

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

Andres Pareja, President and Individually, and ALI Electrical Contractor, Inc. 211 Patricia Ave Colonia NJ 07067

April 19, 2022

Re: PC-147-0422-ROM
Renovations of Hut Building
Renovations of Hut Building
Brough of North Arlington

Dear Andres Pareja:

The Wage and Hour Division and Contract Compliance conducted an inspection of your firm. It has been determined you are in violation of Title 34 which provides that any person who violates any provision of the New Jersey Wage and Hour Law or regulations may be prosecuted, fined, and/or penalized. In addition, the Commissioner of Labor and Workforce Development has the authority to assess administrative fees based on the amount of back wages, liquidated damages, and misclassification penalty assessed. As a result of our inspection, you may be liable for a Penalty or both a Penalty and Administrative Fee.

Under the provisions of N.J.S.A. 34:11-4.1, an employer is any individual, partnership, association, joint stock company, trust, corporation, the administrator or executor of the estate of a deceased individual, or the receiver, trustee, or successor of any of the same, employing any person in this State. For the purposes of this act, the officers of a corporation and any agents having the management of such corporation shall be deemed to be the employers of the employees of the corporation.

Total Monies Due Employees: These monies are due directly to Employees.

Back Wages: If back wages are assessed, the gross back wages due amount is listed on the attached Monies Due Employees Form. Gross back wages are subject to tax deductions.

Liquidated Damages: If liquidated damages are assessed, the amount is listed on the attached Monies Due Employees Form. Liquidated Damages cannot exceed 200% of gross back wages due and are <u>not</u> subject to tax deductions.

Misclassification Penalty: Pursuant to N.J.S.A. 34:1A-1.18, a misclassification penalty is assessed for each worker not properly classified as an employee. If a misclassification penalty is assessed, the amount is listed on the attached Monies Due Employees Form. The penalty is based up to 5% of the misclassified worker's gross back wages for the past 12 months and is <u>not</u> subject to tax deductions.

Administrative Fee: If back wages, liquidated damages or misclassification penalty are assessed, an administrative fee is due. The fee is equal to a percentage of total monies due employees and is based on your history of violations: 10% for the first violation, 18% for the second violation, and 25% for the third and subsequent violations.

<u>Penalty</u>: The attached Assessment Form provides a brief explanation of each violation, the section of law or regulation violated, and the penalty amount which has been assessed.

Respond to this Notice within 15 Days of the above Date:

- 1. If you are not contesting this assessment, complete the bottom section of the Assessment Form and submit payment within 15 days of the above date.
- 2. If you are contesting any portion of this assessment, you must submit a written request for a telephone conference. Complete the bottom section of the Assessment Form and return within 15 days of the above date. A Division Representative will contact you by telephone to hold an informal conference to discuss your case. If your case cannot be resolved over the telephone, we will schedule you for a hearing in Trenton and send you written notification regarding your hearing.

If you have questions contact this office Monday to Friday, 8:30 am to 4:30 pm.

cc: ZN Construction LLC

Sincerely,

Marc Goldberg, Section Chief Public Contracts Section 609-292-2259

Assessment Form

Case No. PC-147-0422-ROM ALI Electrical Contractor, Inc.

4/19/2022

Violation of New Jersey Statutes Annotated (N.J.S.A.) and/or New Jersey Administrative Code (N.J.A.C.):

• 10	add) of front dollary distributions and	•	•	
Failure to Pay Prevailing Wage		Citation No. 34:11-4.2 34:11-56.27 34:11-56.29 / 12:	\$5,500.0	0 (violation) 0 (11 ee's x \$500) 0 (11 ee's x \$250)
	Assessments:			
	Total Monies due Employees Back Wages \$26,16 Liquidated Damages \$0.00	\$26,168.47 88.47		
	Misclassification Penalty \$0.00 Administrative Fee (10% of Total Monie Penalty	\$2,616.85 \$8,500.00		
		Instructio	<u>ns</u>	
1.	1. Payment of Total Monies due Employees: Pay employees directly. For gross back wages due, provide employees with a statement of deductions. Any withholdings should be remitted to the proper taxing agencies. Liquidated Damages and Misclassification Penalty are not subject to tax deductions. Submit copies of all payments to employee (cancelled checks and corresponding statement of deductions to this office as proof of payment.			
If a former employee's check is returned to you as undeliverable, add "or Commissioner of LWD" after the name on the "Pay to the Order of" line. Forward the returned check and statement of deductions to the Wag Division and Contract Compliance to be held in trust for that employee. Include case number on check.				deductions to the wage and Hour
2.	Payment of Administrative Fee and/or Penalty: Make check payable to the Commissioner of Labor and Workforce Development. Include case number on check.			
3.	Check the appropriate box below: Mail completed forms, cancelled employee checks, corresponding statement o deductions, and payment to:			
	PC Tri	age and Hour Division 9 Box 389 enton, NJ 08625-0389 x (609) 695-1174	and Contract Compliance	
o o	I am submitting payment for the Adm employees directly as per the above corresponding statement of deductions agencies.	instructions I am s	silinmitting cobles of the	cancelled employee checks and
□	I am contesting the above Assessme (explain briefly):	nts and I am reques	ting a telephone confere	nce to discuss my case because
	•			
Prii	nt Name:		Phone:	
Title	e:		Fax:	
	nature:	Date:		
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Monies Due Employees Form

Andres Pareja, President and Individually, and ALI Electrical Contractor, Inc. 211 Patricia Ave Colonia NJ 07067

Case No. PC-147-0422-ROM 4/19/2022

If any employee's personal information is missing or incorrect, please provide missing information and/or make the necessary corrections. If the last four digits of the SSN is missing or incorrect, provide the entire SSN.

Pay employees directly. For gross back wages due, provide employees with a statement of deductions. Any withholdings should be remitted to the proper taxing agencies. Liquidated Damages and Misclassification Penalty are not subject to tax deductions. Submit copies of all payments to employee (cancelled checks) and corresponding statement of deductions to this office as proof of payment.

Employee Name and Mailing Address	SSN	Monies Due Employee
1. Employee No. 508892		Gross Back Wages: \$348.92 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$348.92
2. Employee No. 508893		Gross Back Wages: \$4,295.87 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$4,295.87
3. Employee No. 508894		Gross Back Wages: \$2,933.57 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monles Due: \$2,933.57
5. Employee No. 508895		Gross Back Wages: \$451.68 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$451.68
6. Employee No. 508896		Gross Back Wages: \$4,105.70 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$4,105.70
7. Employee No. 508897		Gross Back Wages: \$4,251.61 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$4,251.61
8. Employee No. 508898		Gross Back Wages: \$2,553.28 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$2,553.28

Employee Name and Mailing Address	SSN	Monies Due Employee	
9. Employee No. 508899		Gross Back Wages: \$1,244.80 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$1,244.80	
10. Employee No. 508900		Gross Back Wages: \$3,122.64 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$3,122.64	
11. Employee No. 508901		Gross Back Wages: \$2,237.60 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$2,237.60	
12. Employee No. 508902		Gross Back Wages: \$622.80 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$622.80	

Total Gross Back Wages Due: \$26,168.47

Total Liquidated Damages Due: \$0.00

Total Misclass Penalty Due: \$0.00

Total Monies Due Employees: \$26,168.47



DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

April 19, 2022

Irena Stojceski, President ZN Construction LLC 185 E. 54th Street Elmwood Park NJ 07407

Re: PC-147-0422-ROM
ALI Electrical Contractor, Inc.
Renovations of Hut Building
Renovations of Hut Building

Dear Irena Stojceski:

Please be advised that your subcontractor on the above-referenced public works project may be in violation of the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56,25 et seq.).

This office has conducted an inspection of the subcontractor's records, and the preliminary finding indicates possible violations. The subcontractor has not yet had the opportunity to respond to our preliminary findings, and a final determination will be made after all of the necessary information has been gathered. You are being advised of this matter because, as the general contractor on a public works project, you may be held liable for the attached assessment against your subcontractor, if your subcontractor fails to comply with the provisions of the Prevailing Wage Act.

If you have any questions or need additional information regarding this matter, do not hesitate to contact me. Lastly, if you have any information which you feel may be helpful in resolving or investigating this matter, please forward it to my attention immediately.

Sincerely,

Marc Goldberg, Section Chief Public Contracts Section 609-292-2259

Attachment: Assessment Letter to Subcontractor



New Jersey is an Equal Opportunity Employer



DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

April 19, 2022

Sonja Nikoloski, Member ZN Construction LLC 185 E. 54th Street Elmwood Park NJ 07407

Re: PC-147-0422-ROM
ALI Electrical Contractor, Inc.
Renovations of Hut Building
Renovations of Hut Building

Dear Sonja Nikoloski:

Please be advised that your subcontractor on the above-referenced public works project may be in violation of the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25 et seq.).

This office has conducted an inspection of the subcontractor's records, and the preliminary finding indicates possible violations. The subcontractor has not yet had the opportunity to respond to our preliminary findings, and a final determination will be made after all of the necessary information has been gathered. You are being advised of this matter because, as the general contractor on a public works project, you may be held liable for the attached assessment against your subcontractor, if your subcontractor fails to comply with the provisions of the Prevailing Wage Act.

If you have any questions or need additional information regarding this matter, do not hesitate to contact me. Lastly, if you have any information which you feel may be helpful in resolving or investigating this matter, please forward it to my attention immediately.

Sincerely,

Marc Goldberg, Section Chief Public Contracts Section 609-292-2259

Attachment: Assessment Letter to Subcontractor



New Jersey is an Equal Opportunity Employer



DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

April 19, 2022

Zanko Nikoloski, Vice-President ZN Construction LLC 185 E. 54th Street Elmwood Park NJ 07407

Re: PC-147-0422-ROM
ALI Electrical Contractor, Inc.
Renovations of Hut Building
Renovations of Hut Building

Dear Zanko Nikoloski:

Please be advised that your subcontractor on the above-referenced public works project may be in violation of the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25 et seq.).

This office has conducted an inspection of the subcontractor's records, and the preliminary finding indicates possible violations. The subcontractor has not yet had the opportunity to respond to our preliminary findings, and a final determination will be made after all of the necessary information has been gathered. You are being advised of this matter because, as the general contractor on a public works project, you may be held liable for the attached assessment against your subcontractor, if your subcontractor fails to comply with the provisions of the Prevailing Wage Act.

If you have any questions or need additional information regarding this matter, do not hesitate to contact me. Lastly, if you have any information which you feel may be helpful in resolving or investigating this matter, please forward it to my attention immediately.

Sincerely,

Marc Goldberg, Section Chief Public Contracts Section 609-292-2259

Attachment: Assessment Letter to Subcontractor

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New Jersey is an Equal Opportunity Employer



DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT P.O. BOX 389, TRENTON, NEW JERSEY 08625-0389

Vannesa Pareja, Treasurer and Individually, and ALI Electrical Contractor, Inc. 211 Patricia Ave Colonia NJ 07067 April 19, 2022

Re: PC-147-0422-ROM

Renovations of Hut Building Renovations of Hut Building Brough of North Arlington

Dear Vannesa Pareja:

The Wage and Hour Division and Contract Compliance conducted an inspection of your firm. It has been determined you are in violation of Title 34 which provides that any person who violates any provision of the New Jersey Wage and Hour Law or regulations may be prosecuted, fined, and/or penalized. In addition, the Commissioner of Labor and Workforce Development has the authority to assess administrative fees based on the amount of back wages, liquidated damages, and misclassification penalty assessed. As a result of our inspection, you may be liable for a Penalty or both a Penalty and Administrative Fee.

Under the provisions of N.J.S.A. 34:11-4.1, an employer is any individual, partnership, association, joint stock company, trust, corporation, the administrator or executor of the estate of a deceased individual, or the receiver, trustee, or successor of any of the same, employing any person in this State. For the purposes of this act, the officers of a corporation and any agents having the management of such corporation shall be deemed to be the employers of the employees of the corporation.

Total Monies Due Employees: These monies are due directly to Employees.

Back Wages: If back wages are assessed, the gross back wages due amount is listed on the attached Monies Due Employees Form. Gross back wages are subject to tax deductions.

Liquidated Damages: If liquidated damages are assessed, the amount is listed on the attached Monies Due Employees Form. Liquidated Damages cannot exceed 200% of gross back wages due and are <u>not</u> subject to tax deductions.

Misclassification Penalty: Pursuant to N.J.S.A. 34:1A-1.18, a misclassification penalty is assessed for each worker not properly classified as an employee. If a misclassification penalty is assessed, the amount is listed on the attached Monies Due Employees Form. The penalty is based up to 5% of the misclassified worker's gross back wages for the past 12 months and is **not** subject to tax deductions.

Administrative Fee: If back wages, liquidated damages or misclassification penalty are assessed, an administrative fee is due. The fee is equal to a percentage of total monies due employees and is based on your history of violations: 10% for the first violation, 18% for the second violation, and 25% for the third and subsequent violations.

<u>Penalty</u>: The attached Assessment Form provides a brief explanation of each violation, the section of law or regulation violated, and the penalty amount which has been assessed.

Respond to this Notice within 15 Days of the above Date:

- 1. If you are not contesting this assessment, complete the bottom section of the Assessment Form and submit payment within 15 days of the above date.
- 2. If you are contesting any portion of this assessment, you must submit a written request for a telephone conference. Complete the bottom section of the Assessment Form and return within 15 days of the above date. A Division Representative will contact you by telephone to hold an informal conference to discuss your case. If your case cannot be resolved over the telephone, we will schedule you for a hearing in Trenton and send you written notification regarding your hearing.

If you have questions contact this office Monday to Friday, 8:30 am to 4:30 pm.

cc: ZN Construction LLC

Sincerely,

Marc Goldberg, Section Chier Public Contracts Section 609-292-2259

<u>Assessment</u> Form

Case No. PC-147-0422-ROM

Signature:

ALI Electrical Contractor, Inc.

4/19/2022

Email:

Violation of New Jersey Statutes Annotated (N.J.S.A.) and/or New Jersey Administrative Code (N.J.A.C.):

Penalty Citation No. Violation \$250.00 (violation) 34:11-4.2 Unpaid Wages / Late Payment \$5.500.00 (11 ee's x \$500) 34:11-56.27 Failure to Pay Prevailing Wage \$2,750.00 (11 ee's x \$250) 34:11-56.29 / 12:60-2.1 Records - Inaccurate Certified Payroll Assessments: \$26,168.47 Total Monies due Employees \$26,168.47 **Back Wages** Liquidated Damages \$0.00 Misclassification Penalty \$0.00 Administrative Fee (10% of Total Monies) \$2,616.85 \$8,500.00 Penalty <u>Instructions</u> 1. Payment of Total Monies due Employees: Pay employees directly. For gross back wages due, provide employees with a statement of deductions. Any withholdings should be remitted to the proper taxing agencies. Liquidated Damages and Misclassification Penalty are not subject to tax deductions. Submit copies of all payments to employee (cancelled checks) and corresponding statement of deductions to this office as proof of payment. If a former employee's check is returned to you as undeliverable, add "...or Commissioner of LWD" after the employee's name on the "Pay to the Order of" line. Forward the returned check and statement of deductions to the Wage and Hour Division and Contract Compliance to be held in trust for that employee. Include case number on check. 2. Payment of Administrative Fee and/or Penalty: Make check payable to the Commissioner of Labor and Workforce Development, include case number on check. 3. Check the appropriate box below: Mail completed forms, cancelled employee checks, corresponding statement of deductions, and payment to: Wage and Hour Division and Contract Compliance PO Box 389 Trenton, NJ 08625-0389 Fax (609) 695-1174 ☐ I am submitting payment for the Administrative Fee and/or Penalty. If any monies are due employees, I have paid employees directly as per the above instructions. I am submitting copies of the cancelled employee checks and corresponding statement of deductions as proof of payment. Any withholdings have been remitted to the proper taxing agencies. ☐ I am contesting the above Assessments and I am requesting a telephone conference to discuss my case because (explain briefly): Phone: Print Name: _____

Date:

Monies Due Employees Form

Vannesa Pareja, Treasurer and Individually, and ALI Electrical Contractor, Inc. 211 Patricia Ave Colonia NJ 07067 Case No. PC-147-0422-ROM 4/19/2022

If any employee's personal information is missing or incorrect, please provide missing information and/or make the necessary corrections. If the last four digits of the SSN is missing or incorrect, provide the entire SSN.

Pay employees directly. For gross back wages due, provide employees with a statement of deductions. Any withholdings should be remitted to the proper taxing agencies. Liquidated Damages and Misclassification Penalty are not subject to tax deductions. Submit copies of all payments to employee (cancelled checks) and corresponding statement of deductions to this office as proof of payment.

Employee Name and Mailing Address	SSN	Monies Due Employee
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3. Employee No. 508894		Gross Back Wages: \$2,933.57 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$2,933.57
5. Employee No. 508895		Gross Back Wages: \$451.68 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$451.68
6. Employee No. 508896	2	Gross Back Wages: \$4,105.70 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$4,105.70
7. Employee No. 508897		Gross Back Wages: \$4,251.61 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$4,251.61
8. Employee No. 508898		Gross Back Wages: \$2,553.28 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$2,553.28

Employee Name and Mailing Address	SSN	Monies Due Employee
9.		Gross Back Wages: \$1,244.80 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00
Employee No. 508899		Total Monies Due: \$1,244.80
10. Employee No. 508900		Gross Back Wages: \$3,122.64 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$3,122.64
11. Employee No. 508901		Gross Back Wages: \$2,237.60 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$2,237.60
12. Employee No. 508902		Gross Back Wages: \$622.80 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$622.80

Total Gross Back Wages Due: \$26,168.47 Total Liquidated Damages Due: \$0.00

Total Misclass Penalty Due: \$0.00

Total Monies Due Employees: \$26,168.47

	Total Postage and Fees \$ Sent To Street and Apt. No., or PO Box No.	CEIPT Beat www.usps.com*, L51 5277 Posimark Here	017 2280 0002 2651 5244	For delivery information, visit our website at 70119 2280 0002 245 Certified Mail Fee S Extra Services & Fees (check box, add too as appropriate) [Return Receipt (hardcopy) \$ [Return Receipt (olectronic) \$ [Certified Mail Restricted Delivery \$ [Adult Signature Restricted Delivery \$ Postage \$ Total Postage and Fees \$ Sent To	www.usps.com*. 1 5246 Postmark Hore
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