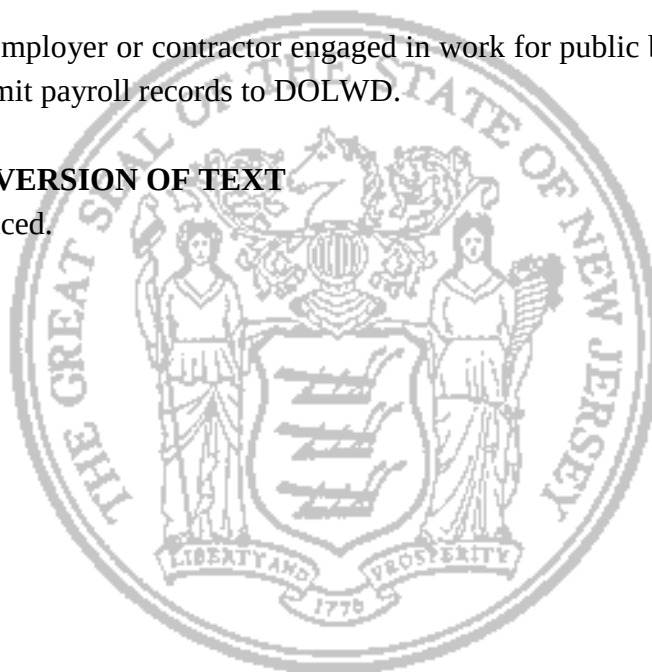
Assemblywomen Quijano, Reynolds-Jackson, Assemblymen Karabinchak, Kanitra, Miller, Hutchison, Assemblywomen Speight, McCann Stamato, McCoy, Morales, Simmons, Assemblymen Abdelaziz, Allen, Daniels, Assemblywomen Ramirez, Katz, Assemblyman Singh, Assemblywomen Matsikoudis, Swain, Assemblymen Tully, Schnall, Assemblywomen Bagolie, Collazos-Gill, Assemblyman Bailey and Assemblywoman Murphy

SYNOPSIS

Requires employer or contractor engaged in work for public body to register with and submit payroll records to DOLWD.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/12/2025)

1 AN ACT concerning the registration and payroll records of
2 employers engaged in work for a public body and amending
3 P.L.1963, c.150 and P.L.1999, c.238.

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

7
8 1. Section 3 of P.L.1999, c.238 (C.34:11-56.50) is amended to
9 read as follows:

10 3. As used in chapter 11 of Title 34 of the Revised Statutes:

11 "Apprenticeship Agreement" means a written agreement,
12 complying with 29 C.F.R. s.29.7, between an apprentice and either the
13 apprentice's program sponsor, or an apprenticeship committee acting
14 as agent for a program sponsor, which contains the terms and
15 conditions of the employment and training of the apprentice.

16 "Apprenticeship cohort" means the group of individual apprentices
17 registered to a specific individual program during a one-year time
18 frame, except that a cohort does not include the apprentices whose
19 apprenticeship agreement has been cancelled during the probationary
20 period.

21 "Apprenticeship committee" means those persons designated by
22 the sponsor to administer the program. A committee may be either
23 joint or non-joint, as follows:

24 (1) A joint committee is composed of an equal number of
25 representatives of the employer or employers and of the employees
26 represented by a bona fide collective bargaining agent or agents.

27 (2) A non-joint committee, which may also be known as a
28 unilateral or group non-joint committee, has employer representatives,
29 but does not have a bona fide collective bargaining agent as a
30 participant. A non-joint committee may include employees.

31 "Apprenticeable occupation" means a skilled trade or technical
32 occupation that

33 is included on the United States Department of Labor's "List of
34 Occupations Officially Recognized as Apprenticeable by the Office of
35 Apprenticeship".

36 "Apprenticeship program" means a plan containing all terms and
37 conditions for the qualification, recruitment, selection, employment,
38 and training of apprentices, as required under 29 C.F.R. ss.29 and 30,
39 including such matters as the requirement for a written apprenticeship
40 agreement.

41 "Commissioner" means the Commissioner of Labor and Workforce
42 Development or his duly authorized representatives.

43 "Completion rate" means the percentage of an apprenticeship
44 cohort who receive a certificate of apprenticeship completion within
45 one year of the projected completion date.

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 "Contractor" means a person, partnership, association, joint stock
2 company, trust, corporation, or other legal business entity or
3 successor thereof who enters into a contract which is subject to the
4 provisions of the "New Jersey Prevailing Wage Act," P.L.1963,
5 c.150 (C.34:11-56.25 et seq.), or who is required to pay its workers
6 the prevailing wage by any other provision of law, or who enters
7 into any other contract for work for a public body, and includes any
8 subcontractor or lower tier subcontractor of a contractor as defined
9 herein.

10 "Department" means the Department of Labor and Workforce
11 Development.

12 "Director" means the Director of the Division of Wage and Hour
13 Compliance in the Department of Labor and Workforce Development.

14 "Worker" includes laborer, mechanic, skilled or semi-skilled
15 laborer and apprentices or helpers employed by any contractor or
16 subcontractor and engaged in the performance of services directly
17 upon a public work, who have completed or are actively participating
18 in a registered apprenticeship program, regardless of whether their
19 work becomes a component part thereof, but does not include material
20 suppliers or their employees who do not perform services at the job
21 site.

22 "Registered apprenticeship program" or "program" means an
23 apprenticeship program which is registered with and approved by the
24 United States Department of Labor, which provides each trainee with
25 combined classroom and on-the-job training in an occupation
26 recognized as an apprenticeable occupation, and which involves the
27 attainment of manual, mechanical, or technical skills and knowledge
28 which, in accordance with the industry standard for the specific
29 apprenticeable occupation, are outlined under 29 C.F.R. s.29.5.

30 "Sponsor" means any person, association, committee, or
31 organization operating an apprenticeship program and in whose name
32 the program is or will be registered or approved.

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

36 "Work for a public body" means construction, reconstruction,
37 demolition, alteration, custom fabrication, duct cleaning, or repair
38 work, or maintenance work, which is done under contract and paid for
39 in whole or in part out of the funds of a public body, done on any
40 property or premises owned or leased by the public body or under
41 agreement to be owned or leased by the public body, or undertaken in
42 connection with any loan, loan guarantee, grant, incentive,
43 expenditure, investment, tax exemption or other financial assistance
44 approved, funded, authorized, administered or provided by a public
45 body, or undertaken to fulfill any condition of receiving any of the
46 financial assistance.

47 (cf: P.L.2019, c.518, s.1)

1 2. Section 4 of P.L.1999, c.238 (C.34:11-56.51) is amended to
2 read as follows:

3 4. No contractor shall bid on any contract for public work as
4 defined in section 2 of P.L.1963, c.150 (C.34:11-56.26), or for
5 which payment of the prevailing wage is required by any other
6 provision of law, or for any other work for a public body unless the
7 contractor is registered pursuant to **[this act]** P.L.1999, c.238
8 (C.34:11-56.48 et seq.). No contractor shall list a subcontractor in a
9 bid proposal for the contract unless the subcontractor is registered
10 pursuant to P.L.1999, c.238 (C.34:11-56.48 et seq.) at the time the
11 bid is made. No contractor or subcontractor, including a
12 subcontractor not listed in the bid proposal, shall engage in the
13 performance of any public work subject to the contract, unless the
14 contractor or subcontractor is registered pursuant to that act.
15 (cf: P.L.2019, c.376, s.2)

16
17 3. Section 7 of P.L.1963, c.150 (C.34:11-56.31) is amended to
18 read as follows:

19 7. The commissioner shall have the authority to:

20 (a) investigate and ascertain the wages of workmen employed in
21 any public work or other work for a public body in the State;

22 (b) enter and inspect the place of business or employment of any
23 employer or workmen in any public work or other work for a public
24 body in the State, for the purpose of examining and inspecting any
25 or all books, registers, payrolls, and other records of any such
26 employer that in any way relate to or have a bearing upon the
27 question of wages, hours, and other conditions of employment of
28 any such workmen; copy any or all of such books, registers,
29 payrolls, and other records as he or his authorized representative
30 may deem necessary or appropriate; obtain proof of, and question,
31 any worker's identity to determine whether the worker's identity is
32 accurately and truthfully included or reported in any or all books,
33 registers, payrolls, and other records of the employer that in any
34 way relate to or have a bearing upon the question of wages, hours,
35 and other conditions of employment in the public work; and
36 question such workmen for the purpose of ascertaining whether the
37 provisions of this act have been and are being complied with;

38 (c) require from such employer full and correct statements in
39 writing, including sworn statements, with respect to wages, hours,
40 names, addresses, and such other information pertaining to his
41 workmen and their employment as the commissioner, or his
42 authorized representative may deem necessary or appropriate;
43 **[and]**

44 (d) require any employer to file, within 10 days of receipt of a
45 request, any records enumerated in subsections (b) and (c) of this
46 section, sworn to as to their validity and accuracy. If the employer
47 fails to provide the requested records within 10 days, the
48 commissioner may direct within 15 days the fiscal or financial

1 officer charged with the custody and disbursements of the funds of
2 the public body which contracted for the public work immediately
3 to withhold from payment to the employer up to 25% of the amount,
4 not to exceed \$100,000.00, to be paid to the employer under the
5 terms of the contract pursuant to which the public work is being
6 performed. The amount withheld shall be immediately released
7 upon receipt by the public body of a notice from the commissioner
8 indicating that the request for records has been satisfied; and

9 (e) require any employer or contractor engaged in any work for a
10 public body to file, with the commissioner and the public entity
11 with which the employer or contractor is engaged in work, within
12 10 days of receipt of a request, any records all books, registers,
13 payrolls, and other records of any such employer or contractor that
14 in any way relate to or have a bearing upon the question of wages,
15 hours, and other conditions of employment of any such workmen,
16 and copies of any or all of such books, registers, payrolls, or other
17 records as the commissioner or the commissioner's authorized
18 representative may deem necessary or appropriate. If the employer
19 fails to provide the requested records within 10 days, the
20 commissioner may direct within 15 days the fiscal or financial
21 officer charged with the custody and disbursements of the funds of
22 the public body which contracted for the public work immediately
23 to withhold from payment to the employer up to 25% of the amount,
24 not to exceed \$100,000.00, to be paid to the employer under the
25 terms of the contract pursuant to which the public work is being
26 performed. The amount withheld shall be immediately released
27 upon receipt by the public body of a notice from the commissioner
28 indicating that the request for records has been satisfied.

29 (cf: P.L.2015, c.281, s.1)

30
31 4. This act shall take effect on the 365th day next following
32 enactment, except that the Commissioner of Labor and Workforce
33 Development may take any anticipatory administrative action in
34 advance as shall be necessary for the implementation of this act.

35 36 37 STATEMENT

38
39 This bill requires any employer or contractor engaged in work
40 for a public body to register with the Department of Labor and
41 Workforce Development and submit certified payroll records to the
42 department and to the public entity with which the employer or
43 contractor is engaged to work. Under current law, employers and
44 contractors engaged in public work, or otherwise subject to the
45 State's prevailing wage requirements, are required to register with
46 the State and submit certified payroll records. This bill would
47 require all contractors engaged in work for a public body to register,

1 whether or not that work is subject to the prevailing wage law or
2 constitutes public work under the law.

3 Under the bill, a “public body” is defined as “the State of New
4 Jersey, any of its political subdivisions, any authority created by the
5 Legislature of the State of New Jersey and any instrumentality or
6 agency of the State of New Jersey or of any of its political
7 subdivisions.” The bill defines “work for a public body” as
8 “construction, reconstruction, demolition, alteration, custom
9 fabrication, duct cleaning, or repair work, or maintenance work,
10 which is done under contract and paid for in whole or in part out of
11 the funds of a public body, done on any property or premises owned
12 or leased by the public body or under agreement to be owned or
13 leased by the public body, or undertaken in connection with any
14 loan, loan guarantee, grant, incentive, expenditure, investment, tax
15 exemption or other financial assistance approved, funded,
16 authorized, administered or provided by a public body, or
17 undertaken to fulfill any condition of receiving any of the financial
18 assistance.”

[First Reprint]

ASSEMBLY, No. 4029

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MARCH 7, 2024

Sponsored by:

Assemblywoman SHAVONDA E. SUMTER

District 35 (Bergen and Passaic)

Assemblyman WILLIAM B. SAMPSON, IV

District 31 (Hudson)

Assemblywoman GARNET R. HALL

District 28 (Essex and Union)

Co-Sponsored by:

Assemblywomen Quijano, Reynolds-Jackson, Assemblymen Karabinchak, Kanitra, Miller, Hutchison, Assemblywomen Speight, McCann Stamato, McCoy, Morales, Simmons, Assemblymen Abdelaziz, Allen, Daniels, Assemblywomen Ramirez, Katz, Assemblyman Singh, Assemblywomen Matsikoudis, Swain, Assemblymen Tully, Schnall, Assemblywomen Bagolie, Collazos-Gill, Assemblyman Bailey and Assemblywoman Murphy

SYNOPSIS

Requires employer or contractor engaged in work for public body to submit payroll records to DOLWD.

CURRENT VERSION OF TEXT

As reported by the Assembly Budget Committee on June 26, 2025, with amendments.

(Sponsorship Updated As Of: 6/12/2025)

1 AN ACT concerning the ¹**["registration and"]**¹ payroll records of
2 employers engaged in work for a public body and amending
3 P.L.1963, c.150 and P.L.1999, c.238.

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

7
8 1. Section 3 of P.L.1999, c.238 (C.34:11-56.50) is amended to
9 read as follows:

10 3. As used in chapter 11 of Title 34 of the Revised Statutes:

11 "Apprenticeship Agreement" means a written agreement,
12 complying with 29 C.F.R. s.29.7, between an apprentice and either
13 the apprentice's program sponsor, or an apprenticeship committee
14 acting as agent for a program sponsor, which contains the terms and
15 conditions of the employment and training of the apprentice.

16 "Apprenticeship cohort" means the group of individual
17 apprentices registered to a specific individual program during a
18 one-year time frame, except that a cohort does not include the
19 apprentices whose apprenticeship agreement has been cancelled
20 during the probationary period.

21 "Apprenticeship committee" means those persons designated by
22 the sponsor to administer the program. A committee may be either
23 joint or non-joint, as follows:

24 (1) A joint committee is composed of an equal number of
25 representatives of the employer or employers and of the employees
26 represented by a bona fide collective bargaining agent or agents.

27 (2) A non-joint committee, which may also be known as a
28 unilateral or group non-joint committee, has employer
29 representatives, but does not have a bona fide collective bargaining
30 agent as a participant. A non-joint committee may include
31 employees.

32 "Apprenticeable occupation" means a skilled trade or technical
33 occupation that is included on the United States Department of
34 Labor's "List of Occupations Officially Recognized as
35 Apprenticeable by the Office of Apprenticeship".

36 "Apprenticeship program" means a plan containing all terms and
37 conditions for the qualification, recruitment, selection, employment,
38 and training of apprentices, as required under 29 C.F.R. ss.29 and
39 30, including such matters as the requirement for a written
40 apprenticeship agreement.

41 "Commissioner" means the Commissioner of Labor and
42 Workforce Development or his duly authorized representatives.

43 "Completion rate" means the percentage of an apprenticeship
44 cohort who receive a certificate of apprenticeship completion within
45 one year of the projected completion date.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ABU committee amendments adopted June 26, 2025.

1 "Contractor" means a person, partnership, association, joint stock
2 company, trust, corporation, or other legal business entity or
3 successor thereof who enters into a contract which is subject to the
4 provisions of the "New Jersey Prevailing Wage Act," P.L.1963,
5 c.150 (C.34:11-56.25 et seq.), or who is required to pay its workers
6 the prevailing wage by any other provision of law, ¹For who enters
7 into any other contract for work for a public body,¹ and includes
8 any subcontractor or lower tier subcontractor of a contractor as
9 defined herein. ¹With respect to the requirement that a contractor
10 register with the department pursuant to section 4 of P.L.1999,
11 c.238 (C.34:11-56.51), a contractor who performs work for a public
12 body and who is not otherwise required to register under that
13 section, shall be excluded from the definition of contractor as it
14 pertains to that registration requirement.¹

15 "Department" means the Department of Labor and Workforce
16 Development.

17 "Director" means the Director of the Division of Wage and Hour
18 Compliance in the Department of Labor and Workforce
19 Development.

20 "Worker" includes laborer, mechanic, skilled or semi-skilled
21 laborer and apprentices or helpers employed by any contractor or
22 subcontractor and engaged in the performance of services directly
23 upon a public work, who have completed or are actively
24 participating in a registered apprenticeship program, regardless of
25 whether their work becomes a component part thereof, but does not
26 include material suppliers or their employees who do not perform
27 services at the job site.

28 "Registered apprenticeship program" or "program" means an
29 apprenticeship program which is registered with and approved by
30 the United States Department of Labor, which provides each trainee
31 with combined classroom and on-the-job training in an occupation
32 recognized as an apprenticeable occupation, and which involves the
33 attainment of manual, mechanical, or technical skills and
34 knowledge which, in accordance with the industry standard for the
35 specific apprenticeable occupation, are outlined under 29 C.F.R.
36 s.29.5.

37 "Sponsor" means any person, association, committee, or
38 organization operating an apprenticeship program and in whose
39 name the program is or will be registered or approved.

40 ¹"Public body" means the State, any of its political
41 subdivisions, any authority created by the Legislature, and any
42 instrumentality or agency of the State or of any of its political
43 subdivisions.

44 "Work for a public body" means construction, reconstruction,
45 demolition, alteration, custom fabrication, duct cleaning, or repair
46 work, or maintenance work, which is done under contract and paid
47 for in whole or in part out of the funds of a public body, done on
48 any property or premises owned or leased by the public body or

1 under agreement to be owned or leased by the public body, or
2 undertaken in connection with any loan, loan guarantee, grant,
3 incentive, expenditure, investment, tax exemption or other financial
4 assistance approved, funded, authorized, administered or provided
5 by a public body, or undertaken to fulfill any condition of receiving
6 any of the financial assistance.】¹

7 (cf: P.L.2019, c.518, s.1)

8
9 ¹【2. Section 4 of P.L.1999, c.238 (C.34:11-56.51) is amended to
10 read as follows:

11 4. No contractor shall bid on any contract for public work as
12 defined in section 2 of P.L.1963, c.150 (C.34:11-56.26), or for
13 which payment of the prevailing wage is required by any other
14 provision of law, or for any other work for a public body unless the
15 contractor is registered pursuant to **【this act】** P.L.1999, c.238
16 (C.34:11-56.48 et seq.). No contractor shall list a subcontractor in a
17 bid proposal for the contract unless the subcontractor is registered
18 pursuant to P.L.1999, c.238 (C.34:11-56.48 et seq.) at the time the
19 bid is made. No contractor or subcontractor, including a
20 subcontractor not listed in the bid proposal, shall engage in the
21 performance of any public work subject to the contract, unless the
22 contractor or subcontractor is registered pursuant to that act.

23 (cf: P.L.2019, c.376, s.2)】¹

24
25 ¹【3.】2.¹ Section 7 of P.L.1963, c.150 (C.34:11-56.31) is
26 amended to read as follows:

27 7. The commissioner shall have the authority to:

28 (a) investigate and ascertain the wages of workmen employed in
29 any public work or other work for a public body in the State;

30 (b) enter and inspect the place of business or employment of any
31 employer or workmen in any public work or other work for a public
32 body in the State, for the purpose of examining and inspecting any
33 or all books, registers, payrolls, and other records of any such
34 employer that in any way relate to or have a bearing upon the
35 question of wages, hours, and other conditions of employment of
36 any such workmen; copy any or all of such books, registers,
37 payrolls, and other records as he or his authorized representative
38 may deem necessary or appropriate; obtain proof of, and question,
39 any worker's identity to determine whether the worker's identity is
40 accurately and truthfully included or reported in any or all books,
41 registers, payrolls, and other records of the employer that in any
42 way relate to or have a bearing upon the question of wages, hours,
43 and other conditions of employment in the public work; and
44 question such workmen for the purpose of ascertaining whether the
45 provisions of this act have been and are being complied with;

46 (c) require from such employer full and correct statements in
47 writing, including sworn statements, with respect to wages, hours,
48 names, addresses, and such other information pertaining to his

workmen and their employment as the commissioner, or his authorized representative may deem necessary or appropriate;

[and]

(d) require any employer to file, within 10 days of receipt of a request, any records enumerated in subsections (b) and (c) of this section, sworn to as to their validity and accuracy. If the employer fails to provide the requested records within 10 days, the commissioner may direct within 15 days the fiscal or financial officer charged with the custody and disbursements of the funds of the public body which contracted for the public work immediately to withhold from payment to the employer up to 25% of the amount, not to exceed \$100,000.00, to be paid to the employer under the terms of the contract pursuant to which the public work is being performed. The amount withheld shall be immediately released upon receipt by the public body of a notice from the commissioner indicating that the request for records has been satisfied; and

(e) require any employer or contractor engaged in any work for a public body to file, with the commissioner and the public entity with which the employer or contractor is engaged in work, within 10 days of receipt of a request ¹from the commissioner or the commissioner's authorized representative¹, any ¹or all¹ records ¹[all]¹, ¹books, registers, payrolls, and other records of any such employer or contractor that in any way relate to or have a bearing upon the question of wages, hours, and other conditions of employment of any such workmen, and copies of any or all of such books, registers, payrolls, or other records as the commissioner or the commissioner's authorized representative may deem necessary or appropriate. If the employer fails to provide the requested records within 10 days, the commissioner may direct within 15 days the fiscal or financial officer charged with the custody and disbursements of the funds of the public body which contracted for the public work immediately to withhold from payment to the employer up to 25% of the amount, not to exceed \$100,000.00, to be paid to the employer under the terms of the contract pursuant to which the public work is being performed. The amount withheld shall be immediately released upon receipt by the public body of a notice from the commissioner indicating that the request for records has been satisfied. ¹The commissioner shall differentiate the manner of filing records for an employer or contractor that performs work that is not subject to the provisions of the "New Jersey Prevailing Wage Act," P.L.1963, c.150 (C.34:11-56.25 et seq.) or that is not required to pay its workers the prevailing wage by any other provisions of the law.

(f) As used in this section:

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

1 “Work for a public body” means construction, reconstruction,
2 demolition, alteration, custom fabrication, duct cleaning, or repair
3 work, or maintenance work, which is done under contract and paid
4 for in whole or in part out of the funds of a public body, done on
5 any property or premises owned or leased by the public body or
6 under agreement to be owned or leased by the public body, or
7 undertaken in connection with any loan, loan guarantee, grant,
8 incentive, expenditure, investment, tax exemption or other financial
9 assistance approved, funded, authorized, administered or provided
10 by a public body, or undertaken to fulfill any condition of receiving
11 any of the financial assistance.¹
12 (cf: P.L.2015, c.281, s.1)

13
14 ¹**[4.] 3.**¹ This act shall take effect on the 365th day next
15 following enactment, except that the Commissioner of Labor and
16 Workforce Development may take any anticipatory administrative
17 action in advance as shall be necessary for the implementation of
18 this act.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4029

STATE OF NEW JERSEY

DATED: JUNE 26, 2024

The Assembly Budget Committee reports favorably Assembly Bill No. 4029.

This bill requires any employer or contractor engaged in work for a public body to register with the Department of Labor and Workforce Development and submit certified payroll records to the department and to the public entity with which the employer or contractor is engaged to work. Under current law, employers and contractors engaged in public work, or otherwise subject to the State's prevailing wage requirements, are required to register with the State and submit certified payroll records. This bill would require all contractors engaged in work for a public body to register, whether or not that work is subject to the prevailing wage law or constitutes public work under the law.

Under the bill, a "public body" is defined as "the State of New Jersey, any of its political subdivisions, any authority created by the Legislature of the State of New Jersey and any instrumentality or agency of the State of New Jersey or of any of its political subdivisions." The bill defines "work for a public body" as "construction, reconstruction, demolition, alteration, custom fabrication, duct cleaning, or repair work, or maintenance work, which is done under contract and paid for in whole or in part out of the funds of a public body, done on any property or premises owned or leased by the public body or under agreement to be owned or leased by the public body, or undertaken in connection with any loan, loan guarantee, grant, incentive, expenditure, investment, tax exemption or other financial assistance approved, funded, authorized, administered or provided by a public body, or undertaken to fulfill any condition of receiving any of the financial assistance."

FISCAL IMPACT:

This bill is not certified for a fiscal note.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4029

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 26, 2025

The Assembly Budget Committee reports favorably and with committee amendments Assembly Bill No. 4029.

As amended and reported, this bill requires any employer or contractor engaged in work for a public body to submit certified payroll records to the Department of Labor and Workforce Development and to the public entity with which the employer or contractor is engaged to work. Under current law, employers and contractors engaged in public work, or otherwise subject to the State's prevailing wage requirements, are required to register with the State and submit certified payroll records. The bill clarifies that employers and contractors who perform work for a public body and who are not currently required to be registered under "The Public Works Contractor Registration Act" are exempt from registration.

Under the bill, a "public body" is defined as the State, any of its political subdivisions, any authority created by the Legislature, and any instrumentality or agency of the State or of any of its political subdivisions. The bill defines "work for a public body" as construction, reconstruction, demolition, alteration, custom fabrication, duct cleaning, or repair work, or maintenance work, which is done under contract and paid for in whole or in part out of the funds of a public body, done on any property or premises owned or leased by the public body or under agreement to be owned or leased by the public body, or undertaken in connection with any loan, loan guarantee, grant, incentive, expenditure, investment, tax exemption or other financial assistance approved, funded, authorized, administered or provided by a public body, or undertaken to fulfill any condition of receiving any of the financial assistance.

As amended and reported by the committee, Assembly Bill No. 4029 is identical to Senate Bill No. 1403 (2R), which was also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- (1) revise certain definitions in the bill;

(2) clarify that employers and contractors who are not currently required to be registered under “The Public Works Contractor Registration Act,” P.L.1999, c.238 (C.34:11-56.48 et seq.) are exempt from registration;

(3) clarify that an employer or contractor engaged in any work for a public body will file, within 10 days of receipt of a request from the commissioner or the commissioner’s authorized representative, any or all records, books, registers, payrolls, and other records that relate to or have a bearing upon the question of wages, hours, and other conditions of employment of any such workmen, and copies of any or all of such books, registers, payrolls, or other records as the commissioner or the commissioner’s authorized representative may deem necessary or appropriate;

(4) clarify that the commissioner will differentiate the manner of filing payroll records for an employer or contractor that performs work that is not subject to the provisions of the “New Jersey Prevailing Wage Act,” or that is not required to pay its workers the prevailing wage by any other provisions of the law; and

(5) make certain technical changes.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.

Governor Phil Murphy

Governor Murphy Takes Action on Legislation

Posted on - 10/20/2025

TRENTON – Today, Governor Murphy signed the following bills into law:**S-317/A-1446** (Diegnan, Amato/Karabinchak, Simonsen) – Revises "Athletic Training Licensure Act"**S-1403/A-4029** (Singleton, Space/Sumter, Sampson, Hall) – Requires employer or contractor engaged in work for public body to submit payroll records to DOLWD**S-2783/A-3696** (McKeon, Gopal/Danielsen) – "Travel Insurance Act"**S-3132/A-4334** (Ruiz/Speight, Atkins, Sampson) – Imposes certain requirements on secondhand dealers of cellular telephones and wireless communication devices

Governor Murphy conditionally vetoed the following bills:

S-1277/A-3363 (Beach, Ruiz/Miller, Reynolds-Jackson, Sampson) – **CONDITIONAL** – Establishes centralized directory for affordable housing, and housing for senior citizens and veterans[Copy of Statement \(https://d31hzhk6di2h5.cloudfront.net/20251020/94/64/e2/50/e0397ad31ded8eb98ea18040/S1277CV.pdf\)](https://d31hzhk6di2h5.cloudfront.net/20251020/94/64/e2/50/e0397ad31ded8eb98ea18040/S1277CV.pdf)[https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/ftx36cb_!!J30X0ZrnC1oQtbA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKGOJeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKCOy1Zfw\\$](https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/ftx36cb_!!J30X0ZrnC1oQtbA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKGOJeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKCOy1Zfw$)**S-2332/A-3893** (Scutari, Vitale/Murphy, Donlon, Inganamort) – **CONDITIONAL** – Allows complaint for guardianship of minor to be filed six months before minor reaches age 18 under certain circumstances; establishes certain standards for filing guardianship complaints[Copy of Statement \(https://d31hzhk6di2h5.cloudfront.net/20251020/11/09/92/c9/14f54a3ed5c4244273885875/S2332CV.pdf\)](https://d31hzhk6di2h5.cloudfront.net/20251020/11/09/92/c9/14f54a3ed5c4244273885875/S2332CV.pdf)[https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/bez36cb_!!J30X0ZrnC1oQtbA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKGOJeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKE6Ok0-H\\$](https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/bez36cb_!!J30X0ZrnC1oQtbA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKGOJeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKE6Ok0-H$)**S-2961/A-4124** (Burzichelli, Wimberly/Reynolds-Jackson, Katz, Ramirez) – **CONDITIONAL** – Establishes minimum qualifications for persons employed on public works contract[Copy of Statement \(https://d31hzhk6di2h5.cloudfront.net/20251020/b7/50/75/c6/8b97be1f7b4b6762445edb2f/S2961CV.pdf\)](https://d31hzhk6di2h5.cloudfront.net/20251020/b7/50/75/c6/8b97be1f7b4b6762445edb2f/S2961CV.pdf)[https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/7y036cb_!!J30X0ZrnC1oQtbA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKGOJeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKJdJX24S\\$](https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/7y036cb_!!J30X0ZrnC1oQtbA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKGOJeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKJdJX24S$)**S-3041/A-4194** (Mukherji, Lagana/Allen, Venezia, Quijano) – **CONDITIONAL** – Prohibits cooperative from receiving public works contract when cooperative-approved vendor fails to pay prevailing wage; concerns cooperative purchasing agreements with other states; and permits contracting units to award certain indefinite contracts[Copy of Statement \(https://d31hzhk6di2h5.cloudfront.net/20251020/a9/a0/ea/47/a259e5c9c81cafa4f1d231df/S3041CV.pdf\)](https://d31hzhk6di2h5.cloudfront.net/20251020/a9/a0/ea/47/a259e5c9c81cafa4f1d231df/S3041CV.pdf)[https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/3j236cb_!!J30X0ZrnC1oQtbA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKGOJeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKI7MspcS\\$](https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/3j236cb_!!J30X0ZrnC1oQtbA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKGOJeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKI7MspcS$)**S-3663/A-4915** (Burzichelli, Ruiz/Drulis, Katz, Peterpaul, Simmons) – **CONDITIONAL** – Establishes reproductive health travel advisory[Copy of Statement \(https://d31hzhk6di2h5.cloudfront.net/20251020/20/01/3d/c5/66cd3f8082956acc4c036760/S3663CV.pdf\)](https://d31hzhk6di2h5.cloudfront.net/20251020/20/01/3d/c5/66cd3f8082956acc4c036760/S3663CV.pdf)[https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/z4336cb_!!J30X0ZrnC1oQtbA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKGOJeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKOhes-Be\\$](https://urldefense.com/v3/_https://t.e2ma.net/click/nbxtjn/nrddit/z4336cb_!!J30X0ZrnC1oQtbA!J7n9EVu_YcGk0TPr6n3fawoksyK59emNKGOJeEN9setY-9R5NJYAPWZi43p_c7wm-sZ7C8Q9AxeHXOF2tajKOhes-Be$)

S-3776/A-5779 (Turner, McKnight/Reynolds-Jackson, Carter, Morales) – CONDITIONAL – Establishes Chronic Absenteeism Task Force

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S-4293/A-5548 (Ruiz, Burgess/Pintor Marin, Venezia, Karabinchak) – CONDITIONAL – Requires owner or operator of data center to submit water and energy usage report to BPU

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