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REGULATION no. 13



Relating to

REGISTRATION

Of

INDUSTRIAL ESTABLISHMENTS

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1960

*Effective March 1, 1960.***BUREAU OF ENGINEERING & SAFETY,****N.J. DEPARTMENT OF LABOR & INDUSTRY**
Trenton, N.J.*Division of Labor*

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FOREWORD

The intent of this Regulation is to clarify the scope of the statutory requirement that productive industries of the State be registered with the Department of Labor and Industry. The Regulation also establishes standards and procedures to be followed in registering establishments as required by law. It is promulgated by the Commissioner of Labor and Industry of the State of New Jersey under authority of R. S. 34:1-20, which provides:

The commissioner may make and publish rules and regulations not inconsistent with law as he shall deem necessary to enforce the provisions of this title.

Whenever any condition is found to exist in contravention of any provision of this title, the commissioner may by written order signed by him specifying the things to be done and the time for compliance, require such condition to be corrected.

The provisions of Title 34 which refer to the subject matter regulated are:

R. S. 34:6-141. Every person engaging in any productive industry within the supervision of the department as a factory, workshop, mill, newspaper plant, printery or commercial laundry, shall register the same with the commissioner before the commencement of business, giving the legal name, home address, the nature of the business, the maximum number of persons to be employed and such other data as the commissioner may require.

R. S. 34:6-142. The commissioner shall cause to be kept a complete registry of all persons conducting such establishments and assign to each a registration number. A notice of registration shall be kept posted in a conspicuous position in the building or part of building occupied by each registrant. . . .

SECTION 1 – PURPOSE AND SCOPE

- 1.1 *Purpose.* The purpose of this Regulation is to establish definite criteria to be followed in registering productive industries as required by law, and to explain the administrative procedures adopted for this purpose.
- 1.2 *Scope.* This Regulation applies to any person engaging in any productive industry within the supervision of the Department.

SECTION 2 – DEFINITIONS

- 2.1 *Commissioner.* The Commissioner of Labor and Industry or his authorized representative.
- 2.2 *Department.* The Department of Labor and Industry.
- 2.3 *Person.* Any natural person, partnership, firm, association or corporation.

SECTION 3 – GENERAL REQUIREMENTS

- 3.1 Any productive industry coming within the supervision of the Department shall be subject to the requirements of registration set forth in this Regulation. Any person engaging in such an industry shall cause it to be registered before the commencement of business.
- 3.2 A Notice of Registration shall always be displayed in a prominent place in the premises occupied by the registrant.
- 3.3 A Notice of Registration is neither amendable nor transferable.
- 3.4 Any change in the name or address of a registrant will necessitate reregistration. The addition to or the deletion from the name of a registrant of the words "Company, Corporation or Incorporated" will not be deemed to be a change in the name.
- 3.5 Every location at which a person engages in a productive industry must be individually registered. All contiguous facilities of such an industry shall be deemed registered under a single Notice of Registration.
- 3.6 An inspection of the premises by the Commissioner will be made in all instances before a Notice of Registration is issued.
- 3.7 Issuance of a Notice of Registration does not constitute approval of occupancy or indicate compliance with Chapter 6 of Title 34 of the Revised Statutes of New Jersey.

SECTION 4 - PRODUCTIVE INDUSTRIES

4.1 For the purpose of registration in accordance with this Regulation the term productive industry shall include the following:

(A) Every factory, workshop, mill or place where the manufacture of goods of any kind is carried on; in addition to all other factories, workshops, mills and places where the manufacture of goods of any kind is carried on, the following, for the purpose of this Regulation shall come within this defining clause:

- (1) Electric generating stations and gas manufacturing plants;
- (2) Bakeries and confectioneries part or all of whose product is removed from the premises for sale elsewhere to the ultimate consumer
- (3) Industrial research establishments which:
 - (a) employ laboratory scale operations essentially similar in nature to larger scale industrial processes; or
 - (b) employ "pilot plant" operations which duplicate in nature and perhaps in size large scale industrial processes in use or contemplated for use, and which are constructed for the purpose of product or process research; or
 - (c) make, synthesize or substantially alter any product, article or substance for use in further research for experimental test purposes.

(B) Commercial laundries

(C) Newspaper plants

4.2 The term "Productive Industry" includes only those establishments having one or more employees. For the purposes of this section, corporation officers are considered to be employees whereas partners or individual owners are not.

SECTION 5 – REGISTRATION APPLICATION

- 5.1 Application for Notice of Registration must be made in quadruplicate on Form ES-5 provided by the Bureau of Engineering and Safety of the Department.
- 5.2 Applications must be typewritten or neatly and legibly printed in ink. All applications must be fully completed and signed by the person authorized to apply.
- 5.3 The fee for registration is five dollars (\$5.00). Remittance shall accompany the application forms. No annual renewal fee will be charged. Evidence that the applicant has secured workmen's compensation insurance or has provided for his insurance in accordance with the provisions of Revised Statutes 34:15-77 will be part of the information required to be provided by the applicant for a Notice of Registration.
- 5.4 In case of loss or defacement of a Notice of Registration a duplicate copy will be supplied on written request. The fee for such duplicate is two dollars (\$2.00). The fee should accompany the request.
- 5.5 All fees for registration shall be in the form of a check or money order made payable to the Commissioner of Labor and Industry. No risk will be assumed by the Department for loss in transmission of fee.
- 5.6 All correspondence relative to the registration of an establishment shall be addressed to the Bureau of Engineering and Safety, Department of Labor and Industry, 29 East Front Street, Trenton, New Jersey.

APPENDIX

This appendix is not to be construed as being a part of Regulation No. 13. Its purpose is to provide helpful information only.

Establishments not presently required to comply with the requirements of Regulation No. 13 include the following:

- (a) garages
- (b) bottling plants when only the finished article is placed in bottles
- (c) tire re-capping plants
- (d) milk plants engaged in pasteurization and distribution only
- (e) dry cleaning establishments
- (f) drum cleaning plants (cooperage)
- (g) vegetable packing plants
- (h) merchant tailors
- (i) paper and rag sorting plants
- (j) scrap metal dealers
- (k) steel storage and sale (stock only)
- (l) box lunch firms
- (m) linen supply firms
- (n) frozen meat and vegetable packing plants
- (o) wholesale lumber companies if no millwork performed
- (p) transit mix plants (concrete)