

ASSEMBLY, No. 5087

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 25, 2019

Sponsored by:

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

**Assemblywomen Downey, Murphy, Assemblymen Karabinchak,
Chiaravalloti, Wirths, Space, Conaway and Assemblywoman Pinkin**

SYNOPSIS

Require business seeking to perform State contract to disclose certain labor and employment law violations.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/26/2019)

1 AN ACT requiring a business seeking to perform a State contract to
2 disclose certain labor and employment law violations and
3 supplementing Title 52 of the Revised Statutes.

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

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8 1. The Director of the Division of Purchase and Property, the
9 Director of the Division of Property Management and Construction,
10 and the head of any State agency having authority to contract for
11 the purchase of goods and services or for the construction of any
12 public work, shall require any bidder responding to a request for
13 proposal or any business entity responding to a solicitation of
14 interest or making an expression of interest with respect to the
15 awarding of any public contract when the cost or contract price
16 exceeds the amounts specified in section 2 of P.L.1954, c.48
17 (C.52:34-7) to provide information concerning all violations by that
18 bidder or business entity during the immediate two-year period of
19 any federal, State, or local labor or employment law or rule or
20 regulation, including, but not limited to, violations of the federal
21 Occupational Safety and Health Administration Act and the
22 National Labor Relations Act, the "New Jersey Employer-Employee
23 Relations Act," P.L.1941, c.100 (C.34:13A-1 et seq.), wage and
24 hour laws, and workers compensation laws. The directors or the
25 head of a State agency shall evaluate the seriousness of any
26 violations reported and, in the case of violations that represent a
27 significant threat to the health or safety of employees or that
28 demonstrate a disregard for the law, may disqualify that bidder or
29 business entity from pursuing the contract.

30 As used in this section,

31 "State agency" means any of the principal departments in the
32 Executive Branch of State government, and any division, board,
33 bureau, office, commission, or other instrumentality within or
34 created by such principal department, and any independent State
35 authority, commission, instrumentality, or agency.

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37 2. This act shall take effect immediately.

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STATEMENT

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42 This bill provides that a bidder or business entity seeking State
43 contracts will be required to disclose information concerning all
44 violations by that bidder or business entity during the immediately
45 preceding two-year period of any federal, State, or local labor or
46 employment law or rule or regulation. State agencies will evaluate
47 the seriousness of any violations reported and, in the case of

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- 1 violations that represent a significant threat to the health or safety
- 2 of employees or that demonstrate a disregard for the law, may
- 3 disqualify that bidder or business entity from pursuing the contract.