

A 4072 -- Redline

Introduced to Amended -- Establishes minimum qualifications for persons employed on public works contract.

Deletions ~~struck~~ · Insertions underlined

A4072 1R [First Reprint] ASSEMBLY, No.

MILLER District 4 (Atlantic, Camden and Gloucester) Assemblywoman ROSAURA "ROSY" BAGOLIE District 27 (Essex and Passaic) ~~-Senator~~ Co-Sponsored ~~JOHN by: J.~~

~~Assemblymen BURZICHELLI, Kearney, District Bailey, 3 Sampson, (Cumberland, Daniels, Gloucester, Angelozzi, Assemblywoman Speight, Assemblymen Stewart, Hutchison, Assemblywomen Morales, Drulis, Assemblymen Freiman, Moon, Assemblywomen Peterpaul, Donlon, Quijano, Assemblyman Egan, Assemblywomen Carter, Katz, Sweeney, Assemblyman G.Rodriguez, Assemblywomen Fantasia, Park, Assemblymen Inganamort and Stanley, Salem) Senator -BENJIE -E. SYNOPSIS Establishes minimum qualifications for persons employed on public works contract.~~

WIMBERLY CURRENT District VERSION 35 OF (Bergen, Essex and Passaic) As introduced, Co-Sponsored by: Assemblymen Kearney, Bailey, Sampson, Daniels, Angelozzi, Assemblywoman Speight, Assemblymen Stewart, Hutchison, Assemblywomen Morales, Drulis, Assemblymen Freiman, Moen, Assemblywomen Peterpaul, Donlon, Quijano, Assemblyman Egan, Assemblywomen Carter, Katz, Sweeney, Assemblyman G.Rodriguez, Assemblywomen Fantasia, Park, Assemblymen Inganamort, Stanley, Senators Schepisi, Greenstein, McKnight, A.M.Bucco, Singleton, B.Smith, Burgess, Diegnan, Singer, Timberlake, Tiver, Henry, Amato, Space, Turner and Mukherji SYNOPSIS Establishes minimum qualifications for persons employed on public works contract.

CURRENT VERSION OF TEXT As reported by the Senate Budget and Appropriations Committee on June 28, 2026, with amendments.

1. Section 5 of P.L.1999, c.238 (C.34:11-56.52) is amended to read as follows:

5. a. A contractor shall register electronically with the department on an online form provided by the commissioner. The form shall require the following information:

(1) The name, principal business address and telephone number of the contractor;

~~(2) (2) -Whether~~ Whether the contractor is a corporation, partnership, sole proprietorship, or other form of business entity;

~~(3) (3) -If~~ If the contractor's principal business address is not within the State, the name and address of the contractor's custodian of records and agent for service of process in this State;

~~(4) (4) -The~~ The name and address of each person with a financial interest in the contractor and the percentage interest, except that if the contractor is a publicly-traded corporation, the contractor shall supply the names and addresses of the corporation's officers;

~~(5) (5) -The~~ The contractor's tax identification number and unemployment insurance registration number;

~~(6) (6) -A~~ A certification form provided by the commissioner, with documentation satisfactory to the commissioner, that the contractor has all valid and effective licenses, registrations or certificates required by State law, including registrations or certifications required to do business in the State of New Jersey, and the contractor, if directly employing craftworkers, participates in a registered apprenticeship program as defined in section 3 of P.L.1999, c.238 (C.34:11-56.50) for each craft they employ;

and ~~—~~ (7) (7) -A certification form provided by the commissioner, with supporting documentation, establishing to the satisfaction of the commissioner that the registered apprenticeship program, as defined in section 3 of P.L.1999, c.238 (C.34:11-56.50), meets all of the requirements of section 6 of P.L.2021, c.423 (C.34:11-56.55a), and 29 C.F.R.

~~(a) (a) -If~~ If it is determined by the commissioner that a registered apprenticeship program in which the contractor participates does not meet all of the requirements of 29 C.F.R.

~~(b) (b) -The~~ The determination of the commissioner under this paragraph shall only impact the contractor's ability to obtain or maintain its public works contractor registration certificate under P.L.1999, c.238 (C.34:11-56.48 et seq.), and shall not affect the status of the registered apprenticeship program for the purpose of its continued operation in New Jersey;

~~(c) (c) -A~~ A determination by the commissioner under subparagraph (a) of this paragraph (7) that a registered apprenticeship program in which the contractor participates does not meet all of the requirements of 29 C.F.R.

[and] ~~—~~ (8) A certification form provided by the commissioner, with supporting documentation, establishing to the satisfaction of the commissioner that each journeyperson employed as a craft worker by the contractor in the performance of public work meets at least one of the following qualifications: s.29.5, for the craft or trade of the journeyperson that are equivalent to those of a United States Department of Labor registered apprenticeship program ~~that~~ if that is sponsored by a labor union or jointly sponsored with a labor union and an employer association, provided that the labor union is

signatory to a collective bargaining agreement that is or was the basis for a determination by the commissioner of the "prevailing wage," pursuant to section 6 of P.L.1963, c.150 ~~(C.34:11-56.30);~~ (C.34:11-56.30)] , provided that the craft worker is actively employed in the applicable craft or trade¹;

except that craft workers who are members of a labor union and are employed by an employer that is signatory to a collective bargaining agreement that is or was the basis for a determination by the commissioner of the "prevailing wage," pursuant to section 6 of P.L.1963, c.150 ~~(C.34:11-56.30);~~ (C.34:11-56.30) shall ~~or be~~ employed by an employer that is signatory to a collective bargaining agreement with a labor organization recognized under the qualifications "National Labor Relations Act," 29 U.S.C.

~~and s.151 et seq., Anywhere other such relevant agreement and provides appropriate for information participation as in determined one by or more jointly administered labor-management trust funds established pursuant to the commissioner.~~ "Labor Management Relations Act," 29 U.S.C.

~~s.186(c)(5) b. or At (6), the including time apprenticeship, of training, registration, pension, and health, subsequently or upon other request, employee the benefit contractor plans shall maintained submit in to accordance the with commissioner documentation demonstrating that the contractor "Employee has Retirement worker's Income compensation Security insurance Act coverage of for 1974," all 29 workers U.S.C. as required by law.~~

~~s.1001 et seq., regardless of whether such agreement was utilized in determining the prevailing wage¹ , shall be exempt from the qualifications of this paragraph;~~

~~and~~ (9) Any other relevant and appropriate information as determined by the commissioner.

~~b. At the time of registration, and subsequently upon request, the contractor shall submit to the commissioner documentation demonstrating that the contractor has worker's compensation insurance coverage for all workers as required by law.~~

P.L.2023, c.138, s.1) 2. This act shall take effect ~~90~~ 1[90 days days] one year¹ after the date of enactment.

~~STATEMENT This bill establishes minimum qualifications for persons employed through a public works contract.~~

~~Any contractor submitting a bid for a contract which is paid for in whole or in part out of the funds of a public body in this State will certify that each employee completing work established in the contract meets at least one of the following qualifications:~~

~~(1) has graduated from a registered apprenticeship program conforming with the federal standards of apprenticeship for the craft or trade of the journey person that are equivalent to those of a US Department of Labor registered apprenticeship program that is sponsored by a labor union or jointly sponsored with a labor union and an employer association, provided that the labor union is signatory to a collective bargaining agreement that is or was the basis for a determination by the Commissioner of Labor and Workforce Development of the prevailing wage;~~

~~or (2) has completed four years of documented work as a craft worker that can be verified by their pay records or through sworn statements of the craft worker and the employer or employers for whom the craft worker performed services during the four year period. Craft workers who are members of a labor union and are employed by an employer that is signatory to a collective bargaining agreement that is or was the basis for a determination by the Commissioner of Labor and Workforce Development of the prevailing wage will be exempt from the qualifications established in this bill.~~