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ASSEMBLY, No. 4072

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED FEBRUARY 12, 2026

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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.

(Sponsorship Updated As Of: 6/30/2026)

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

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

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

(3) 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) 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) The contractor's tax identification number and unemployment insurance registration number;

(6) 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) 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. ss.29.3, 29.4, 29.5, 29.6 and 29.7;

(a) 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. ss.29.3, 29.4, 29.5, 29.6 and 29.7, that determination of the commissioner shall, subject to the requirements of subsection b. of section 9 of P.L.1999, c.238 (C.34:11-56.56), including the contractor's right to request a hearing, result in initial registration application denial, registration renewal denial, revocation, or suspension of the certificate of registration to perform public work in New Jersey;

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:
[1]Senate SBA committee amendments adopted June 28, 2026.

(b) 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) 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. ss. 29.3, 29.4, 29.5, 29.6 and 29.7 shall result not only in initial registration application denial, registration renewal denial, revocation or suspension of that contractor's certificate of registration to perform public work in New Jersey, but also shall result in the initial registration application denial, registration renewal denial, revocation or suspension of every contractor who is meeting the apprenticeship program participation requirement through participation in the non-compliant registered apprenticeship program; provided that any initial registration application denial, registration renewal denial, revocation or suspension shall be subject to the requirements of subsection b. of section 9 of P.L.1999, c.238 (C.34:11-56.56), including the contractor's right to request a hearing; **[**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: (a) has graduated from a registered apprenticeship program with "Standards of Apprenticeship," 29 C.F.R. 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 **[1]****[**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)**]** , provided that the craft worker is actively employed in the applicable craft or trade**[1]**; or (b) 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; 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) **[1]**or are employed by an employer that is signatory to a collective bargaining agreement with a labor organization recognized under the "National Labor Relations Act," 29 U.S.C. s.151 et seq., where such agreement provides for participation in one or more jointly administered labor-management trust funds

established pursuant to the "Labor Management Relations Act," 29 U.S.C. s.186(c)(5) or (6), including apprenticeship, training, pension, health, or other employee benefit plans maintained in accordance with the "Employee Retirement Income Security Act of 1974," 29 U.S.C. s.1001 et seq., regardless of whether such agreement was utilized in determining the prevailing wage[1] , 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.

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

2. This act shall take effect [1]**[**90 days**]** one year[1] after the date of enactment.