34:11-58

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2006 CHAPTER: 25

NJSA: 34:11-58 (Increases jurisdictional amount allowed for wage disputes heard by

the Department of Labor)

BILL NO: A1423

SPONSOR(S): Scalera and others

DATE INTRODUCED: 1-10-06

COMMITTEE: ASSEMBLY: Labor

SENATE: Labor

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: March 16, 2006

SENATE: May 18, 2006

DATE OF ENACTEMENT: June 22, 2006

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Original version of bill enacted)

SPONSOR'S STATEMENT: (Begins on page 2 of original bill)

Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: 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

P.L. 2006, CHAPTER 25, *approved June 22*, *2006*Assembly, No. 1423

AN ACT concerning certain wage disputes and amending R.S.34:11-2 58. 3 4 BE IT ENACTED by the Senate and General Assembly of the State 5 of New Jersey: 6 7 1. R.S.34:11-58 is amended to read as follows: 8 34:11-58. The commissioner is authorized and empowered to 9 investigate any claim for wages due an employee and in such 10 investigation may summon the defendant, subpoena witnesses, administer oaths, take testimony and shall upon such proceeding 11 make a decision or award when the sum in controversy, exclusive of 12 13 costs, does not exceed [\$10,000.00] <u>\$30,000.00</u>. 14 Such decision or award shall be a judgment when a certified 15 copy thereof is filed with the Superior Court. 16 Such judgment shall be entered in the same manner and have the 17 same effect and be subject to the same proceedings as are 18 judgments rendered in suits duly heard and determined by courts of 19 competent jurisdiction. 20 The commissioner is authorized to supervise the payment of 21 amounts due to employees under an award made pursuant to this 22 section, and the employer may be required to make these payments 23 to the commissioner to be held in a special account in trust for the 24 employees, and paid on order of the commissioner directly to the employee or employees affected. The employer shall also pay the 25 26 commissioner an administrative fee equal to not less than 10% or 27 more than 25% of any payment made to the commissioner pursuant to this section. The amount of the administrative fee shall be 28 specified in a schedule of fees to be promulgated by rule or 29 30 regulation of the commissioner in accordance with 31 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et 32 seq.). The fee shall be applied to enforcement and administration 33 costs of the Division of Workplace Standards in the Department of 34 Labor. 35 (cf: 1991, c.205, s.4) 36 37 2. This act shall take effect 90 days after enactment. 38 39

Increases jurisdictional amount allowed for wage disputes heard by the Department of Labor.

 $\label{lem:explanation} \textbf{EXPLANATION} - \textbf{Matter enclosed in bold-faced brackets} \ \textbf{[thus]} \ \textbf{in the above bill is not enacted} \\ \textbf{and is intended to be omitted in the law.}$

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ASSEMBLY, No. 1423

STATE OF NEW JERSEY

212th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2006 SESSION

Sponsored by:

Assemblyman FREDERICK SCALERA
District 36 (Bergen, Essex and Passaic)
Assemblyman JEFF VAN DREW
District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Increases jurisdictional amount allowed for wage disputes heard by the Department of Labor.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1	AN ACT concerning certain wage disputes and amending R.S.34:11-
2	58.
3	
4	BE IT ENACTED by the Senate and General Assembly of the State
5	of New Jersey:
6	
7	1. R.S.34:11-58 is amended to read as follows:
8	34:11-58. The commissioner is authorized and empowered to
9	investigate any claim for wages due an employee and in such
10	investigation may summon the defendant, subpoena witnesses,
11	administer oaths, take testimony and shall upon such proceeding
12	make a decision or award when the sum in controversy, exclusive of
13	costs, does not exceed [\$10,000.00] \$30,000.00.
14	Such decision or award shall be a judgment when a certified
15	copy thereof is filed with the Superior Court.
16	Such judgment shall be entered in the same manner and have the
17	same effect and be subject to the same proceedings as are
18	judgments rendered in suits duly heard and determined by courts of
19	competent jurisdiction.
20	The commissioner is authorized to supervise the payment of
21	amounts due to employees under an award made pursuant to this
22	section, and the employer may be required to make these payments
23	to the commissioner to be held in a special account in trust for the
24	employees, and paid on order of the commissioner directly to the
25	employee or employees affected. The employer shall also pay the
26	commissioner an administrative fee equal to not less than 10% or
27	more than 25% of any payment made to the commissioner pursuant
28	to this section. The amount of the administrative fee shall be
29	specified in a schedule of fees to be promulgated by rule or
30	regulation of the commissioner in accordance with the
31	"Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
32	seq.). The fee shall be applied to enforcement and administration
33	costs of the Division of Workplace Standards in the Department of
34	Labor.
35	(cf.1991, c.205, s.4)
36	
37	2. This act shall take effect 90 days after enactment.
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40	STATEMENT
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42	This bill increases the dollar amount of wages in controversy for
43	wage disputes that may be heard by the Department of Labor.
44	Currently, the Commissioner of Labor is authorized to investigate

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

any claim for wages due an employee and in such investigation may

Matter underlined thus is new matter.

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A1423 SCALERA, VAN DREW

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- 1 summon the defendant, subpoena witnesses, administer oaths, take
- 2 testimony and make a decision or award when the sum in
- 3 controversy, exclusive of costs, does not exceed \$10,000.00. This
- 4 bill increases that amount to \$30,000.00.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1423

STATE OF NEW JERSEY

DATED: JANUARY 26, 2006

This bill increases the dollar amount of wages in wage disputes for which the Department of Labor and Workforce Development is required to make a decision or award. Currently, the Commissioner of Labor and Workforce Development is authorized to investigate any claim for wages due an employee and, if the investigation is made, is required to make a decision or award when the sum in controversy, exclusive of costs, is \$10,000 or less. This bill increases that amount to \$30,000.

This bill was prefiled for introduction in the 2006 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1423

STATE OF NEW JERSEY

DATED: MAY 4, 2006

The Senate Labor Committee reports favorably Senate Bill No. 1423.

This bill increases the dollar amount of wages in wage disputes for which the Department of Labor and Workforce Development is required to make a decision or award. Currently, the Commissioner of Labor and Workforce Development is authorized to investigate any claim for wages due an employee and, if the investigation is made, is required to make a decision or award when the sum in controversy, exclusive of costs, is \$10,000 or less. This bill increases that amount to \$30,000.