

CHAPTER 61

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

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

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

C.34:11-56.37 Lists relative to contractors performing prevailing wage public work.

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

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

c. The commissioner shall create, maintain, and distribute an informational list of labor organizations that represent workers who engage in public work, which shall contain information about required hourly rates, required fringe benefit rates, and regions in which the labor organizations represent workers. The commissioner shall prominently display the informational list on a website maintained by the Department of Labor and Workforce Development and shall distribute to any contractor, subcontractor, labor organization, or public body, upon request, the informational list for use on public work, including projects for which the cost is below the prevailing wage contract threshold amount.

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

Approved April 25, 2019.