

SENATE LABOR COMMITTEE

STATEMENT TO

SENATE, No. 440

STATE OF NEW JERSEY

DATED: FEBRUARY 13, 2020

The Senate Labor Committee reports favorably Senate Bill No. 440.

This bill establishes, in the Department of Labor and Workforce Development, the Office of Labor Law Enforcement, charged with overseeing, evaluating, and coordinating enforcement activities of the department regarding violations of State labor laws.

The bill directs the Attorney General, upon a request by the Commissioner of Labor and Workforce Development, to assign one or more deputy attorneys general to represent the department in proceedings regarding State labor law violations, with the assigned deputy attorneys general co-located in department facilities with department personnel engaged in labor law enforcement.

The department is required to issue and make public an annual report regarding the office which includes, for each labor law, a summary of enforcement activities, the number of deputy attorneys general and department personnel dedicated to enforcement, personnel costs, the amount of penalties and other revenues collected, and what portion of the revenues are expended on enforcement. The report shall include an analysis of, and recommendations regarding, any changes needed in the number of personnel, including the number of assigned deputy attorneys general, for the enforcement of each law. The bill requires that recommendations in the report be taken into consideration by the Governor in the development of the State budget for the following fiscal year.

The bill requires that all sums collected as fines or penalties pursuant to State labor laws be applied to costs of enforcement and administration of those laws, including expenses of the Office of Labor Law Enforcement.

“State labor laws” are defined as all laws administered by the department that concern standards regarding wages and other terms and conditions of employment, and the financing and provision of benefits or insurance for workers.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.