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Contractor Sentenced to Prison for Falsifying Records to Cheat Workers Out of \$155,000 by Not Paying Prevailing Wages

FROM THE OFFICE OF THE ATTORNEY GENERAL

September 6, 2019

TRENTON – Attorney General Gurbir S. Grewal announced that an Ocean County construction contractor was sentenced to prison today for purposely not paying prevailing wages on a government contract valued over \$75,000. As part of his criminal activity, the contractor falsified payroll records for the public contract to cover up the fact that he paid most of his employees only a fraction of the wages required under the Prevailing Wage Act, while not paying others at all. It is believed that many of the defendant’s employees were undocumented immigrants and he took advantage of their status.

Albert Chwedczuk, 45, of Toms River, N.J., was sentenced to three years in state prison by Superior Court Judge Mark K. Chase in Camden County. He pleaded guilty on March 27, 2019 to an accusation charging him with second-degree false contract payment claims. Chwedczuk must pay a total of \$155,166 in restitution to workers.

Former Deputy Attorney General Christopher J. Keating took the guilty plea and Deputy Attorney General Valerie Butler, who is Deputy Bureau Chief, handled the sentencing for the Division of Criminal Justice Specialized Crimes Bureau. The case was referred to the Division of Criminal Justice by the New Jersey Department of Labor and Workforce Development (NJLWD), Division of Wage and Hour Compliance, which initially investigated the violations of the Prevailing Wage Act.

“I am committed to using all available tools, including New Jersey’s strong criminal laws, to protect our workers, protect our immigrants, and protect the integrity of our public contracts,” said Attorney General Grewal. “When contractors receive taxpayer dollars for a public project, they promise to pay prevailing wages to employees for all their hard work. But this employer cheated his workers and hoarded public funds for his own enrichment. This case is a message to all employers that we will not tolerate contractors underpaying their workers and lying about it.”

“We are sending a loud and clear message to dishonest contractors that this type of crime does not pay,” said Director Veronica Allende of the Division of Criminal Justice. “We want unscrupulous employers to know that we will work closely with the Department of Labor and Workforce Development to investigate contract fraud and prevailing wage violations and hold bad actors accountable.”

Labor Commissioner Robert Asaro-Angelo said, “Contractors working on public projects in New Jersey must pay their workers every penny they are entitled to under the law. We will continue to work closely with our partners in the Attorney General’s Office to protect workers and taxpayers by making sure unscrupulous contractors face significant penalties for their crimes.”

The state investigation revealed that Chwedczuk knowingly failed to pay his employees approximately \$155,166 in wages on a prevailing wage public contract in 2015 and 2016. As of 2014, Chwedczuk was legally barred from obtaining or performing work on public contracts due to his prior violations of the Prevailing Wage Act with respect to his businesses Ren Construction LLC and Real Construction LLC. Nevertheless, he used a new business entity he created, Bella Group LLC, to obtain a public subcontract worth \$400,000 to provide masonry work for the Cooper Camden Student Housing project on South Broadway in Camden. Once Chwedczuk obtained the public subcontract using Bella Group LLC, he paid most of his employees only a fraction of the prevailing wages they were entitled to be paid, while not paying others at all. To cover up his violations of the Prevailing Wage Act, he submitted



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Aug 19, 2021



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As of the latest reporting, more than \$33 billion in unemployment benefits have been sent to Garden State workers. With federal benefits set to expire on September 4, we encourage everyone to check your email and visit MyUnemployment.nj.gov for updates and available resources.



certified payrolls containing false information to the general contractor on a weekly basis. In addition to producing false records, Chwedczuk instructed several employees to provide false information to an NJLWD investigator regarding the wages they were receiving.

Detective Christine Sullivan and Deputy Attorneys General Keating and Jeffrey J. Barile conducted the investigation for the Division of Criminal Justice Specialized Crimes Bureau, under the supervision of Deputy Chief of Detectives Rich King, Chief of Detectives Weldon Powell, Bureau Chief Andrew Johns, and Deputy Bureau Chief Valerie Butler.

Senior Field Representative Raul Virella conducted the investigation for the Department of Labor and Workforce Development, Division of Wage and Hour Compliance, under the supervision of Section Chief Kevin Triplett of the Public Contracts Section of the Division of Wage and Hour Compliance.

Defense Attorneys: Robert M. Perry, Esq., and Ehsan F. Chowdhry, Esq., Neptune, N.J.

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Department of Labor

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