

State of New Jersey

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lieutenant Governor

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

ROBERT ASARO-ANGELO
Commissioner

May 25, 2022

Ronald Bussey, President
Buzzy's Carpet, Inc.
P.O. Box 296
Jamesburg, NJ 08831

Case No.: PC-132-0322-LIP



Dear Ronald Bussey,

This will confirm the terms and conditions discussed and accepted in the course of our recent telephone/email conference on May 25, 2022

Initial Assessments

Accepted Assessments

Total Monies due Employees: \$0.00
Administrative Fees: \$0.00
Administrative Penalty: \$500.00

Total Monies due Employees: \$0.00
Administrative Fees: \$0.00
Administrative Penalty: \$250.00

The Division accepted these revisions based upon your explanation to correct deficiencies as well as good faith effort for future compliance. The firm agrees to submit payment to the Wage and Hour Division and Contract Compliance, PO Box 389, Trenton, New Jersey 08625-0389 on or before June 9, 2022. Include the above listed case number on the check and /or all correspondence.

This agreement has been reviewed and accepted by the Division with the understanding this matter will be regarded as a "prior offense" for the purposes of determining the appropriate penalty for any future violations. This agreement does not impair any worker's rights to pursue a claim for additional wages.

If the firm fails to comply with the above stated provisions, the Division specifically reserves the right to initiate appropriate procedures to compel payment of the original assessment.

Continued the next page.



WAGE AND HOUR DIVISION AND
CONTRACT COMPLIANCE

"Opportunity. Stability. Dignity."

New Jersey is an Equal Opportunity Employer
Printed on Recycled and Recyclable Paper



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Please include a copy of this notice with your payment. Be sure to indicate the case number on your payment.

Thank you for your cooperation in resolving this matter. If you have any questions or comments, please call me at 609-292-2259.

Sincerely,



Kenneth O'Connell
Senior Field Investigator
Division of Wage and Hour Compliance
PO Box 389
Trenton, NJ 08554
(609)292-2259



WAGE AND HOUR DIVISION AND
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AD-18-4D (2/21)



State of New Jersey

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

Ronald Bussey, President and Individually, and
Buzzy's Carpet, Inc.
PO Box 296
Jamesburg NJ 08831

May 9, 2022

Re: PC-132-0322-LIP
Carpet Replacement
Carpet Replacement
Spotswood Board of Education

Dear Ronald Bussey:

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 **not** 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.

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 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.

Assessment Form

Case No. PC-132-0322-LIP

Buzzy's Carpet, Inc.

5/9/2022

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

Violation	Citation No.	Penalty
Certified Payroll / Public Body	34:11-56.33 / 12:60-5.1(c)	\$500.00

Assessments:

Total Monies due Employees		\$0.00
Back Wages	\$0.00	
Liquidated Damages	\$0.00	
Misclassification Penalty	\$0.00	
Administrative Fee (0% of Total Monies)		\$0.00
Penalty		\$500.00

RECEIVED
 2022 MAY 18 AM 11:28
 DEPARTMENT OF TREASURY
 ADMINISTRATION & CONTRACTS

Instructions

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):

Print Name: Ronald Bussey
 Title: President
 Signature: _____
 Date: 5/13/22

Phone: _____
 Fax: _____
 Email: _____

On original letter from Sonia Mariscal dated 8/2/21 the projects for Certified payroll in question were Market BOE, West Windsor-Plainsboro + Birch Township. You have never requested paperwork on Spotswood Board of Education So not sure why we are receiving fines for Spotswood?



5-26-22

State of New Jersey

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

Ronald Bussey, President and Individually, and
Buzzy's Carpet, Inc.
PO Box 296
Jamesburg NJ 08831

May 9, 2022

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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.

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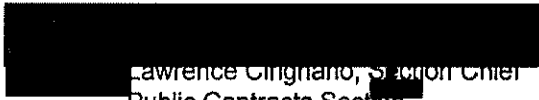
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If you have questions contact this office Monday to Friday, 8:30 am to 4:30 pm.

7019-2280-0002-2651-6472

Sincerely,



Lawrence Cinghiano, Section Chief
Public Contracts Section
609-292-2259

Assessment Form

Case No. PC-132-0322-LIP

Buzzy's Carpet, Inc.

5/9/2022

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Assessments:

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Back Wages	\$0.00
Liquidated Damages	\$0.00
Misclassification Penalty	\$0.00
Administrative Fee (0% of Total Monies)	\$0.00
Penalty	\$500.00

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- I am contesting the above Assessments and I am requesting a telephone conference to discuss my case because (explain briefly):

Print Name: _____

Phone: _____

Title: _____

Fax: _____

Signature: _____

Date: _____

Email: _____