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NJ Department of Labor and Workforce Development Announces Proactive New Approach to Ensuring Workers' Earnings, Benefits

FOR IMMEDIATE RELEASE

November 29, 2022

TRENTON – The New Jersey Department of Labor and Workforce Development (NJDOL) today announced a new, comprehensive enforcement strategy to ensure no worker is denied any of the earnings or benefits they are entitled to under the state's labor laws.

This innovative strategy – known as strategic enforcement – focuses on industries with a history of non-compliance with existing laws and on those whose employees are less likely to file complaints with the Department. The Department's new approach augments its existing complaint-driven enforcement actions.

"This proactive, forward-thinking strategy adds a new dimension to our ability to safeguard workers from wage abuses and protect law-abiding employers from an unfair disadvantage when unsavory competitors illegally cut corners to keep down their labor costs," said Labor Commissioner Robert Asaro-Angelo. "I am continually proud to work for a governor who always has the greater good of our workforce top of mind."

The Department's first strategic enforcement initiatives focus on two industries: commercial laundromats and multi-unit residential construction. Commercial laundromats predominantly employ women immigrants, who are often fearful of reporting wage theft and other workplace violations. In residential construction, worker misclassification has become embedded in many companies' business models.

These targets follow months of research and were selected to make a lasting industrywide impact on compliance with state labor laws.

These laws include, but are not limited to, ensuring workers are:

- Paid on the books
- Declared employees, making them eligible for unemployment, workers' compensation, and temporary disability and family leave insurance, unless their employer can prove the worker meets the requirements for independent contractor status
- Compensated at the state minimum wage rate or more
- Paid for overtime after 40 hours of work
- Provided paid sick and family leave time

The Department's Wage and Hour and Contract Compliance Division is leading the drive on strategic enforcement, which takes a data-driven approach to achieving compliance. Each initiative is multifaceted, fully utilizing the enforcement authority of the Department and partner government agencies while simultaneously engaging in targeted communications and harnessing the influence of employers, workers, and industry and community stakeholders to help drive compliance.

"Strategic enforcement is a proactive and coordinated effort that aims to level the field so that businesses playing by the rules can successfully compete in a dynamic economy," said Asaro-Angelo. "By changing the behavior of employers that fail to comply, wage violations can be prevented at the source. Unfair business practices that squeeze workers and create a race to the bottom among employers will be rooted out of the industry. Strategic enforcement works to create a better way forward – to build successful businesses, create good jobs for workers, and nourish strong communities for New Jersey residents."



In New Jersey, workers are covered by state wage and hour laws, regardless of their immigration status, and are also protected against retaliation. Workers can find information about their rights and how to file a complaint with our Wage and Hour and Contract Compliance Division at myworkrights.nj.gov. Assistance is available in multiple languages.

Employers can benefit from a wide array of NJDOL-provided services, including compliance assistance. [Information is available here.](#)

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