

34:11-56.37
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2019 **CHAPTER:** 61

NJSA: 34:11-56.37 (Requires Commissioner of DOLWD to create list of labor organizations that represent workers on public work projects.)

BILL NO: S3129 (Substituted for A4314)

SPONSOR(S) Joseph F. Vitale and others

DATE INTRODUCED: 10/18/2018

COMMITTEE: **ASSEMBLY:** ---

SENATE: Labor

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 2/25/2019

SENATE: 2/21/2019

DATE OF APPROVAL: 4/25/2019

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced bill enacted) Yes

S3129

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(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

A4314

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

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

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RWH/JA

P.L. 2019, CHAPTER 61, *approved April 25, 2019*
Senate, No. 3129

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

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

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

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

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

36 c. The commissioner shall create, maintain, and distribute an
37 informational list of labor organizations that represent workers who
38 engage in public work, which shall contain information about
39 required hourly rates, required fringe benefit rates, and regions in
40 which the labor organizations represent workers. The
41 commissioner shall prominently display the informational list on a

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 website maintained by the Department of Labor and Workforce
2 Development and shall distribute to any contractor, subcontractor,
3 labor organization, or public body, upon request, the informational
4 list for use on public work, including projects for which the cost is
5 below the prevailing wage contract threshold amount.

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

7

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

12

13

14 STATEMENT

15

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

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

SENATE, No. 3129

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED OCTOBER 18, 2018

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator TROY SINGLETON

District 7 (Burlington)

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

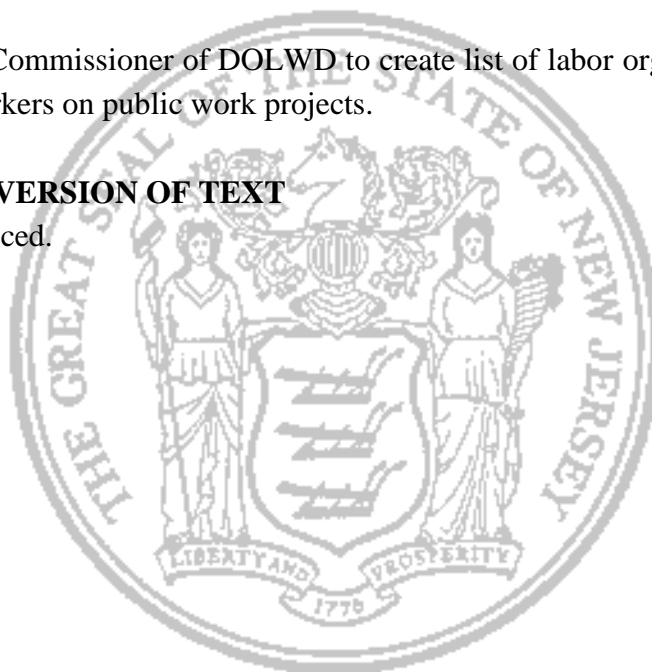
**Senator Greenstein, Assemblymen DeAngelo, Wirths, Space, Conaway and
Assemblywoman Downey**

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



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

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

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
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12 name of such contractor or subcontractor and forthwith give notice
13 by mail of such list to any public body who shall request the
14 commissioner so to do. Where the person responsible denies that a
15 failure to pay the prevailing wage has occurred, he shall have the
16 right to apply to the commissioner for a hearing which must be
17 afforded and a decision rendered within 48 hours of the request for
18 a hearing. If the commissioner rules against the petitioning party he
19 shall have the right to apply for injunctive relief in the Superior
20 Court against the listing by the commissioner.

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

36 c. The commissioner shall create, maintain, and distribute an
37 informational list of labor organizations that represent workers who
38 engage in public work, which shall contain information about
39 required hourly rates, required fringe benefit rates, and regions in
40 which the labor organizations represent workers. The
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42 website maintained by the Department of Labor and Workforce
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EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

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1 list for use on public work, including projects for which the cost is
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3 (cf: P.L.2015, c.282, s.1)

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5 2. This act shall take effect on the first day of the third month
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14 Workforce Development to create and maintain an informational
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16 public work projects. The list would include required hourly rates,
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18 organizations represent workers. The department would display the
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20 public work projects, including projects for which the cost would
21 fall below the prevailing wage contract threshold.

SENATE LABOR COMMITTEE

STATEMENT TO

SENATE, No. 3129

STATE OF NEW JERSEY

DATED: FEBRUARY 7, 2019

The Senate Labor Committee reports favorably Senate Bill No. 3129.

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

ASSEMBLY, No. 4314

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JULY 30, 2018

Sponsored by:

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

**Assemblymen DeAngelo, Wirths, Space, Conaway and Assemblywoman
Downey**

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



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

A4314 COUGHLIN, HOUGHTALING

2

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16 engage in public work projects. The list would include required
17 hourly rates, required fringe benefit rates, and regions in which the
18 labor organizations represent workers. The department would
19 display the list on a website it maintains, and the list could be
20 utilized for public work projects, including projects for which the
21 cost would fall below the prevailing wage contract threshold.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4314

STATE OF NEW JERSEY

DATED: SEPTEMBER 17, 2018

The Assembly Labor Committee reports favorably Assembly Bill No. 4314.

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



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Newark, N.J.

Governor Murphy Signs Legislation Providing Information on Public Works Projects

04/18/2019

TRENTON - Governor Phil Murphy today signed S3129 into law, which will require the Commissioner of the Department of Labor and Workforce Development to create a list of labor organizations that represent workers who engage in public work projects.

Under the law, the list will include hourly rates, required fringe benefit rates, and regions in which the labor organizations represent workers. The list will be available on the Department of Labor and Workforce Development's website as a tool for municipalities to utilize when planning public work projects.

"Municipalities planning public works projects should have access to information about the wages and benefit levels received by employees who are represented by organized labor," **said Governor Phil Murphy**. "I'm proud to sign this bill into law and require the creation of such a list to assist municipalities."

"The public list of regionally based wage rates and benefit requirements will help municipalities and others engaged in public works budget for upcoming projects both large and small, ensuring quality work gets done quickly by skilled tradesmen and women," **said Labor Commissioner Robert Asaro-Angelo**. "The Labor Department looks forward to administering this new law."

"Labor organizations play an important role in our country's work force and for the quality of life for working families," **said Speaker Craig Coughlin**. "This bill will provide localities with a more streamlined process to secure workers for public projects which will help to boost our state's economy and improve workers' economic status and working conditions. Another goal of this bill is to generate savings for municipalities which will help ease the burden on New Jersey taxpayers."

"When a town has a project to get done, they want to do so in the most cost-effective way possible," **said Assemblywoman Verlina Reynolds-Jackson**. "With this law, it will be incredibly easy for municipalities to search for laborers who will deliver quality work for a fair price. By giving towns a way to minimize costs, we will ultimately save property taxpayers money."

"The process of finding workers to complete construction projects can be tedious and time-consuming," **said Assemblyman Eric Houghtaling**. "The list created through this law will serve as a one-stop shop for localities looking for workers in their area and will help ensure they get the best price for the job. When municipalities save money, taxpayers are the winners."

"New Jersey will become the only state with a compiled list of all labor organizations which represent workers on public contracts," **said Senator Troy Singleton**. "The list will include employers who have been found to not have

paid workers the prevailing wage. This list will also be incredibly beneficial for public works projects, allowing for the right workers to be found in order to complete a project.”

“This law provides local, municipal and county administrators with a new tool to more expeditiously hire skilled labor for public works jobs,” **said Senator Joseph Vitale**. “Some towns already employ the practice, but this law will require the Department of Labor to create the list for all mayors statewide to use. It’s another tool in a mayor’s tool box and reduces the need to add new, permanent government employees to the payroll.”

“This bill will provide information about public works projects that will demonstrate the wages and benefits that organized labor has been able to secure for its members,” **said William T. Mullen, President of the New Jersey State Building and Construction Trades Council**. “I applaud Governor Murphy for his leadership and his consistent support for organized labor.”

[Back to Top](#)

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[Governor Phil Murphy](#)

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[Oliver](#)

[First Lady Tammy](#)

[Snyder Murphy](#)

[Cabinet](#)

[Boards, Commissions](#)

[& Authorities](#)

[Internship](#)

[Opportunities](#)

[Governor’s Residence](#)

[- Drumthwacket](#)

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[Education](#)

[Environment](#)

[Health](#)

[Law & Justice](#)

[Transportation](#)

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[Public Addresses](#)

[Executive Orders](#)

[Statements on](#)

[Legislation](#)

[Administration Reports](#)

[Transition Reports](#)

[Press Kits](#)

Social

[Facebook](#)

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