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As School Construction Season Begins, Labor Dept. Spotlights the Importance of Districts in Prevailing Wage Law Compliance

FOR IMMEDIATE RELEASE

June 21, 2023

TRENTON – As the summer construction season approaches, the New Jersey Department of Labor and Workforce Development (NJDOL) is highlighting the important role local governments and school boards play in protecting workers and expanding skilled apprenticeship programs through their obligations under the New Jersey Prevailing Wage Act.

To safeguard workers and employers alike from unfair competition due to detrimental wage levels, 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, requiring the payment of minimum rates of pay to laborers, craftsmen, and apprentices employed on public works projects. Workers covered under the Act must receive the appropriate craft prevailing wage rate as determined by the Commissioner of Labor and Workforce Development.

“Our duty is to protect workers and employers from being undercut by unfair competition,” said **Labor Commissioner Robert Asaro-Angelo**. “We have a responsibility to ensure every employer – especially our partners in the public sector – are complying with our laws.”

Last year, NJDOL and its partners at the New Jersey Department of Community Affairs, and the New Jersey Department of Education sent direct letters to all districts in the state to provide further guidance around the recently updated laws.

Public bodies should be aware of their responsibilities when working with contractors or subcontractors, including:

- Confirming the appropriate prevailing wage determination(s) are contained within the contract between the public body and the general contractor.
- Affirming weekly certified payrolls are submitted for all work performed subject to the NJPWA.
- Consulting the NJDOL website before awarding a contract to ensure the contractor and any named subcontractors completed their Public Works Contractor Registration with the NJDOL and are not on the list of ineligible bidders by virtue of debarment or outstanding judgments.
- Creating and maintaining a process for collecting certified payroll records that are accessible to the public and NJDOL for review.
- In cases when the lowest bid for a contract for public work is at least 10 percent lower than the next lowest bid, ensuring that, before the contract is awarded, the lowest bidder submits written certification the contractor will pay all workers the prevailing wage rate.

Furthermore, in 2019 Governor Murphy signed A-3666 mandating construction contractors performing public work participate in a [USDOL Registered Apprenticeship](#) program, a proven model for creating a skilled, dedicated workforce that also reinforces positivity in the workplace by allowing participants to earn a wage while training for their occupation. Employers with these programs have seen a huge return-on-investment, lower turnover rates and fewer errors from participants. Since Governor Murphy took office in January 2018, the Garden State has seen a 96 percent increase in apprenticeship programs.

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

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NJDOL is highlighting the important role local governments and school boards play in the NJ Prevailing Wage Act.

"We have a responsibility to ensure every employer, especially our partners in the public sector, are complying with our laws."

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