

[Third Reprint]

SENATE, No. 2961

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MARCH 14, 2024

Sponsored by:

Senator JOHN J. BURZICHELLI

District 3 (Cumberland, Gloucester and Salem)

Senator BENJIE E. WIMBERLY

District 35 (Bergen and Passaic)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblywoman ANDREA KATZ

District 8 (Atlantic and Burlington)

Assemblywoman JESSICA RAMIREZ

District 32 (Hudson)

Co-Sponsored by:

Senators McKnight, Burgess, Assemblyman Sampson, Assemblywoman Hall, Assemblymen Miller, Hutchison, Assemblywomen Drulis, Simmons, Assemblymen Abdelaziz, Allen, Danielsen, Assemblywoman Morales, Assemblyman Singh, Assemblywomen Speight, Matsikoudis, Assemblymen Schnall, Bailey, Assemblywomen Murphy, Haider, Quijano, Assemblyman Freiman, Assemblywomen Park and Bagolie

SYNOPSIS

Establishes minimum qualifications for persons employed on public works contract.

CURRENT VERSION OF TEXT

As amended on January 12, 2026 by the Senate pursuant to the Governor's recommendations.

(Sponsorship Updated As Of: 6/30/2025)

1 AN ACT establishing minimum qualifications for persons employed
2 on a public works contract and amending P.L.1999, c.238.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 ¹[1. Section 5 of P.L.1999, c.238 (C.34:11-56.52) is amended to
8 read as follows:

9 5. a. A contractor shall register in writing with the department
10 on a form provided by the commissioner. The form shall require
11 the following information:

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

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

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

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

23 (5) The contractor's tax identification number and
24 unemployment insurance registration number;

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

33 (7) A certification form provided by the commissioner, with
34 supporting documentation, establishing to the satisfaction of the
35 commissioner that the registered apprenticeship program, as defined
36 in section 3 of P.L.1999, c.238 (C.34:11-56.50), meets all of the
37 requirements of section 6 of P.L.2021, c.423 (C.34:11-56.55a), and
38 29 C.F.R. ss.29.3, 29.4, 29.5, 29.6 and 29.7;

39 (a) If it is determined by the commissioner that a registered
40 apprenticeship program in which the contractor participates does
41 not meet all of the requirements of 29 C.F.R. ss.29.3, 29.4, 29.5,
42 29.6 and 29.7, that determination of the commissioner shall, subject
43 to the requirements of subsection b. of section 9 of P.L.1999, c.238
44 (C.34:11-56.56), including the contractor's right to request a
45 hearing, result in initial registration application denial, registration

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SSG committee amendments adopted June 17, 2024.

²Assembly floor amendments adopted June 30, 2025.

³Senate amendments adopted in accordance with Governor's
recommendations January 12, 2026.

1 renewal denial, revocation, or suspension of the certificate of
2 registration to perform public work in New Jersey;

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

9 (c) A determination by the commissioner under subparagraph (a)
10 of this paragraph (7) that a registered apprenticeship program in
11 which the contractor participates does not meet all of the
12 requirements of 29 C.F.R. ss. 29.3, 29.4, 29.5, 29.6 and 29.7 shall
13 result not only in initial registration application denial, registration
14 renewal denial, revocation or suspension of that contractor's
15 certificate of registration to perform public work in New Jersey, but
16 also shall result in the initial registration application denial,
17 registration renewal denial, revocation or suspension of every
18 contractor who is meeting the apprenticeship program participation
19 requirement through participation in the non-compliant registered
20 apprenticeship program; provided that any initial registration
21 application denial, registration renewal denial, revocation or
22 suspension shall be subject to the requirements of subsection b. of
23 section 9 of P.L.1999, c.238 (C.34:11-56.56), including the
24 contractor's right to request a hearing; **[and]**

25 (8) Certification that each employee completing work
26 established in the contract meets at least one of the following
27 qualifications: (1) has earned a high school or a General
28 Educational Development (GED) diploma; (2) is currently enrolled
29 in an apprenticeship program that is equivalent to the
30 apprenticeship standards of the building and construction trade
31 union that is specific to their craft; or (3) has completed four years
32 of documented work as a tradesperson that can be verified by their
33 tax filings; and

34 **[(8)] (9)** Any other relevant and appropriate information as
35 determined by the commissioner.

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

40 (cf: P.L.2021, c.423, s.1)**】¹**

41
42 ¹1. Section 5 of P.L.1999, c.238 (C.34:11-56.52) is amended to
43 read as follows:

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

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

- 1 (2) Whether the contractor is a corporation, partnership, sole
2 proprietorship, or other form of business entity;
- 3 (3) If the contractor's principal business address is not within the
4 State, the name and address of the contractor's custodian of records
5 and agent for service of process in this State;
- 6 (4) The name and address of each person with a financial
7 interest in the contractor and the percentage interest, except that if
8 the contractor is a publicly-traded corporation, the contractor shall
9 supply the names and addresses of the corporation's officers;
- 10 (5) The contractor's tax identification number and
11 unemployment insurance registration number;
- 12 (6) A certification form provided by the commissioner, with
13 documentation satisfactory to the commissioner, that the contractor
14 has all valid and effective licenses, registrations or certificates
15 required by State law, including registrations or certifications
16 required to do business in the State of New Jersey, and the
17 contractor, if directly employing craftworkers, participates in a
18 registered apprenticeship program as defined in section 3 of
19 P.L.1999, c.238 (C.34:11-56.50) for each craft they employ; and
- 20 (7) A certification form provided by the commissioner, with
21 supporting documentation, establishing to the satisfaction of the
22 commissioner that the registered apprenticeship program, as defined
23 in section 3 of P.L.1999, c.238 (C.34:11-56.50), meets all of the
24 requirements of section 6 of P.L.2021, c.423 (C.34:11-56.55a), and
25 29 C.F.R. ss.29.3, 29.4, 29.5, 29.6 and 29.7;
- 26 (a) If it is determined by the commissioner that a registered
27 apprenticeship program in which the contractor participates does
28 not meet all of the requirements of 29 C.F.R. ss.29.3, 29.4, 29.5,
29 29.6 and 29.7, that determination of the commissioner shall, subject
30 to the requirements of subsection b. of section 9 of P.L.1999, c.238
31 (C.34:11-56.56), including the contractor's right to request a
32 hearing, result in initial registration application denial, registration
33 renewal denial, revocation, or suspension of the certificate of
34 registration to perform public work in New Jersey;
- 35 (b) The determination of the commissioner under this paragraph
36 shall only impact the contractor's ability to obtain or maintain its
37 public works contractor registration certificate under P.L.1999,
38 c.238 (C.34:11-56.48 et seq.), and shall not affect the status of the
39 registered apprenticeship program for the purpose of its continued
40 operation in New Jersey;
- 41 (c) A determination by the commissioner under subparagraph (a)
42 of this paragraph (7) that a registered apprenticeship program in
43 which the contractor participates does not meet all of the
44 requirements of 29 C.F.R. ss. 29.3, 29.4, 29.5, 29.6 and 29.7 shall
45 result not only in initial registration application denial, registration
46 renewal denial, revocation or suspension of that contractor's
47 certificate of registration to perform public work in New Jersey, but
48 also shall result in the initial registration application denial,

1 registration renewal denial, revocation or suspension of every
 2 contractor who is meeting the apprenticeship program participation
 3 requirement through participation in the non-compliant registered
 4 apprenticeship program; provided that any initial registration
 5 application denial, registration renewal denial, revocation or
 6 suspension shall be subject to the requirements of subsection b. of
 7 section 9 of P.L.1999, c.238 (C.34:11-56.56), including the
 8 contractor's right to request a hearing; **[and]**

9 (8) ³**[Certification]** A certification form provided by the
 10 commissioner, with supporting documentation, establishing to the
 11 satisfaction of the commissioner³ that each ²**[employee]**
 12 journeyperson² ³**[completing work established in the contract]**
 13 employed as a craft worker by the contractor in the performance of
 14 public work³ meets at least one of the following qualifications:
 15 ³**[(1)]³ ²**[has earned a high school or a General Educational****
 16 Development (GED) diploma; (2) is currently enrolled in] ³**(a)**³ has
 17 graduated from² ³**[an]** a registered³ apprenticeship program ³**[that**
 18 is equivalent to the apprenticeship standards of the building and
 19 construction trade union that is specific to their craft] with
 20 “Standards of Apprenticeship,” 29 C.F.R. s.29.5, for the craft or
 21 trade of the journeyperson that are equivalent to those of a United
 22 States Department of Labor registered apprenticeship program that
 23 is sponsored by a labor union or jointly sponsored with a labor
 24 union and an employer association, provided that the labor union is
 25 signatory to a collective bargaining agreement that is or was the
 26 basis for a determination by the commissioner of the “prevailing
 27 wage,” pursuant to section 6 of P.L.1963, c.150 (C.34:11-56.30)³;
 28 or ²**[(3)] ³**[(2)]** (b)³ has completed four years of documented**
 29 work as a ³**[tradesperson]** craft worker³ that can be verified by their
 30 ³**[tax filings]** pay records or through sworn statements of the craft
 31 worker and the employer or employers for whom the craft worker
 32 performed services during the four year period; except that craft
 33 workers who are members of a labor union and are employed by an
 34 employer that is signatory to a collective bargaining agreement that
 35 is or was the basis for a determination by the commissioner of the
 36 “prevailing wage,” pursuant to section 6 of P.L.1963, c.150
 37 (C.34:11-56.30), shall be exempt from the qualifications of this
 38 paragraph³; and

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

41 b. At the time of registration, and subsequently upon request,
 42 the contractor shall submit to the commissioner documentation
 43 demonstrating that the contractor has worker's compensation
 44 insurance coverage for all workers as required by law.¹

45 (cf: P.L.2023, c.138, s.1)

46
 47 2. This act shall take effect 90 days after the date of enactment.