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

FOR IMMEDIATE RELEASE

June 24, 2024

**TRENTON** – As the summer construction season approaches, the New Jersey Department of Labor and Workforce Development (NJDOL) is once again 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 and the Public Works Contractor Registration 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.

“Just because the school year is behind us, doesn’t mean the laws get a summer break,” **said Labor Commissioner Robert Asaro-Angelo**. “The New Jersey Prevailing Wage Act helps ensure wage equity for all workers, during school holidays and throughout the year.”

NJDOL has been working closely with its partners at the New Jersey Department of Community Affairs and the New Jersey Department of Education to provide information and guidance.

“The New Jersey Prevailing Wage Act ensures that every hard-working individual in our state receives fair compensation,” **said Department of Community Affairs Commissioner Jacquelyn A. Suárez**. “This law underscores our commitment to fair labor practices, sending a clear message that wage theft and unfair competition will not be tolerated in New Jersey.”

“Adhering to these laws not only guarantees fair wages for workers but also upholds the integrity and quality of our educational infrastructure projects,” **said Acting Commissioner of Education Kevin Dehmer**. “The New Jersey Prevailing Wage Act reinforces the State’s commitment to these standards and helps ensure that all school construction projects are conducted ethically and responsibly.”

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

- Ensuring all contracts for public work contain language advising of the Prevailing Wage Act and the Public Works Contractor Registration Act.
- 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 amending the Public Works Contractor Registration Act to mandate 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 more than 100 percent increase in apprenticeship programs.

Effective August 15, contractors performing public work will be required to report certified payroll records via [NJ Wage Hub](#). Both public works contractors and contracting public bodies are strongly encouraged to create accounts in advance of this date. More up-to-date information can be found in the [N.J. Local Public Contracts Law and Regulation Reference Guide](#), updated as of April 2024.

As part of the department’s compliance assistance efforts, NJDOL has been actively working with leaders and members of more than a dozen municipal and school organizations to provide information through conferences, in-person meetings, and recorded webinars, including:

- Governmental Purchasing Association of New Jersey
- Government Finance Officers Association of New Jersey
- New Jersey Conference of Mayors
- New Jersey Society of Municipal Engineers, Inc.
- New Jersey Municipal Management Association
- Municipal Clerks Association of New Jersey
- New Jersey League of Municipalities
- New Jersey Association of Counties
- Rutgers University
- New Jersey Association of School Business Officials
- New Jersey School Board Association
- New Jersey Principals and Supervisors Association
- New Jersey Association of School Administrators

“The Labor Department extends our sincere gratitude to those organizations who have been vital partners in our efforts to drive compliance with our state’s prevailing wage and public contracting laws,” **added Commissioner Asaro-Angelo**. “We continue to be available to connect with even more of these groups so we can broaden awareness of these obligations under the law, and ensure our workers and employers are protected.”

For more information on New Jersey’s wage and hour laws, visit [myworkrights.nj.gov](http://myworkrights.nj.gov).

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