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Murphy Administration Provides Guidance to Public Entities on Recent Changes to Prevailing Wage Laws

FOR IMMEDIATE RELEASE

June 21, 2022

TRENTON – With the summer construction season upon us, the Murphy Administration is reminding local governments and school boards of their role in protecting workers and expanding skilled apprenticeship programs, and their obligations under the New Jersey Prevailing Wage Act.

The New Jersey Department of Labor and Workforce Development (NJDOL) and its partners at the New Jersey Department of Community Affairs' Division of Local Government Services (DLGS), and the New Jersey Department of Education (DOE), recently sent a letter reminding local governments and boards of education of their responsibilities under the New Jersey Prevailing Wage Act.

The [New Jersey Prevailing Wage Act](#) (N.J.S.A. 34:11-56.25 et seq.) establishes a prevailing wage for workers engaged in public work to safeguard workers and employers alike from unfair competition due to detrimental wage levels. The act requires the payment of minimum rates of pay to laborers, craftsmen, and apprentices employed on public works projects. Covered workers must receive the appropriate craft prevailing wage rate as determined by the Commissioner of Labor and Workforce Development.

"We have a responsibility to safeguard our workers and protect employers paying fair compensation and developing our workforce from being undercut by unfair competition," said **Labor Commissioner Robert Asaro-Angelo**. "Our most important partners are the public bodies themselves who must also follow the law. Public contracting is a privilege, not a right, and it comes with certain responsibilities to other employers and our whole workforce."

"Building a stronger and fairer New Jersey means ensuring that every hardworking individual in New Jersey receives the wages they should be earning in accordance with the law," said **Lt. Governor Sheila Oliver**, who serves as Commissioner of the Department of Community Affairs. "This letter serves as a reminder to employers that wage theft and unfair competition will not be tolerated in New Jersey."

"The New Jersey Department of Education understands the significance of New Jersey's Prevailing Wage Law, and the importance of compliance with the requirements," said **Dr. Angelica Allen-McMillan, Acting Commissioner of Education**. "I am pleased to join my colleagues in the New Jersey Department of Labor and Workforce Development to raise awareness among stakeholders in the education community regarding changes in the Act."

The state wants to make sure public bodies are aware of their responsibilities when working with contractors or subcontractors including:

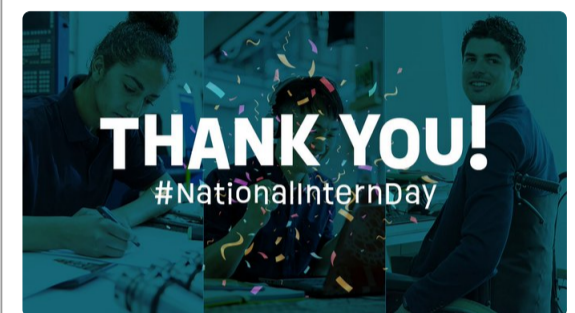
- Ensuring that the appropriate prevailing wage determination(s) are contained within the contract between the public body and the general contractor.
- Ensuring that certified payrolls are submitted weekly for all work performed subject to the NJPWA.
- Checking the NJDOL website prior to awarding a contract to confirm the contractor and any named subcontractors are registered with the NJDOL as public works contractors under the NJPWCA and do not appear on the list of ineligible bidders by virtue of debarment or outstanding judgments.
- Establishing and maintaining a process for collecting certified payroll records and making them accessible to the public and NJDOL for review.



NJ Labor Department
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On July 29, America celebrates National Intern Day!

Interns are an integral part of the Garden State's workforce, including here at NJDOL. Soon our summer internship program is coming to an end, but the long, impressive careers of these young workers are just getting started!



- When the lowest bid for a contract for public work is at least 10 percent lower than the next lowest bid, ensuring that, prior to awarding the contract, the lowest bidder submits a written certification stating that the contractor will pay all workers the prevailing wage rate.

Additionally, Governor Murphy signed A-3666 in 2019 which mandated that construction contractors performing public work participate in a [USDOL Registered Apprenticeship](#) program. Registered Apprenticeship is a proven model for creating a skilled, dedicated workforce. Employers with programs have seen a huge return-on-investment, lower turnover rates and fewer errors from participants. The apprenticeship model also reinforces positivity in the work environment by enabling participants to earn wages for skills learned. The Garden State has seen a 92 percent increase in apprenticeship programs since Governor Murphy took office in January 2018.

The full letter may be viewed [here](#).

For more information on New Jersey's wage and hour laws, visit myworkrights.nj.gov.

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