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LAW/RWH

SENATE, No. 3123

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED DECEMBER 3, 2009

Sponsored by:

Senator RONALD L. RICE

District 28 (Essex)

Senator BILL BARONI

District 14 (Mercer and Middlesex)

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblyman JOHN F. AMODEO

District 2 (Atlantic)

SYNOPSIS

Permits wage withholding for costs associated with certain employee identification.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/12/2010)

S3123 RICE, BARONI

2

1 AN ACT concerning certain wage withholdings, amending P.L.1965,
2 c.173.

3

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

6

7 1. Section 4 of P.L.1965, c.73 (C.34:11-4.4) is amended to read
8 as follows:

9 4. No employer may withhold or divert any portion of an
10 employee's wages unless:

11 a. The employer is required or empowered to do so by New
12 Jersey or United States law; or

13 b. The amounts withheld or diverted are for:

14 (1) Contributions authorized either in writing by employees, or
15 under a collective bargaining agreement, to employee welfare,
16 insurance, hospitalization, medical or surgical or both, pension,
17 retirement, and profit-sharing plans, and to plans establishing
18 individual retirement annuities on a group or individual basis, as
19 defined by section 408 (b) of the federal Internal Revenue Code of
20 1986 (26 U.S.C.s.408(b)), or individual retirement accounts at any
21 State or federally chartered bank, savings bank, or savings and loan
22 association, as defined by section 408 (a) of the federal Internal
23 Revenue Code of 1986 (26 U.S.C.s.408(a)), for the employee, his
24 spouse or both.

25 (2) Contributions authorized either in writing by employees, or
26 under a collective bargaining agreement, for payment into
27 company-operated thrift plans; or security option or security
28 purchase plans to buy securities of the employing corporation, an
29 affiliated corporation, or other corporations at market price or less,
30 provided such securities are listed on a stock exchange or are
31 marketable over the counter.

32 (3) Payments authorized by employees for payment into
33 employee personal savings accounts, such as payments to a credit
34 union, savings fund society, savings and loan or building and loan
35 association; and payments to banks for Christmas, vacation, or other
36 savings funds; provided all such deductions are approved by the
37 employer.

38 (4) Payments for company products purchased in accordance
39 with a periodic payment schedule contained in the original purchase
40 agreement; payments for employer loans to employees, in
41 accordance with a periodic payment schedule contained in the
42 original loan agreement; payments for safety equipment; payments
43 for the purchase of United States Government bonds; **[and]**
44 payments to correct payroll errors; and payments of costs 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.

1 related fees for the replacement of employee identification, which is
2 used to allow employees access to sterile or secured areas of
3 airports, in accordance with a fee schedule described in any airline
4 media plan approved by the federal Transportation Security
5 Administration; provided all such deductions are approved by the
6 employer.

7 (5) Contributions authorized by employees for organized and
8 generally recognized charities; provided the deductions for such
9 contributions are approved by the employer.

10 (6) Payments authorized by employees or their collective
11 bargaining agents for the rental of work clothing or uniforms or for
12 the laundering or dry cleaning of work clothing or uniforms;
13 provided the deductions for such payments are approved by the
14 employer.

15 (7) Labor organization dues and initiation fees, and such other
16 labor organization charges permitted by law.

17 (8) Contributions authorized in writing by employees, pursuant
18 to a collective bargaining agreement, to a political committee,
19 continuing political committee, or both, as defined in section 3 of
20 P.L.1973, c.83 (C.19:44A-3), established by the employees' labor
21 union for the purpose of making contributions to aid or promote the
22 nomination, election or defeat of any candidate for a public office
23 of the State or of a county, municipality or school district or the
24 passage or defeat of any public question , subject to the conditions
25 specified in section 2 of P.L.1991, c.190 (C.34:11-4.4a).

26 (9) Contributions authorized in writing by employees to any
27 political committee or continuing political committee, other than a
28 committee provided for in paragraph (8) of this subsection, for the
29 purpose of making contributions to aid or promote the nomination,
30 election or defeat of any candidate for a public office of the State or
31 of a county, municipality or school district or the passage or defeat
32 of any public question, subject to the conditions specified in section
33 2 of P.L.1991, c.190 (C.34:11-4.4a); in making a payroll deduction
34 pursuant to this paragraph the administrative expenses incurred by
35 the employer shall be borne by such committee, at the option of the
36 employer.

37 (10) Payments authorized by employees for employer-sponsored
38 programs for the purchase of insurance or annuities on a group or
39 individual basis, if otherwise permitted by law.

40 (11) Such other contributions, deductions and payments as the
41 Commissioner of Labor may authorize by regulation as proper and
42 in conformity with the intent and purpose of this act, if such
43 deductions are approved by the employer.

44 (cf: P.L.1997, c.35, s.1)

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46 2. This act shall take effect immediately.

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STATEMENT

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This bill would allow an employer to withhold or divert a portion of an employee's wages for payments of the costs and related fees for the replacement of employee identification which is used to allow employees access to sterile or secured areas of airports, in accordance with a fee schedule described in any airline media plan approved by the federal Transportation Security Administration.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 3123

STATE OF NEW JERSEY

DATED: JANUARY 4, 2010

The Senate Judiciary Committee reports favorably Senate Bill No. 3123.

This bill would allow an employer to withhold or divert a portion of an employee's wages for payments of the costs and related fees for the replacement of employee identification which is used to allow employees access to sterile or secured areas of airports, in accordance with a fee schedule described in any airline media plan approved by the federal Transportation Security Administration.

ASSEMBLY, No. 4318

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED DECEMBER 3, 2009

Sponsored by:

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblyman JOHN F. AMODEO

District 2 (Atlantic)

SYNOPSIS

Permits wage withholding for costs associated with certain employee identification.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/4/2009)

A4318 WISNIEWSKI, AMODEO

2

1 AN ACT concerning certain wage withholdings, amending P.L.1965,
2 c.173.

3

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

6

7 1. Section 4 of P.L.1965, c.73 (C.34:11-4.4) is amended to read
8 as follows:

9 4. No employer may withhold or divert any portion of an
10 employee's wages unless:

11 a. The employer is required or empowered to do so by New
12 Jersey or United States law; or

13 b. The amounts withheld or diverted are for:

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15 under a collective bargaining agreement, to employee welfare,
16 insurance, hospitalization, medical or surgical or both, pension,
17 retirement, and profit-sharing plans, and to plans establishing
18 individual retirement annuities on a group or individual basis, as
19 defined by section 408 (b) of the federal Internal Revenue Code of
20 1986 (26 U.S.C.s.408(b)), or individual retirement accounts at any
21 State or federally chartered bank, savings bank, or savings and loan
22 association, as defined by section 408 (a) of the federal Internal
23 Revenue Code of 1986 (26 U.S.C.s.408(a)), for the employee, his
24 spouse or both.

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28 purchase plans to buy securities of the employing corporation, an
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32 (3) Payments authorized by employees for payment into
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35 association; and payments to banks for Christmas, vacation, or other
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38 (4) Payments for company products purchased in accordance
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40 agreement; payments for employer loans to employees, in
41 accordance with a periodic payment schedule contained in the
42 original loan agreement; payments for safety equipment; payments
43 for the purchase of United States Government bonds; **[and]**
44 payments to correct payroll errors; and payments of costs and
45 related fees for the replacement of employee identification, which is

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 used to allow employees access to sterile or secured areas of
2 airports, in accordance with a fee schedule described in any airline
3 media plan approved by the federal Transportation Security
4 Administration; provided all such deductions are approved by the
5 employer.

6 (5) Contributions authorized by employees for organized and
7 generally recognized charities; provided the deductions for such
8 contributions are approved by the employer.

9 (6) Payments authorized by employees or their collective
10 bargaining agents for the rental of work clothing or uniforms or for
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19 P.L.1973, c.83 (C.19:44A-3), established by the employees' labor
20 union for the purpose of making contributions to aid or promote the
21 nomination, election or defeat of any candidate for a public office
22 of the State or of a county, municipality or school district or the
23 passage or defeat of any public question , subject to the conditions
24 specified in section 2 of P.L.1991, c.190 (C.34:11-4.4a).

25 (9) Contributions authorized in writing by employees to any
26 political committee or continuing political committee, other than a
27 committee provided for in paragraph (8) of this subsection, for the
28 purpose of making contributions to aid or promote the nomination,
29 election or defeat of any candidate for a public office of the State or
30 of a county, municipality or school district or the passage or defeat
31 of any public question, subject to the conditions specified in section
32 2 of P.L.1991, c.190 (C.34:11-4.4a); in making a payroll deduction
33 pursuant to this paragraph the administrative expenses incurred by
34 the employer shall be borne by such committee, at the option of the
35 employer.

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37 programs for the purchase of insurance or annuities on a group or
38 individual basis, if otherwise permitted by law.

39 (11) Such other contributions, deductions and payments as the
40 Commissioner of Labor may authorize by regulation as proper and
41 in conformity with the intent and purpose of this act, if such
42 deductions are approved by the employer.

43 (cf: P.L.1997, c.35, s.1)

44

45 2. This act shall take effect immediately.

ASSEMBLY TRANSPORTATION, PUBLIC WORKS AND
INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4318

STATE OF NEW JERSEY

DATED: DECEMBER 3, 2009

The Assembly Transportation, Public Works and Independent Authorities Committee reports favorably Assembly Bill No. 4318.

As reported, this bill would allow an employer to withhold or divert a portion of an employee's wages for payments of the costs and related fees for the replacement of employee identification which is used to allow employees access to sterile or secured areas of airports, in accordance with a fee schedule described in any airline media plan approved by the federal Transportation Security Administration.