

SENATE, No. 4691

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED OCTOBER 1, 2026

Sponsored by:
Senator DOUGLAS J. STEINHARDT
District 23 (Hunterdon, Somerset and Warren)
Senator ANGELA V. MCKNIGHT
District 31 (Hudson)

SYNOPSIS

Modifies training wage for certain minor employees.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/1/2026)

1 AN ACT concerning the training wage and amending P.L.1966,
2 c.113.

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

6
7 1. Section 5 of P.L.1966, c.113 (C.34:11-56a4) is amended to
8 read as follows:

9 5. a. Except as provided in subsections c., d., e., g., and i. of this
10 section, each employer shall pay to each of his employees wages at
11 a rate of not less than \$8.85 per hour as of January 1, 2019 and, on
12 January 1 of 2020 and January 1 of each subsequent year, the
13 minimum wage shall be increased by any increase in the consumer
14 price index for all urban wage earners and clerical workers (CPI-W)
15 as calculated by the federal government for the 12 months prior to
16 the September 30 preceding that January 1, except that any of the
17 following rates shall apply if it exceeds the rate determined in
18 accordance with the applicable increase in the CPI-W for the
19 indicated year: on July 1, 2019, the minimum wage shall be \$10.00
20 per hour; on January 1, 2020, the minimum wage shall be \$11.00
21 per hour; and on January 1 of each year from 2021 to 2024,
22 inclusive, the minimum wage shall be increased from the rate of the
23 preceding year by \$1.00 per hour. If the federal minimum hourly
24 wage rate set by section 6 of the federal "Fair Labor Standards Act
25 of 1938" (29 U.S.C. s.206), or a successor federal law, is raised to a
26 level higher than the State minimum wage rate set by this
27 subsection, then the State minimum wage rate shall be increased to
28 the level of the federal minimum wage rate and subsequent
29 increases based on increases in the CPI-W pursuant to this section
30 shall be applied to the higher minimum wage rate. If an applicable
31 wage order has been issued by the commissioner under section 17
32 (C.34:11-56a16) of this act, the employer shall also pay not less
33 than the wages prescribed in said order. The wage rates fixed in
34 this section shall not be applicable to persons under the age of 18
35 not possessing a special vocational school graduate permit issued
36 pursuant to section 15 of P.L.1940, c.153 (C.34:2-21.15), or to
37 persons employed as salesmen of motor vehicles, or to persons
38 employed as outside salesmen as such terms shall be defined and
39 delimited in regulations adopted by the commissioner, or to persons
40 employed in a volunteer capacity and receiving only incidental
41 benefits at a county or other agricultural fair by a nonprofit or
42 religious corporation or a nonprofit or religious association which
43 conducts or participates in that fair.

44 b. (1) An employer shall also pay each employee not less than 1
45 1/2 times such employee's regular hourly rate for each hour of

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.

1 working time in excess of 40 hours in any week, except that this
2 overtime rate shall not apply: to any individual employed in a bona
3 fide executive, administrative, or professional capacity; or to
4 employees engaged to labor on a farm or employed in a hotel; or to
5 an employee of a common carrier of passengers by motor bus; or to
6 a limousine driver who is an employee of an employer engaged in
7 the business of operating limousines; or to employees engaged in
8 labor relative to the raising or care of livestock.

9 (2) Employees engaged on a piece-rate or regular hourly rate
10 basis to labor on a farm shall be paid for each day worked not less
11 than the applicable minimum hourly wage rate multiplied by the
12 total number of hours worked.

13 (3) Full-time students may be employed by the college or
14 university at which they are enrolled at not less than 85% of the
15 effective applicable minimum wage rate.

16 c. Employees of a small employer, and employees who are
17 engaged in seasonal employment, except for employees who
18 customarily and regularly receive gratuities or tips who shall be
19 subject to the provisions of subsections a. and d. of this section,
20 shall be paid \$8.85 per hour as of January 1, 2019 and, on January 1
21 of 2020 and January 1 of each subsequent year, that minimum wage
22 rate shall be increased by any increase in the consumer price index
23 for all urban wage earners and clerical workers (CPI-W) as
24 calculated by the federal government for the 12 months prior to the
25 September 30 preceding that January 1, except that any of the
26 following rates shall apply if it exceeds the rate determined in
27 accordance with the applicable increase in the CPI-W for the
28 indicated year: on January 1, 2020, the minimum wage shall be
29 \$10.30 per hour; and on January 1 of each year from 2021 to 2025,
30 inclusive, the minimum wage shall be increased from the rate of the
31 preceding year by eighty cents per hour, and, in 2026, the minimum
32 wage shall be increased from the rate of the preceding year by
33 seventy cents per hour, and, in each year from 2027 to 2028
34 inclusive, the minimum wage for employees subject to this
35 subsection c. shall be increased by the same amount as the increase
36 for employees subject to subsection a. of this section based on CPI-
37 W increases, plus one half of the difference between \$15.00 per
38 hour and the minimum wage in effect in 2026 for employees
39 pursuant to subsection a. of this section, so that, by 2028, the
40 minimum wage for employees subject to this subsection shall be the
41 same as the minimum wage in effect for employees subject to
42 subsection a. of this section. If the federal minimum hourly wage
43 rate set by section 6 of the federal "Fair Labor Standards Act of
44 1938" (29 U.S.C. s.206), or a successor federal law, is raised to a
45 level higher than the State minimum wage rate set by this
46 subsection, then the State minimum wage rate shall be increased to
47 the level of the federal minimum wage rate and subsequent

1 increases based on increases in the CPI-W pursuant to this
2 subsection shall be applied to the higher minimum wage rate.

3 d. Employees engaged on a piece-rate or regular hourly rate
4 basis to labor on a farm shall be paid \$8.85 per hour as of January
5 1, 2019 and, on January 1 of 2020 and January 1 of each subsequent
6 year, that minimum wage rate shall be increased by any increase in
7 the consumer price index for all urban wage earners and clerical
8 workers (CPI-W) as calculated by the federal government for the 12
9 months prior to the September 30 preceding that January 1, except
10 that any of the following rates shall apply if it exceeds the rate
11 determined in accordance with the applicable increase in the CPI-W
12 for the indicated year:

13 (1) on January 1, 2020, the minimum wage shall be \$10.30 per
14 hour; on January 1, 2022, the minimum wage shall be \$10.90 per
15 hour; and on January 1 of each year from 2023 to 2024, inclusive,
16 the minimum wage shall be increased from the rate of the preceding
17 year by eighty cents per hour; and

18 (2) subject to the provisions of paragraph (3) of this subsection
19 d., minimum wage rates shall be increased as follows: on January 1
20 of 2025, the minimum wage shall be increased to \$13.40, and on
21 January 1 of each year from 2026 to 2027, inclusive, the minimum
22 wage shall be increased from the rate of the preceding year by
23 eighty cents per hour, and, in each year from 2028 to 2030
24 inclusive, the minimum wage for employees subject to this
25 subsection d. shall be increased during that year by the same
26 amount as the increase in that year for employees subject to
27 subsection a. of this section based on CPI-W increases, plus one
28 third of the difference between \$15.00 per hour and the minimum
29 wage in effect in 2027 for employees pursuant to subsection a. of
30 this section, so that, by 2030, the minimum wage for employees
31 subject to this subsection shall be the same as the minimum wage in
32 effect for employees subject to subsection a. of this section.

33 (3) Not later than March 31, 2024, the commissioner and the
34 Secretary of Agriculture shall review the report issued by the
35 commissioner pursuant to subsection b. of section 4 of P.L.2019,
36 c.32 (C.34:11-56a4.10) and shall consider any information provided
37 by the secretary regarding the impact on farm employers and the
38 viability of the State's agricultural industry of the increases of the
39 minimum wage made pursuant to paragraph (1) of this subsection,
40 and the potential impact of the increases which would be set by
41 paragraph (2) of this subsection, including comparisons with the
42 wage rates in the agricultural industries in other states, and shall
43 recommend: approval of the increases set forth in paragraph (2) of
44 this subsection; disapproval of the increases set forth in paragraph
45 (2) of this subsection; or an alternative manner of changing the
46 minimum wage after 2024 for employees engaged on a piece-rate or
47 regular hourly rate basis to labor on a farm. In contemplation of the
48 possibility that the commissioner and the secretary are unable to

1 agree on the recommendation required by this paragraph, by
2 December 31, 2021, the Governor shall appoint a public member
3 subject to advice and consent by the Senate, who will serve as a tie-
4 breaking member if needed. The increases set forth in paragraph
5 (2) of this subsection shall take effect unless there is a
6 recommendation pursuant to this paragraph to disapprove the
7 increases or for an alternative manner of changing the minimum
8 wage after 2024 for employees engaged on a piece-rate or regular
9 hourly rate basis to labor on a farm and the Legislature, not later
10 than June 30, 2024, enacts a concurrent resolution approving the
11 implementation of that recommendation. Beginning in 2024, the
12 commissioner, secretary, and public member shall meet biennially
13 to make either a one or two year recommendation to the Legislature
14 for implementation by way of concurrent resolution.

15 (4) If the federal minimum hourly wage rate set by section 6 of
16 the federal "Fair Labor Standards Act of 1938" (29 U.S.C. s.206), or
17 a successor federal law, is raised to a level higher than the State
18 minimum wage rate set by this subsection, then the State minimum
19 wage rate shall be increased to the level of the federal minimum
20 wage rate and subsequent increases based on increases in the CPI-
21 W pursuant to this subsection shall be applied to the higher
22 minimum wage rate.

23 e. With respect to an employee who customarily and regularly
24 receives gratuities or tips, every employer is entitled to a credit for
25 the gratuities or tips received by the employee against the hourly
26 wage rate that would otherwise be paid to the employee pursuant to
27 subsection a. of this section of the following amounts: after
28 December 31, 2018 and before July 1, 2019, \$6.72 per hour; after
29 June 30, 2019 and before January 1, 2020, \$7.37 per hour; during
30 calendar years 2020, 2021 and 2022, \$7.87 per hour; during
31 calendar year 2023, \$8.87 per hour; and during calendar year 2024
32 and subsequent calendar years, \$9.87 per hour.

33 f. Notwithstanding the provisions of this section to the
34 contrary, every trucking industry employer shall pay to all drivers,
35 helpers, loaders and mechanics for whom the Secretary of
36 Transportation may prescribe maximum hours of work for the safe
37 operation of vehicles, pursuant to section 31502(b) of the federal
38 Motor Carrier Act, 49 U.S.C.s.31502(b), an overtime rate not less
39 than 1 1/2 times the minimum wage required pursuant to this
40 section and N.J.A.C. 12:56-3.1. Employees engaged in the trucking
41 industry shall be paid no less than the minimum wage rate as
42 provided in this section and N.J.A.C. 12:56-3.1. As used in this
43 section, "trucking industry employer" means any business or
44 establishment primarily operating for the purpose of conveying
45 property from one place to another by road or highway, including
46 the storage and warehousing of goods and property. Such an
47 employer shall also be subject to the jurisdiction of the Secretary of
48 Transportation pursuant to the federal Motor Carrier Act, 49

1 U.S.C.s.31501 et seq., whose employees are exempt under section
2 213(b)(1) of the federal "Fair Labor Standards Act of 1938," 29
3 U.S.C. s.213(b)(1), which provides an exemption to employees
4 regulated by section 207 of the federal "Fair Labor Standards Act of
5 1938," 29 U.S.C. s.207, and the Interstate Commerce Act, 49
6 U.S.C. s.501 et al.

7 g. Commencing on January 1, 2020, a training wage of not less
8 than 90 percent of the minimum wage rate otherwise set pursuant to
9 subsection a. of this section, or in the case of an employee who is
10 not less than 14 years of age and not more than 16 years of age, not
11 less than two-thirds of the minimum wage rate otherwise set
12 pursuant to subsection a. of this section, may be paid to an
13 employee who is enrolled in an established employer on-the-job or
14 other training program which meets standards set by regulations
15 adopted by the commissioner. The period during which an
16 employer may pay the training wage to the employee shall be the
17 first 120 hours of work after hiring the employee in employment in
18 an occupation in which the employee has no previous similar or
19 related experience. An employer shall not utilize any employee
20 paid the training wage in a manner which causes, induces,
21 encourages or assists any displacement or partial displacement of
22 any currently employed worker, including any previous recipient of
23 the training wage, by reducing hours of a currently employed
24 worker, replacing a current or laid off employee with a trainee, or
25 by relocating operations resulting in a loss of employment at a
26 previous workplace, or in a manner which replaces, supplants,
27 competes with or duplicates any approved apprenticeship program.
28 An employer who pays an employee a training wage shall make a
29 good faith effort to continue to employ the employee after the
30 period of the training wage expires and shall not hire the employee
31 at the training wage unless there is a reasonable expectation that
32 there will be regular employment, paying at or above the effective
33 minimum wage, for the trainee upon the successful completion of
34 the period of the training wage. If the commissioner determines
35 that an employer has made repeated, knowing violations of the
36 provisions of this subsection regarding the payment of a training
37 wage, the commissioner shall suspend the employer's right to pay a
38 training wage for a period set pursuant to regulations adopted by the
39 commissioner, but not less than three years.

40 h. The provisions of this section shall not be construed as
41 prohibiting any political subdivision of the State from adopting an
42 ordinance, resolution, regulation or rule, or entering into any
43 agreement, establishing any standard for vendors, contractors and
44 subcontractors of the subdivision regarding wage rates or overtime
45 compensation which is higher than the standards provided for in
46 this section, and no provision of any other State or federal law
47 establishing a minimum standard regarding wages or other terms
48 and conditions of employment shall be construed as preventing a

1 political subdivision of the State from adopting an ordinance,
2 resolution, regulation or rule, or entering into any agreement,
3 establishing a standard for vendors, contractors and subcontractors
4 of the subdivision which is higher than the State or federal law or
5 which otherwise provides greater protections or rights to employees
6 of the vendors, contractors and subcontractors of the subdivision,
7 unless the State or federal law expressly prohibits the subdivision
8 from adopting the ordinance, resolution, regulation or rule, or
9 entering into the agreement.

10 i. Effective on the first day of the second month next following
11 the effective date of P.L.2020, c.89 (C.30:4D-7cc et al.), the
12 minimum wage for long-term care facility direct care staff members
13 shall be in an amount that is \$3 higher than the prevailing minimum
14 wage established pursuant to subsection a. of this section.
15 (cf: P.L.2023, c.262, s.8)

16
17 2. This act shall take effect immediately.
18
19

20 STATEMENT
21

22 This bill modifies the training wage for certain minor employees.

23 Under the bill, an employer may pay a training wage of not less
24 than two-thirds of the minimum wage to an employee who is not
25 less than 14 years of age and not more than 16 years of age.

26 Under current law, employers may pay a training wage of not
27 less than 90 percent of the minimum wage to an employee enrolled
28 in an established employer on-the-job or other training program
29 which meets standards set by the Commissioner of Labor and
30 Workforce Development. The training wage may be paid only
31 during the employee's first 120 hours of work in an occupation in
32 which the employee has no previous similar or related experience.