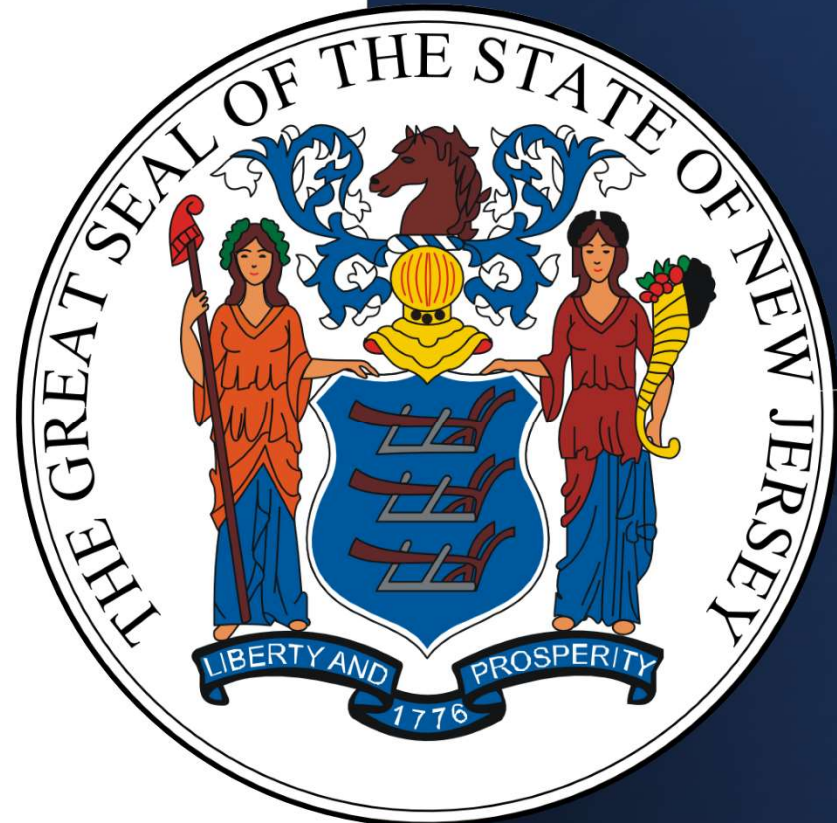


New Jersey  
Department of Labor  
Wage & Hour  
Compliance

## Public Work



# Public Work in New Jersey

- Construction, reconstruction, demolition, alteration, custom fabrication, repair or maintenance work
- Paid in whole or in part by funds of a Public Body
- The property on which the work is performed is owned by a Public Body
- Not less than 55% of the property is leased or subject to an agreement to be subsequently leased to a public body, and the leased/to be leased area measures more than 20,000 square feet
- New Jersey Prevailing Wage Contract threshold for municipalities is \$16,263.00, as of July 1, 2019, and is readjusted every five years in conjunction with the CPI
- In the case of all other any other Public Work as listed above, the threshold is \$2,000.00

# Other jobs covered by Prevailing Wage

Private projects with **financial involvement** (loans, loan guarantees, expenditures, investments, tax exemptions or other incentives or financial assistance) from the following agencies:

- NJ Economic Development Authority (NJEDA)
- NJ Redevelopment Authority (NJRA)
- Casino Reinvestment Development Authority (CRDA)
- New Jersey Educational Facilities Authority (NJEFA)
- New Jersey Healthcare Facilities Financing Authority (NJHCFFA)
- County Improvement Authorities
- New Jersey Housing and Mortgage Finance Agency (HMFA)
- Urban Enterprise Zone Program (UEZ)
- NJ Board of Public Utilities (BPU)

Utility Work: Work contracted for by a utility company.

# Prevailing Wage Rates in New Jersey

Prevailing wage means the wage rate paid by virtue of collective bargaining agreements by employers employing the majority of workers of that craft or trade subject to said collective bargaining agreement, in the locality in which the Public Work is done.

## Prevailing Wage Rates in New Jersey

- The Division is notified by a construction union that their collectively bargained rates have changed
- The union will send the Division the new rate information, we prepare a new rate chart
- Upon approval a new wage determination is generated as a PDF file and uploaded to the website

NEW JERSEY DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT  
PREVAILING WAGE RATE DETERMINATION

County - ESSEX

Craft: Industrial Painter- Bridges PREVAILING WAGE RATE

	02/01/23	02/01/24	02/01/25	02/01/26
Foreman	W63.28 B34.92 T98.20	W0.00 B0.00 T100.20	W0.00 B0.00 T102.20	W0.00 B0.00 T104.20
General Foreman	W65.78 B34.92 T100.70	W0.00 B0.00 T102.70	W0.00 B0.00 T104.70	W0.00 B0.00 T106.70
Journeyman	W58.28 B34.92 T93.20	W0.00 B0.00 T95.20	W0.00 B0.00 T97.20	W0.00 B0.00 T99.20

Craft: Industrial Painter- Bridges APPRENTICE RATE SCHEDULE

INTERVAL	PERIOD AND RATES									
6 Months	50%	70%	90%							
Benefits	13.65	20.81	27.43							

Ratio of Apprentices to Journeymen - 1:3

Craft: Industrial Painter- Bridges COMMENTS/NOTES

\* Industrial Painters perform work on all industrial structures, such as bridges.

These rates apply to: All bridges that span waterways, roadways, railways and canyons. All tunnels, overpasses, viaducts and all appurtenances.

FOREMEN REQUIREMENTS:

- When there are 4 or more Painters on a job, 1 shall be designated a Foreman.
- When there are 15 or more Painters on a job, 1 shall be designated a General Foreman.

The regular workday shall consist of 8 hours between 7:00 AM and 5:30 PM.

SHIFT DIFFERENTIALS:

- The second shift shall receive an additional 10% of the hourly rate, per hour, and the third shift shall receive an additional 15% of the hourly rate, per hour.

OVERTIME:

- Hours in excess of 8 per day, Monday through Friday, and all hours on Saturdays and Sundays shall be paid at time and one-half the regular rate. All hours on holidays shall be paid at double the regular rate, except Veterans Day, which shall be paid at time and one-half the regular rate.
- During a regular work week schedule, Saturday may be used as a make-up day lost to inclement weather, paid at the regular rate.
- Four 10-hour days may be worked, at the regular rate, Monday through Thursday. When the four 10-hour day schedule is used, the 11th and 12th hours shall be paid at time and one-half the regular rate. After the 12th hour, a worker shall be paid at double the regular rate. Friday may be used as a make-up day lost to inclement weather, paid at the regular rate.

# Wage Determination

Available on our website  
Official Determination  
generated by the Public Body  
when the bid is awarded and  
contract is signed

# Overview of Contractor/Subcontractor Responsibilities

- Contractors and subcontractors **must**:
  - Be registered with the Department of Labor and Workforce Development.
  - Pay prevailing wage rates based upon work classifications actually worked for all actual hours of work.
  - Post a wage determination in a prominent place where workers have access.
  - Submit certified payroll records to the public body within 10 days of payday.
  - Permit on-site inspection and employee interviews by the Department of Labor.
  - Produce payroll-related records to the Department of Labor within 10 days of a request.

## *Contractor Registration*

- Subcontractors named in a bid must be registered at the time the bid is submitted.
- All other subcontractors must be registered at the time they are hired (the time that the subcontract agreement is signed).
- If a contractor bids on or is found working on a public works project without being registered, the max penalty for a first violation is \$2500



# List of Registered Contractors

## New Jersey Public Works Registered Contractors

**WAGE AND HOUR DISCLAIMER:** This list of registered Public Works contractors and subcontractors is provided for informational purposes only. The New Jersey Department of Labor and Workforce Development, Wage & Hour Division and Contract Compliance makes the official Public Works Contractor Registration status determinations. For specific and current registration information status, contact Wage & Hour Division and Contract Compliance at [pwcr@dol.nj.gov](mailto:pwcr@dol.nj.gov) or 609-292-9464.

**Search Business Name**

**Registration Date**

4/13/2021 6/2/2023

**Address**

**City**

**State**  **Zip Code**

**Certificate #**

 **5367**  
# of Contractors

[Reset](#) [Map View](#)

Contractors with Crafts

Business Name	Reg. Date	Exp. Date	Address	City	State	Zipcode	County
11400, INC.	02/13/2023	02/12/2025	2205 Old Philadelphia Pk	Lancaster	PA	17602	Lancaster
192 Branch Interior Services, Inc.	03/18/2022	03/17/2024	2099 9th Avenue	Ronkonkoma	NY	11779	11779
21 Contracting LLC	10/21/2022	10/20/2023	1305 Paterson Plank Rd	North Bergen	NJ	07047	Hudson
275 Sussex Development LLC	06/01/2022	05/31/2023	87 Halsey St	Newark	NJ	07102	Essex
2E Transport LLC	05/10/2022	05/09/2023	245 Matchaponix Avenue	Monroe Twp.	NJ	08831	Middlesex
3 R Painting LLC	06/01/2022	05/31/2023	122 Drummond Avenue	Neptune	NJ	07753	Monmouth
3 Sisters Construction Corporation	04/13/2022	04/12/2024	188 Cambridge Court	Clifton	NJ	07014	Passaic
3,LLC	11/22/2022	11/21/2023	Po Box 1328	Robert	LA	70455	Tangipahoa
33 Maple LLC	09/20/2022	09/19/2023	87 Halsey St	Newark	NJ	07102	Essex
360 FIRE PREVENTION, LLC. - A Pace Company	02/08/2023	02/07/2024	1061 Paulison Ave	Clifton	NJ	07011	Passaic
3B Communication Services, LLC.	10/29/2021	10/28/2023	628 Route 10, Suite 7	Whippany	NJ	07981-1522	Morris
3C Drilling LLC	12/05/2021	12/04/2023	807 N West End Blvd	Quakertown	PA	18951	Pennsylvania
3D Contracting of Central Jersey inc DBA 3D Group	12/03/2022	12/02/2023	101 Crawfords Corner Rd, 1121	Holmdel	NJ	07733	Monmouth
3L & Company, Inc	02/09/2023	02/08/2025	90 Triangle Blvd	Carlstadt	NJ	07072	Bergen
3Phase Excel Elevator LLC	01/10/2023	01/09/2024	60 Shawmut Road, Suite 1	Canton	MA	02021	Suffolk

1 2 3 4 5 > Jump to  of 179

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# Apprenticeship Program

- **“Apprenticeship program”** means a registered apprenticeship program providing each trainee with combined classroom and on-the-job training under the direct and close supervision of a highly skilled worker in an occupation recognized as an apprenticeable trade, registered by the Office of Apprenticeship of the U.S. Department of Labor.
- An employee may only be paid the apprentice rate if he or she is enrolled in an approved and registered apprenticeship program. Otherwise, the employee must be paid at least the Journeyman rate. A contractor who lists an apprentice on their certified payrolls must provide:
  - Documentation of enrollment in approved apprenticeship program.
  - Proof of training (tuition) cost and coverage, if the contractor is claiming fringe benefit credit for apprenticeship participation.

# Apprenticeship Requirements

A contractor can participate in a registered apprenticeship program in several different ways:

1. The contractor is **signatory to a collective bargaining agreement** with a Union for the craft employed, where regular payments are made to an ERISA trust fund. Does not require the use of an apprentice.
2. The contractor is a **member of a workforce intermediary organization** that is the sponsor of an apprentice program(s). The organization must also have an ERISA trust fund, to which the contractor contributes on a regular basis. Does not require the use of an apprentice.
3. The contractor sponsors their own USDOL-certified apprenticeship program. Does not require an ERISA trust fund. Contractor must have an apprentice enrolled in the program, or have had one within the last year.

# Apprenticeship Requirements

For every work classification that a contractor employs on a prevailing wage project, they **must** participate in an apprenticeship program, in or to qualify for Public Works Contractor Registration.

There are **no exemptions** from this law.

## 36 New W&H Statutes in New Jersey since 2018

- **34:11-67.1. Owners' responsibility for wage claims against subcontractors-** provides enforcement power for up the chain liability on Public Contract cases
- **34:11-56-50 et seq. Contractor Registration-** Registration requires an apprenticeship program for each trade the contractor performs, the contractor has an ongoing obligation to notify the Division of any new trades they are performing and verify the corresponding apprenticeship program
- **Certified Payroll Database & Electronic Submission of Public Work Contractor Registration Applications-** signed by the Governor on August 16, 2023, with one year for implementation
- **34:11-56.35(d) Penalties, Stop Work Orders-** provides the ability, when an initial determination of a violation of the NJ PWA, a Stop Work Order can be issued.

# Enforcement Tools

- Stop Work Orders since 2019 we have issued 42 SWO on public work job sites
- Immediate Suspensions of Public Work Contractor Registration Certificates
- Debarments and Revocations of PWCR
- Drones for surveillance – 12 FAA certified drone pilots