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FOR IMMEDIATE RELEASE

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TRENTON – The New Jersey Department of Labor and Workforce Development (NJDOL) is returning more than \$2.2 million in back wages to 811 workers who were shortchanged by Swissport USA Inc., an international aviation company that provides various services at Newark Liberty International Airport. This case is NJDOL's first enforcement effort under the [Healthy Terminals Act](#), which was [signed into law in 2021](#) to create new minimum wage and benefits requirements for certain Newark Liberty International Airport and Newark Liberty International Train Station workers.

The investigation was prompted after NJDOL's Division of Wage and Hour Compliance received a handwritten letter signed by 19 Swissport workers stating they were not being paid the prevailing wage or supplemental health benefits rate they were entitled to under the Healthy Terminals Act, in addition to improper payment for all hours worked. Service Employees International Union (SEIU) Local 32-BJ also submitted a complaint to NJDOL on behalf of 35 Swissport workers.

"These workers are charged with ensuring safe operations at some of the busiest transport hubs in the world, and they deserve to be compensated and cared for appropriately for such an important job," said Labor Commissioner Robert Asaro-Angelo. "My appreciation and admiration go to the courageous workers who alerted NJDOL to the continuing violations of their rights, affecting positive change for all those impacted."

This case marks the third largest back wage settlement for the Department. In 2006, Raymour and Flanigan paid \$2.5 million to its workers and, the previous year, Nestle Waters North America paid \$3.6 million after being found liable by the state.

An audit was performed for September 2021 to September 2022, comparing information provided by Swissport to job duties described in interview with workers. Investigators found that Swissport did not pay the correct prevailing wage and corresponding health benefit rates to employees working at Newark Airport, as required by the Healthy Terminals Act, and determined Swissport to owe \$2,223,762 in back wages and liquidated damages. The company was also assessed \$53,515 in penalties and \$11,370 in fees. Violations included failing to pay prevailing wages and benefits to covered airport employees under the Healthy Terminals Act, uncompensated preliminary and postliminary shift time and other unpaid/late wages.

Swissport also conducted a self-audit for health and wellness benefits under the Healthy Terminals Act. Wage and Hour investigators verified this audit to ensure all workers received the correct amount. The company paid employees directly for these health benefits following the audit.

"This is a massive victory for everyone who works every day to keep EWR running," said Kim Ikner, 32BJ SEIU member and Swissport Cargo Worker. "Together with our union 32BJ, my fellow airport service workers fought to ensure the passage of the Healthy Terminals Act (HTA). We thank the New Jersey Department of Labor and Swissport for settling this case. To all airlines and their contractors seeking to do business at EWR: HTA is the law."

NJDOL's Wage and Hour division previously audited Swissport in 2021, resulting in violations for unpaid wages and overtime. As this was Swissport's second offense for unpaid wages, liquidated damages of \$24,841.98 were applied for the unpaid wages related to this issue.

Swissport operates in more than 200 airports worldwide, including about 50 in the United States, providing services such as ground services, passenger ticketing, baggage and cargo handling, aircraft support, and maintenance.

The Healthy Terminals Act prohibits employers from retaliating against any workers who inquire about or assert their workplace rights under the law. [Click here for more information on the Healthy Terminals Act.](#)

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

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Department of Labor

1 John Fitch Plz,

Trenton, NJ 08611