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# NJDOL Cites PA Subcontractor for Wage Violations on NJ Public Works Project

## FOR IMMEDIATE RELEASE

September 15, 2021

**TRENTON** – A New Jersey Department of Labor and Workforce Development (NJDOL) investigation found that Bensalem-based subcontractor Men of Steel was in violation of New Jersey prevailing wage and worker misclassification laws while fabricating custom parts for a public works project.

The investigation resulted from a complaint alleging that custom fabrication work performed at Men of Steel’s New Jersey location was subject to the New Jersey Prevailing Wage Act. Men of Steel was hired by general contractor Railroad Posillico JV LLC of Paterson to build reinforcing steel cages for a Passaic Valley Sewerage Commission project in Newark.

As of March 2019, [per P.L. 2019, chapter 44](#), off-site fabrication of components to be used in public works projects are covered under state prevailing wage laws. An NJDOL audit of hours worked and payroll records revealed that, under this law, Men of Steel owed six workers a total of nearly \$8,300 in unpaid wages.

NJDOL agents also found that Men of Steel was not a registered New Jersey Public Works Contractor. The subcontractor was further cited for not indicating the craft contributed to the public works project, obstructing/hindering the enforcement of prevailing wage laws, and failure to provide certified payroll records to the public body, as stipulated under the [New Jersey Prevailing Wage Act](#).

“Our goal is to ensure that each worker is treated fairly at every level,” said Assistant Commissioner of Wage and Hour Compliance Joseph Petrecca. “I hope this case serves as a reminder to all public works contractors of their obligations under the law.”

In addition, the NJDOL discovered that two of the six affected workers were misclassified as independent contractors, after analysis under the [state’s ABC test](#).

As the general contractor of the project, Railroad Posillico JV LLC, an unregistered public works contractor, is also being investigated for hiring Men of Steel as an unregistered subcontractor.

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

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**NJ Labor Department**  
@NJLaborDept

An NJDOL investigation determined Bensalem-based subcontractor Men of Steel was in violation of NJ prevailing wage & worker misclassification laws while fabricating parts for a public works project. The company owed 6 workers \$8,300 in unpaid wages. Read [bit.ly/39bt69B](https://bit.ly/39bt69B)

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Department of Labor

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