



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PO BOX 389
TRENTON, NEW JERSEY 08625-0389

RECEIVED
10/15/18

Rajesh Shah, Vice-President and Individually, and
ALNA Construction Corp.
100 Plaza Center Suite 2
Secaucus NJ 07094

October 10, 2018

Re: PC-281-1018-GCA
Ann Klein Elementary School Additions Guttenberg
Additions and RENovations
Guttenberg Board of Education

Dear Rajesh Shah:

The Division of Wage and Hour Compliance conducted an inspection of your firm. It has been determined that 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 wages 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 s ers of the employees of the corporation.

Wages: If wages are assessed, the gross amount is listed

Question

Administrative Fee: If wages are assessed, an administrative fee is assessed based on your first violation, and 25% for the third and subsequent violations

to a percentage of the amount of wages assessed, 18% for the second violation, 18% for the second

Penalty: 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 Following the Receipt of the Notice:

- 1. If you are not contesting this assessment, complete the bottom section of the Assessment Form and submit payment within 15 days following the receipt of the notice.
2. If you are contesting any portion of this assessment, you must submit a written request for a hearing. Complete the bottom section of the Assessment Form and return within 15 days following the receipt of the notice. We will schedule you for a hearing in Trenton and send you written notification regarding your hearing.

If you have questions about completing the attached form(s), contact this office Monday to Friday, 8:30 am to 4:30 pm.

Sincerely,
[Handwritten Signature]

Kevin Triplett, Section Chief
Public Contracts Section
609-292-2259

Assessment Form

Case No. PC-281-1018-GCA

ALNA Construction Corp.

10/10/2018

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

Violation	Citation No.	Penalty
Unpaid Wages / Late Payment	34:11-4.2	5,000.00 ((violation))
Failure to Pay Prevailing Wage	34:11-56.27	10,000.00 ((violation))
Records - Inaccurate Certified Payroll	34:11-56.29 / 12:60-2.1	1,000.00 ((violation))

Assessments:

Wages	\$278,728.44
Administrative Fee (10% of Wages)	\$27,872.84
Penalty	\$16,000.00

Instructions

1. Payment of Wages: Pay employees directly and provide employees with a statement of deductions. Enter the deductions and net amount for each employee on the Wages Due Form. Submit copies of the cancelled employee checks and corresponding statement of deductions to this office as proof of payment. Any withholdings should be remitted to the proper taxing agencies.

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 Division of Wage and Hour Compliance to be held in trust for that employee. Include case number on each check.

2. Payment of the 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 and detach bottom portion of form. Mail completed forms, cancelled employee checks and corresponding statement of deductions, and payment to:

Division of Wage and Hour Compliance
PO Box 389
Trenton, NJ 08625-0389
Fax (609) 695-1174

-----X-----Detach and Return to Division of Wage and Hour Compliance-----X-----
Case No. PC-281-1018-GCA 10/10/2018

Rajesh Shah, Vice-President and Individually, and
ALNA Construction Corp.
100 Plaza Center Suite 2
Secaucus NJ 07094

I am submitting payment for the Administrative Fee and/or Penalty. If wages are due, I have paid employees directly and provided employees with a statement of deductions. I have completed the Wages Due Form listing the deductions and net amount for each employee. 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 Wages, Administrative Fee, and/or Penalty, and I am requesting a hearing to discuss my case because (explain briefly): *The employees in issue are not employed by Alna Construction Corp*

Print Name: Aaron C. Schlesinger, Esq.
Title: Counsel
Signature: [Signature] Date: 10/10/18

Phone: [Redacted]
Fax: [Redacted]
Email: [Redacted]



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PO BOX 389
TRENTON, NEW JERSEY 08625-0389

Salvatore Albanese, President and Individually, and
ALNA Construction Corp.
100 Plaza Center Suite 2
Secaucus NJ 07094

December 8, 2015

Re: PC-546-1015-MOR
Ann Klein Elementary School
Additions & Renovations
Guttenberg Board of Education

Dear Salvatore Albanese:

The Division of Wage and Hour Compliance conducted an inspection of your firm. It has been determined that you are in violation of Title 34 which provides that any person who violates any provision of the law or any regulation adopted under the law 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 wages due (Public Law 1991, Chapter 205 effective July 12, 1991). 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 purpose of this act, the officers of a corporation and any agents having the management of such corporation shall be deemed the employers of the employees of the corporation.

Penalty: 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.

Administrative Fee: If you are also being assessed an Administrative Fee, the fee is equal to a percentage of the amount of gross wages 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. If our records indicate that wages due employees have not yet been paid in full, a Wages Due Form is attached. You are required to enter the deductions and net amount.

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

1. If you do not wish to contest the Wages, Administrative Fee, and/or Penalty, complete the bottom section of the Assessment Form and submit payment within 15 days of the above date. If employee wages are still outstanding, you are responsible for making direct payment to each employee. Enter the deductions and net amount for each employee on the attached Wages Due Form and submit copies of the check(s) to this office.
2. If you wish to contest the Wages, Administrative Fee, and/or Penalty, complete the bottom section of the Assessment Form and return within 15 days of the above date. We will schedule you for a hearing in Trenton and send you written notification listing the date and time of the hearing.

If you have questions about completing the attached form(s), contact this office Monday to Friday, 8:30 am to 4:30 pm.

Sincerely,

Kevin Triplett, Section Chief
Public Contracts Section
609-292-2259

Assessment Form

12/8/2015

Case # PC-546-1015-MOR ALNA Construction Corp.

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

Violation	Citation No.	Penalty
Unpaid Wages / Late Payment	34:11-4.2	500.00 (2ees x 250)
Failure to Pay Prevailing Wage	34:11-56.27	500.00 (2ees x 250)
Amount(s) outstanding:		
Wages	\$479.86	
Administrative Fee (25% of Wages)	\$119.92	
Penalty	\$1,000.00	

-----DETACH AND RETURN TO:-----
 Division of Wage and Hour Compliance
 PO Box 389
 Trenton, NJ 08625-0389
 Fax (609) 695-1174

12/8/2015

Salvatore Albanese, President and Individually, and
ALNA Construction Corp.
100 Plaza Center Suite 2
Secaucus NJ 07094

Re: PC-546-1015-MOR

Instructions:

1. Payment of Wages Due - Pay employees direct. Enter the deductions and net amount for each employee on the attached Wages Due Form. Submit copies of the check(s) to this office.

If any employee checks are returned to you as undeliverable, forward those employee checks to the Division to be held in trust for that employee.

2. Payment of the Administrative Fee and Penalty - Make your check payable to the Commissioner of Labor and Workforce Development. include the above case number on all checks.
3. Check the appropriate box below and detach. Mail your remittance with this section of the form, the completed Wages Due Form (if applicable), and copies of employee checks (if applicable) to the address listed above.

I am submitting payment for the Administrative Fee and/or Penalty. If wages are still due employees, I have paid the employees directly. I have completed the Wages Due Form, and I am submitting copies of the employee checks.

I am contesting the Wages, Administrative Fee, and/or Penalty, and I am requesting a hearing because
 (explain briefly): FRANCISCO E. LIZARDO, HE WAS THE ONLY EMPLOYEE
 FOR THE LHR "ADDITIONAL" OVERTIME THAN WILLIAM KENNEDY
 ON 08/07/15. KENNEDY RATE NOT RECEIVED.

Print Name: SARAH J. SANTIAGO

Phone: ([REDACTED]) [REDACTED]

Title: CHIEF MANAGER

Fax: ([REDACTED]) [REDACTED]

Signature: [Handwritten Signature] Date: 01/04/16

E-Mail: [REDACTED]

01/04/16
10:55 AM

KEVIN TRIGETT

386

10th

DETACH AND RETURN TO:
Division of Wage and Hour Compliance
PO Box 389
Trenton, NJ 08625-0389
Fax (609) 695-1174

01/04/16
12/8/2015

Salvatore Albanese, President and Individually, and
ALNA Construction Corp.
100 Plaza Center Suite 2
Secaucus NJ 07094

Re: PC-546-1015-MOR

Instructions:

1. Payment of Wages Due - Pay employees direct. Enter the deductions and net amount for each employee on the attached Wages Due Form. Submit copies of the check(s) to this office.

If any employee checks are returned to you as undeliverable, forward those employee checks to the Division to be held in trust for that employee.
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3. Check the appropriate box below and detach. Mail your remittance with this section of the form, the completed Wages Due Form (if applicable), and copies of employee checks (if applicable) to the address listed above.

I am submitting payment for the Administrative Fee and/or Penalty. If wages are still due employees, I have paid the employees directly. I have completed the Wages Due Form, and I am submitting copies of the employee checks.

I am contesting the Wages, Administrative Fee, and/or Penalty, and I am requesting a hearing because (explain briefly):

FRANCISCO E. LIZARDO, HE WAS THE ONLY CARPENTER FOR THE LTR "ADDITIONAL" OVERTIME THAN WILLIAM KENNEDY ON 08/07/15. FOREMAN RATE NOT REQUIRED.

Print Name: SARAH J. SANTIAGO

Phone: (201) 866-0030

Title: CHIEF COMPLAINTS

Fax: (201) 866-1616

Signature: [Handwritten Signature]

Date: 01/04/16

E-Mail: 

Wages Due Form

Re: PC-546-1015-MOR

12/8/2015

ALNA Construction Corp.
100 Plaza Center Suite 2
Secaucus NJ 07094

Please complete and/or correct any information on this form. If employees have been paid (partially or in full), make the adjustments to the employee amount(s) and Grand Total on this form. The adjusted Grand Total amount due all employees on this Wages Due Form should equal the wages outstanding amount on the Assessment Form.

Pay your employee(s) directly for the net amount of wages due. Return this completed form with a copy of each employee check that you issued.

Print Name: SUAVEN J SANTIAGO Telephone #: (201) 866-0030

Title: OFFICE MANAGER Total Net Wages: \$ 364.34

Signature: [Handwritten Signature] Total # of Wage Checks: 1 Date: 12/31/15

Employee Name and Mailing Address	SS#	Gross Amount	Deductions	Net Amount
2. William P. Kennedy [Redacted] Employee No. 422199	XXX-XX-	\$465.12	100.78	364.34
3. Francisco E. Lizardo [Redacted] Employee No. 422200	XXX-XX-	\$14.54	CONTESTING	CONTESTING

Grand Total

479.66

Sharon

From: Chamberlain, Ashleigh [Ashleigh.Chamberlain@dol.nj.gov]
Sent: Monday, April 25, 2016 10:11 AM
To: sharon@alnaconstruction.com
Subject: Case# PC-546-1015-MOR (ALNA Construction Corp.)

Dear Ms. Santiago,

Your appeal of the above-referenced case has been forwarded to me for review.

Upon review of the case, I concur with your statement that employee Lizardo Francisco is not due the foreman rate, as was indicated on the wage audit. Adjusting the assessments accordingly reduces the administrative fee to \$116.28 and the penalty to \$500.00. Therefore, the revised assessment would be as follows:

Wages	\$ 465.12 (PAID)
Fee	\$ 116.28
<u>Penalty</u>	<u>\$ 500.00</u>
Total Due	\$ 616.28

Please confirm, by May 2, 2016, that you are in agreement with the above, at which time I will forward you a settlement letter, to memorialize the revisions. Payment will be due within 30 days.

Failing to receive a response to this e-mail, I will schedule the matter for an in-person conference.

Thank you.

Mr. Ashleigh Chamberlain, Hearing Officer
New Jersey Department of Labor and Workforce Development
Division of Wage and Hour Compliance
(609) 892-3360



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PO BOX 389
TRENTON, NEW JERSEY 08625-0389

Salvatore Albanese, President and Individually, and
ALNA Construction Corp.
100 Plaza Center Suite 2
Secaucus NJ 07094

December 7, 2015

Re: PC-525-1015-PCS
Ann Klein Elementary School
Additions and Renovations
Guttenberg Board of Education

Dear Salvatore Albanese:

The Division of Wage and Hour Compliance conducted an inspection of your firm. It has been determined that you are in violation of Title 34 which provides that any person who violates any provision of the law or any regulation adopted under the law 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 wages due (Public Law 1991, Chapter 205 effective July 12, 1991). 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 purpose of this act, the officers of a corporation and any agents having the management of such corporation shall be deemed the employers of the employees of the corporation.

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Administrative Fee: If you are also being assessed an Administrative Fee, the fee is equal to a percentage of the amount of gross wages 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. If our records indicate that wages due employees have not yet been paid in full, a Wages Due Form is attached. You are required to enter the deductions and net amount.

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

1. If you do not wish to contest the Wages, Administrative Fee, and/or Penalty, complete the bottom section of the Assessment Form and submit payment within 15 days of the above date. If employee wages are still outstanding, you are responsible for making direct payment to each employee. Enter the deductions and net amount for each employee on the attached Wages Due Form and submit copies of the check(s) to this office.
2. If you wish to contest the Wages, Administrative Fee, and/or Penalty, complete the bottom section of the Assessment Form and return within 15 days of the above date. We will schedule you for a hearing in Trenton and send you written notification listing the date and time of the hearing.

If you have questions about completing the attached form(s), contact this office Monday to Friday, 8:30 am to 4:30 pm.

Sincerely,

Kevin Triplett, Section Chief
Public Contracts Section
609-292-2259

Assessment Form

12/7/2015

Case # PC-525-1015-PCS ALNA Construction Corp.

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

Violation	Citation No.	Penalty
Contracted Unregistered Subcontractor Soil Safe, Inc.	34:11-56.51 / 12:62-2.1	1,500.00 (violation) 0.00 (unregistered)

Amount(s) outstanding:

Wages	\$0.00
Administrative Fee (0% of Wages)	\$0.00
Penalty	\$1,500.00

-----DETACH AND RETURN TO:-----
 Division of Wage and Hour Compliance
 PO Box 389
 Trenton, NJ 08625-0389
 Fax (609) 695-1174

12/7/2015

Salvatore Albanese, President and Individually, and
ALNA Construction Corp.
100 Plaza Center Suite 2
Secaucus NJ 07094

Re: PC-525-1015-PCS

Instructions:

1. Payment of Wages Due - Pay employees direct. Enter the deductions and net amount for each employee on the attached Wages Due Form. Submit copies of the check(s) to this office.

If any employee checks are returned to you as undeliverable, forward those employee checks to the Division to be held in trust for that employee.
2. Payment of the Administrative Fee and Penalty - Make your check payable to the Commissioner of Labor and Workforce Development. Include the above case number on all checks.
3. Check the appropriate box below and detach. Mail your remittance with this section of the form, the completed Wages Due Form (if applicable), and copies of employee checks (if applicable) to the address listed above.

I am submitting payment for the Administrative Fee and/or Penalty. If wages are still due employees, I have paid the employees directly. I have completed the Wages Due Form, and I am submitting copies of the employee checks.

I am contesting the Wages, Administrative Fee, and/or Penalty, and I am requesting a hearing because (explain briefly):

SOIL SAFE (CONTRACTOR) IS A FACILITY IN THE STATE OF MARYLAND WHICH
REMOVED A UNIT PRICE QUOTATION FOR PUMPING FEES OF CONTAMINATED SOIL.

Print Name: SALVATORE V. ALBANESE

Phone: (201) 866-0030

Title: PRESIDENT

Fax: (201) 866-1616

Signature:  Date: 12/10/15

E-Mail: SHAREN@ALNA.CONSTRUCTION.COM



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PO BOX 389
TRENTON, NEW JERSEY 08625-0389

Stephen Swentzel, President and individually, and
Sussex County Concrete & Masonry Contractors Corp
39 Green Road
Sparta NJ 07871

April 3, 2018

Re: PC-30-0118-KIS
Ann Klein Elementary School Additions Guttenberg
Additions and RENovations
Guttenberg Board of Education

Dear Stephen Swentzel:

The Division of Wage and Hour Compliance conducted an inspection of your firm. It has been determined that 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 wages 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.

Wages: If wages are assessed, the gross amount is listed on the attached Assessment Form.

Administrative Fee: If wages are assessed, an administrative fee is due. The fee is equal to a percentage of the amount of gross wages 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.

Penalty: 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 Following the Receipt of the Notice:

1. If you are not contesting this assessment, complete the bottom section of the Assessment Form and submit payment within 15 days following the receipt of the notice.
2. If you are contesting any portion of this assessment, you must submit a written request for a hearing. Complete the bottom section of the Assessment Form and return within 15 days following the receipt of the notice. We will schedule you for a hearing in Trenton and send you written notification regarding your hearing.

If you have questions about completing the attached form(s), contact this office Monday to Friday, 8:30 am to 4:30 pm.

cc: ALNA Construction Corp.

Sincerely,

Kevin Triplett, Section Chief
Public Contracts Section
609-292-2259

Assessment Form

Case No. PC-30-0118-KIS

Sussex County Concrete & Masonry Contractors Corp

4/3/2018

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

Violation	Citation No.	Penalty
Unpaid Wages / Late Payment	34:11-4.2	5,000.00 (violation)
Failure to Pay Prevailing Wage	34:11-56.27	10,000.00 (violation)
Records - Inaccurate Certified Payroll	34:11-56.29 / 12:60-2.1	1,000.00 (violation)

Assessments:

Wages	\$278,728.44
Administrative Fee (10% of Wages)	\$27,872.84
Penalty	\$16,000.00

Instructions

1. **Payment of Wages:** Pay employees directly and provide employees with a statement of deductions. Enter the deductions and net amount for each employee on the Wages Due Form. Submit copies of the cancelled employee checks and corresponding statement of deductions to this office as proof of payment. Any withholdings should be remitted to the proper taxing agencies.

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 Division of Wage and Hour Compliance to be held in trust for that employee. Include case number on each check.

2. **Payment of the 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 and detach bottom portion of form.** Mail completed forms, cancelled employee checks and corresponding statement of deductions, and payment to:

Division of Wage and Hour Compliance
PO Box 389
Trenton, NJ 08625-0389
Fax (609) 695-1174

-----><----- Detach and Return to Division of Wage and Hour Compliance -----><-----
Case No. PC-30-0118-KIS 4/3/2018

Stephen Swentzel, President and Individually, and
Sussex County Concrete & Masonry Contractors Corp
39 Green Road
Sparta NJ 07871

- I am submitting payment for the Administrative Fee and/or Penalty. If wages are due, I have paid employees directly and provided employees with a statement of deductions. I have completed the Wages Due Form listing the deductions and net amount for each employee. 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 Wages, Administrative Fee, and/or Penalty, and I am requesting a hearing to discuss my case because (explain briefly):

Print Name: _____

Phone: _____

Title: _____

Fax: _____

Signature: _____ Date: _____

Email: _____