

FIELD REPORT NOTES

Printed on: 3/31/2021

Field Report #: 156261

Trade Name: Ccc20 Llc

Employer #: 729756

Field Rep: Misclassification MCS

Entry Date and Notes

29-Mar-2021 9:34 am

Edward Romero

Narrative Report by Edward Romero

Company: CCC20 LLC.

Project: Various Private Construction

Reason for Inspection: Misclassification (improper classification of employees). This case goes along with claim number: 491122

Investigation:

A gross was given to [REDACTED] [REDACTED] was employed as a worker for CCC20LLC. (Exhibit A).

Findings:

- After a Microsoft Teams meeting with Tadeusz Citak owner of a list of questions were sent by email to be answered. (Exhibit B).
- Answers were mailed express by Tadeusz Citak. (Exhibit B).
- Citak explained that [REDACTED] was a helper who would be brought to jobs when Citak needed extra help. (Exhibit B).
- In order to determine the nature of the relationship between CCC20LLC. and [REDACTED] an ABC test was conducted.
- In one of the statements provided Tadeusz Citak explains that he is the person in charge of setting hours and telling workers where to go. CCC20LLC. therefore, fails the A prong of the ABC test because [REDACTED] was not free to set up his own schedule. (Exhibit B).
- CCC20LLC is a roofing contractor. [REDACTED] was hired a roofer. As listed on question 3 of the statement provided. CCC20LLC fails the B prong of the ABC test as they hired [REDACTED] to do the same work as CCC20LLC with no existing subcontract agreement in place. (Exhibit B)
- [REDACTED] explained that he did not own a company in his statement. He therefore does not advertise himself as a business. [REDACTED] worked exclusively for CCC20 LLC as shown by the time records that [REDACTED] kept. As a result, CCC20 LLC fails the C prong of the ABC test.
- In question 11 of the statement provided by Tadeusz Citak, he also explains that he often times paid [REDACTED] [REDACTED] as well as 5 other workers through not just checks, but also through cash app. This is also a sign of a misclassified worker. (Exhibit B).

Conclusion:

- Tadeusz Citak hired individuals to work for the company who were found to be employees, and not true independent contractors. CCC20 LLC Failed the ABC test along with the gross check provided by the claimant that the company is in violation of the State's Misclassification Law.

Violation:

- Misclassification (Improper classification of workers)- paying workers gross checks, and cash app payments. Failing of the ABC test.
- Misclassified Workers: 7

Total Notes: 1

FIELD REPORT NOTES

Printed on: 6/7/2022

Field Report #: 156259

Trade Name: CCC20, LLC

Employer #: 729756

Field Rep: Edward Romero

Entry Date and Notes

29-Mar-2021 9:20 am

Edward Romero

Narrative Report by Edward Romero

Company: CCC20 LLC.

Project: Various Private Construction

Reason for Inspection: Claimant: Failure to Pay Wages, Overtime, illegal Deductions,

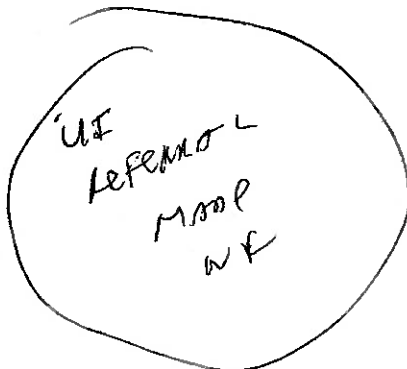
Initiation:

- On September 16, 2020, Claim Number #484233 was assigned.
- On September 16, 2020, the claimant [REDACTED] was contacted by phone. A permission to use name letter and employee questionnaire, were sent by text message. (Exhibit B).
- The original Claim initially claimed \$16,740, but it was determined over the phone that some of the projects the claimant worked on could not be investigated by the New Jersey Department of Labor because they were prevailing wage project occurring in the state of New York.
- The Claimant provided self-time records along with a bounce gross check made out by CCC20 LLC.
- The Claimant never received a statement of deductions.
- A letter of Acknowledgment of the claim was sent to the [REDACTED]

Findings:

- On October 5, 2020, a records request was sent to CCC20 LLC. Requesting records from December 5, 2019, to September 5, 2020. (Inside of Cover)
- On December 21, 2020, a meeting over Microsoft Teams was held with Tadeusz Citak and William Scrivens. Mr. Citak is the Owner of CCC20 LLC, and William his account.
- Tadeusz Citak explained that [REDACTED] was to be paid by a mix of personal checks and through cash app. (Exhibit B).
- After the meeting Tadeusz Citak emailed a statement explaining that William scrivens set-up a payroll for CCC20 LLC. (Exhibit B).
- All employer information was verified with Citak Tadeusz.
- Citak Explained in the signed statement that the company did not maintain records between January and July of 2020. Records were not created until William Scrivens created a payroll once CCC20 LLC was hired by Frank Cyrwus to work on a prevailing wage job. (Exhibit B).
- Bank statements were sent by Tadeusz Citak. These statements did not contain the payments that Tadeusz Citak claimed to have been made to [REDACTED] (Exhibit D)
- [REDACTED] did the majority of his work for CCC20 LLC before payroll was created.
- As a result of the only records that could be used to calculate an audit were [REDACTED] self-kept records.
- A further attempt to collect information by phone and email from Tadeusz Citak was made, but no responses were returned. Therefore, the company was cited for hindering the investigation. (Exhibit D).

Total Notes: 1



FIELD REPORT NOTES

Printed on: 6/7/2022

Field Report #: 156259

Trade Name: CCC20, LLC

Employer #: 729756

Field Rep: Edward Romero

Entry Date and Notes

29-Mar-2021 9:20 am

Edward Romero

A gross check was given to [REDACTED] [REDACTED] was employed as a worker for CCC20LLC. (Exhibit A).

Findings:

- After a Microsoft Teams meeting with Tadeusz Citak owner of a list of questions were sent by email to be answered. (Exhibit B).
- Answers were mailed express by Tadeusz Citak. (Exhibit B).
- Citak explained that [REDACTED] was a helper and would be brought to jobs when Citak needed extra help. (Exhibit B).
- In order to determine the nature of the relationship between CCC20LLC. and [REDACTED] an ABC test was conducted.
- In one of the statements provided Tadeusz Citak explains that he is the person in charge of setting hours and telling workers where to go. CCC20LLC. therefore, fails the A prong of the ABC test because [REDACTED] was not free to set up his own schedule. (Exhibit B).
- CCC20LLC is a roofing contractor. [REDACTED] was hired a roofer. As listed on question 3 of the statement provided. CCC20LLC fails the B prong of the ABC test as they hired [REDACTED] to do the same work as CCC20LLC with no existing subcontract agreement in place. (Exhibit B)
- [REDACTED] explained that he did not own a company in his statement. He therefore does not advertise himself as a business. [REDACTED] worked exclusively for CCC20 LLC as show by the time records that [REDACTED] kept. As a result, CCC20 LLC fails the C prong of the ABC test.
- In question 11 of the statement provide by Tadeusz Citak, he also explains that he often paid [REDACTED] through not just checks, but also through cash app. This is also a sign of a misclassified worker. (Exhibit B). Citak was not able to provide proof of payments made.

Conclusion:

Tadeusz Citak hired individuals to work for the company who were found to be employees, and not true independent contractors. CCC20 LLC Failed the ABC test along with the gross check provided by the claimant that the company is in violation of the State's Misclassification Law.

Conclusion:

- The audit conducted resulted in \$9,000 in Back wages. Firm provided no proof of payment to [REDACTED] Gross checks given, but they did not cash/checks bounced. (Exhibit A)
 - The audit was conducted by using [REDACTED] self-kept timesheets and the rate of pay he provided on the claim form. Using these two documents [REDACTED] weekly hours between Monday to Sunday were totaled and then multiplied by the number of regular hours he worked and the number of overtime hours he worked.
 - [REDACTED] claimed that illegal deductions occurred on his paystub, but CCC20 LLC did not maintain a payroll until After [REDACTED] left the company. Even then, the company only kept records for the time period they were on the E.L.S.A job. Due to this there was no way to identify if deductions were taken out of [REDACTED] pay. Neither the company nor [REDACTED] provided records showing otherwise.
 - No records Receipt was returned by the employer. So, an unsigned version has been placed in the file.
 - Sick time was not paid by the company as written in the employer statement. (Exhibit B)
 - Tadeusz Citak was not able to be informed of alleged violations as he no longer responded to emails or calls.
- NO 5% audit was conducted as [REDACTED] did not receive payment on the project, but an intention to misclassified was found due to the check provided by CCC20LLC. Also, work was done before July 1, 2020, so 5% audit cannot be calculated.

Violations:

- Late payment/ Non-payment-
- Records- no time and payroll records prior to July 2020.
- Overtime- no record of overtime paid

FIELD REPORT NOTES

Printed on: 6/7/2022

Field Report #: 156259

Trade Name: CCC20, LLC

Employer #: 729756

Field Rep: Edward Romero

Entry Date and Notes

- Sick time not Paid
 - Hinderance- not replying to call, emails, and letters for further information.
Misclassification (Improper classification of workers)- paying workers gross checks, and cash app payments.
- Failing of the ABC test.
Misclassified Workers: 1

Total Notes: 1

Assessment Letter Needed? Yes No
 Contractor Registration Status: Registered Not Registered
 Recommended for Revocation? Yes No

Company Name CCC20 LLC
 Street Address 208 N 9th St.
 City, State, Zip Newark, NJ 07107

Tadeusz Citak, Owner Claimant: Routine

Claim # 491122

Employer # 729756

Case # GE-386-0321-ROM

Work Done: Private Construction
 Location : Private Construction
 Public Body: Private Construction

Wages: \$9,000.00 5%: \$0.00
 Fees: \$900.00
 Penalties: \$6,500.00 Total: \$16,400.00

Case History Indicated Cause of Action
 See Attached: (conditions of debarment)
Improper Classification of a Construction Worker.

General Contractor? Yes No
 If No. Sub-Contractor to what company?

Recommended
 for Initial Notice of Debarment



 Toni M. Longo, Assistant Director Date 8/30/29



 David A. Biglin, Director Date



 Joseph Petrecca, Assistant Commissioner Date 09/02/22

Recommended
 for Criminal Justice Referral

Toni M. Longo, Assistant Director Date

David A. Biglin, Director Date

Joseph Petrecca, Asst. Comm'r Date



State of New Jersey

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

FINAL ORDER

New Jersey Department of Labor and Workforce Development

December 7, 2022

v.

Case No. GE-386-0321-ROM

Ivorie Easington, Owner and Individually, and
CCC20, LLC
208 N 9th
Newark NJ 07107-3720

On September 8, 2022 the Wage and Hour Division and Contract Compliance, pursuant to Public Law 1991, Chapter 205, issued formal notification assessing an administrative fee, penalty and/or total monies due employees, as cited below. Payment of the assessment by certified check or money order payable to the Commissioner of Labor and Workforce Development was to be received by the Wage and Hour Division and Contract Compliance, P. O. Box 389, Trenton, New Jersey 08625-0389 within fifteen (15) days of the notification.

Total Monies due Employees	\$9,000.00
Administrative Fee	\$900.00
Administrative Penalty	\$6,500.00

Failure to comply with this notice has resulted in a Final Administrative Order being entered against you;

Therefore, it is ORDERED that payment be made to the Commissioner of Labor and Workforce Development, Wage and Hour Division and Contract Compliance within ten (10) days of this order.

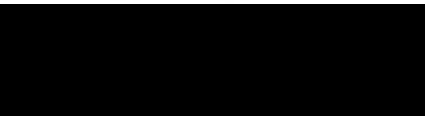
Further, failure to comply with this Final Administrative Order will result in a certified copy of the Final Order being filed with the Clerk of the Superior Court of New Jersey in Trenton, and further, pursuant to the Penalty Enforcement Act, P.L. 1999 C.274, the Commissioner of Labor and Workforce Development will obtain a judgment for the purpose of recovery of monies due plus costs and any other such relief as may be appropriate including total monies due employees, administrative penalties and administrative fees. The judgment will be enforced upon any of the defendant's real or personal property. Signed this December 7, 2022 pursuant to the authority herein vested in me by law.

Robert Asaro-Angelo, Commissioner
Department of Labor and Workforce Development

By:

David A. Biglin, Director
Wage and Hour Division and Contract Compliance

The undersigned does hereby certify that this is a true and correct copy of the original Final Order filed with the New Jersey Department of Labor and Workforce Development, Wage and Hour Division and Contract Compliance, P.O. Box 389, Trenton, New Jersey on December 7, 2022.


Marc Goldberg, Section Chief
Public Contracts Section
609-292-2259
609-695-1174 (Fax)



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE
DEVELOPMENT
PO BOX 389

December 7, 2022

Tadeusz Citak, Owner and Individually, and
CCC20, LLC
208 N 9th
Newark, NJ 07107-3720

Case Number/s: GE-386-0321-ROM

Dear Sir or Madam:

This Department has determined that, following an investigation and issuance of an assessment, you knowingly violated the provisions of N.J.S.A. 34:20-6 by: failing to properly classify an individual(s) as an employee in accordance with N.J.S.A. 34:20-4.

You and your firm were given notice, by letter dated September 8, 2022 of our intent to pursue collection of assessments of fees and penalties for the above case number. This matter was not resolved. Therefore, the name(s) of CCC20, LLC and Tadeusz Citak, Owner and Individually, shall be listed and kept on record as ineligible for public works contracts under the provisions of N.J.S.A. 34:11-56.37 and N.J.S.A. 34:11-56.38 of the New Jersey Prevailing Wage Act. No such contract shall be awarded to CCC20, LLC, or any individual listed herein this document or any company, firm, corporation, or partnership in which you have an interest until three years have elapsed from Date of Debarment.

Sincerely,
Robert Asaro-Angelo, Commissioner
Department of Labor and Workforce Development

By :
David A. Biglin, Director
Division of Wage and Hour Compliance

Certified Mail No : 7019 2280 0002 2647 5298
CERTIFIED & REGULAR MAIL



New Jersey is an Equal Opportunity Employer

SITE REPORT NOTES

Sites Rec #: 103562

Printed on: 6/7/2022

MW216 Field Rep.: Edward Romero

MW169 PC Field Rep.: Edward Romero

GC Trade Name: Frank Cyrwus Inc.

GC Employer #: 611460

Sub Trade Name: CCC20, LLC

Sub Employer #: 729756

Entry Date and Notes

29-Mar-2021 10:43 am Edward Romero

Narrative Report by Edward Romero

Company: CCC20LLC.

Project: Ewing-Lawrence Sewerage Authority- Roof Improvements Project

Reason for Inspection: routine opened during the investigation into CCC20LLC.

Findings:

- Prevailing Wage Applicable: Yes, Construction contract exist between the Ewing-Lawrence Sewerage Authority and Frank Cyrwus, Inc. The job description for this project is "Roof Improvement Project". The contract includes a Prevailing Wage Language sheet. (Exhibit C)
- Project was awarded on June 29, 2020, to Frank Cyrwus Inc. The price agreement is \$356,210. (Exhibit C)
- Subcontract Agreement exist between Frank Cyrwus and CCC20LLC for \$40,000. (Exhibit C).
- No site inspection conducted job site complete at time of claim.
- When records were received from CCC20 LLC in reference to the initial claim file by [REDACTED] time sheets were present that showed hours worked on a job site in Lawrenceville that included prevailing wages.
- When a Lookup was done on CCC20 LLC. the state's database on registered contractors showed that CCC20 LLC was not a registered contractor.
- Records were request from E.L.S.A, which were emailed. In the records were the contract, certifies, and other records pertaining to the work done in Lawrenceville. (Exhibit C&D)
- Rates were pulled from the Sate Wages Determination Sheet for Mercer County, June 9, 2020. The rates used were \$71.80 for journeyman roofers, and \$73.80 for a foreman roofer.
- During a meeting with CCC20 LLC. William Scrivens who is the bookkeeper for both CCC20 LLC and Frank Cyrwus, explained that CCC20LLC was hired as a sub-contractor to work on the ELSA project. This was later confirmed in a statement from Frank Cyrwus.
- To verify that CCC20LLC was hired a subcontractor, copies of the sub-contract agreement along with certified payrolls for CCC20LLC were requested. (Exhibit B)
- A Sub contractor agreement was given by email. (Exhibit C)
- The Sub-contract agreement was made for a total of \$40,000. (Exhibit B)
- Certified payrolls were also sent by William Scrivens. (Exhibit D)
- Upon review of the certified payrolls, all the CCC20LLC workers appeared on the certifies not as CCC20LLC workers, but as Frank Cyrwus workers.
- When Questions were sent to Frank Cyrwus to explain why this was the case Frank Cyrwus explained in question one that CCC20LLC was hired as a subcontractor, but that Frank Cyrwus was handing payroll for the company. (Exhibit B)
- Despite the fact the CCC20LLC workers on the certified payrolls were listed as Frank Cyrwus Inc. these employees showed up on CCC20LLC payrolls.
- Certifies show that CCC20LLC remained on the job until 10/18/20, when one CCC20LLC worker named [REDACTED] was kept on the job through December of 2020. From 10/19 to the end of December [REDACTED] would be paid as a Frank Cyrwus Inc. worker as he now appeared on their payroll.
- A review of bank statements to confirm that the check numbers on the payroll were paid out, indicates that none of the check were issued as no checks shows up on the bank statement matching those numbers. "Only a few check numbers do, and they were not cashed came up over drafted."
- Several attempts by mail, email, calls, and text were made to get proof, and a statement on the payments made on payrolls from Tadeusz Citak. None were returned by Citak. As a result, no payments were able to be verified.

Total Notes: 1

SITE REPORT NOTES

Sites Rec #: 103562

Printed on: 6/7/2022

MW216 Field Rep.: Edward Romero

MW169 PC Field Rep.: Edward Romero

GC Trade Name: Frank Cyrwus Inc.

GC Employer #: 611460

Sub Trade Name: CCC20, LLC

Sub Employer #: 729756

Entry Date and Notes

29-Mar-2021 10:44 am

Edward Romero

Conclusion:

- CCC20LLC was hired as a sub-contractor to install roofing.
- CCC20LLC was not a registered contractor in the state of New Jersey for public works. A separate case will be turned in on prime Frank Cyrwus for hiring an un-registered sub-contractor under case PC-64-0321-PCS.
- An audit was conducted where all workers for the duration of the project were given full payment of all hours worked on the site. Hours used in audit from certified payrolls. No overtime or weekend hours were worked. All hours worked at this site was Monday to Friday the one Sunday listed was a Monday worked. Audit and Certified Payrolls are in (Exhibit A)
- This was done as Tadeusz Citak because did not provide proof of payment for the amounts paid on the company's payroll.
- No fringe benefits calculation sheet was added to the file as the company did not pay benefits.
- No misclassification file was completed as no payments were made.
- employee questionnaires sent, no responses returned (exhibit B)
- claimant [REDACTED] is on GE audit GE-386-0321-ROM for wages due, but not on PC project as claimant provided no proof he worked on this project and firm states he worked on private jobs.

Violations:

- Failure to Register- CCC20LLC was not registered when the sub-contract agreement was agreed to.
- Failure to Pay Prevailing Wages.
- Records- Inaccurate wrong company name listed on certified payrolls, also payments that firm showed no proof of.
- Obstruction- Failure to provide further statement regarding payments made.
- Hindering- certified payrolls list payments firm showed no proof of payment on.
- Unpaid Wages/Late Payment

Total Notes: 1



12-29-22

State of New Jersey

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

December 07, 2022

Tadeusz Citak, Owner and Individually; and
CCC20, LLC
208 N 9th
Newark NJ 07107-3720

Public Works Jobsite(s):

PC-63-0321-ROM

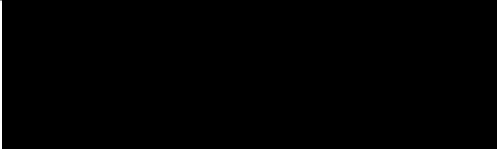
ELSA- Ewing Lawrence Sewerage Authority
Roof Improvements; Repairing Roof

Dear Sir or Madam:

It has been determined, after investigation, that CCC20, LLC and Tadeusz Citak, Owner and Individually failed to pay prevailing wages on the above referenced public work subject to the New Jersey Prevailing Wage Act.

You and your firm were given notice, by letter dated 09/08/2022 of our intended action and although you were afforded an opportunity to submit an appeal, you failed to request one. Therefore, the name(s) of CCC20, LLC and Tadeusz Citak, Owner and Individually shall be listed and kept on record as ineligible for public works contracts under the provisions of N.J.S.A. 34:11-56.37 and N.J.S.A. 34:11-56.38 of the New Jersey Prevailing Wage Act. No such contract shall be awarded to CCC20, LLC or any individual listed herein this document or any company, firm, corporation, or partnership in which you have an interest until three (3) years have elapsed from 12/07/2022.

Sincerely,
Robert Asaro-Angelo, Commissioner
Department of Labor and Workforce Development

By: 
David A. Biglin, Director
Division of Wage and Hour Compliance

CERTIFIED & REGULAR MAIL

Certified Mail No.: 7019 2280 0002 2647 5298

New Jersey is an Equal Opportunity Employer



DIVISION OF WAGE AND HOUR COMPLIANCE
(609) 292-2259 * FAX (609) 695-1174 * www.nj.gov/labor



State of New Jersey

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

FINAL ORDER

New Jersey Department of Labor and Workforce Development

December 7, 2022

v.

Ivorine Easington, Owner and Individually, and
CCC20, LLC
208 N 9th
Newark NJ 07107-3720

Case No. PC-63-0321-ROM
Roof Improvements
Repairing Roof
ELSA- Ewing Lawrence Sewerage Authority

On September 8, 2022 the Wage and Hour Division and Contract Compliance, pursuant to Public Law 1991, Chapter 205, issued formal notification assessing an administrative fee, penalty and/or total monies due employees, as cited below. Payment of the assessment by certified check or money order payable to the Commissioner of Labor and Workforce Development was to be received by the Wage and Hour Division and Contract Compliance, P. O. Box 389, Trenton, New Jersey 08625-0389 within fifteen (15) days of the notification.

Table with 2 columns: Description and Amount. Rows include Total Monies due Employees (\$35,964.80), Administrative Fee (\$3,596.48), and Administrative Penalty (\$20,000.00).

Failure to comply with this notice has resulted in a Final Administrative Order being entered against you;

Therefore, it is ORDERED that payment be made to the Commissioner of Labor and Workforce Development, Wage and Hour Division and Contract Compliance within ten (10) days of this order.

Further, failure to comply with this Final Administrative Order will result in a certified copy of the Final Order being filed with the Clerk of the Superior Court of New Jersey in Trenton, and further, pursuant to the Penalty Enforcement Act, P.L. 1999 C.274, the Commissioner of Labor and Workforce Development will obtain a judgment for the purpose of recovery of monies due plus costs and any other such relief as may be appropriate including total monies due employees, administrative penalties and administrative fees. The judgment will be enforced upon any of the defendant's real or personal property. Signed this December 7, 2022 pursuant to the authority herein vested in me by law.

Robert Asaro-Angelo, Commissioner
Department of Labor and Workforce Development
By:
David A. Biglin, Director
Wage and Hour Division and Contract Compliance

The undersigned does hereby certify that this is a true and correct copy of the original Final Order filed with the New Jersey Department of Labor and Workforce Development, Wage and Hour Division and Contract Compliance, P.O. Box 389, Trenton, New Jersey on December 7, 2022.

[Redacted Signature]
Marc Goldberg, Section Chief
Public Contracts Section
609-292-2259
609-695-1174 (Fax)



State of New Jersey

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

Tadeusz Citak, Owner and Individually, and
CCC20, LLC
208 N 9th
Newark NJ 07107-3720

September 8, 2022

Re: PC-63-0321-ROM
Roof Improvements
Repairing Roof
ELSA- Ewing Lawrence Sewerage Authority

Dear Tadeusz Citak:

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.

cc: Frank Cyrwus Inc.

Sincerely

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

7019.2280-0002-2585-8078

Assessment Form

Case No. PC-63-0321-ROM

CCC20, LLC

9/8/2022

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

Violation	Citation No.	Penalty
Unpaid Wages / Late Payment	34:11-4.2	\$250.00 (violation)
Failure to Pay Prevailing Wage	34:11-56.27	\$3,500.00 (7 ee's x \$500)
Records - Inaccurate Certified Payroll	34:11-56.29 / 12:60-2.1	\$1,750.00 (7 ee's x \$250)
Records / Obstruction	34:11-56.31	\$7,000.00 (7 ee's x \$1000)
Obstruction / Hindering	34:11-56.35	\$7,000.00 (7 ee's x \$1000)
Failure to Register	34:11-56.51	\$500.00 (violation)

Assessments:

Total Monies due Employees		\$35,964.80
Back Wages	\$35,964.80	
Liquidated Damages	\$0.00	
Misclassification Penalty	\$0.00	
Administrative Fee (10% of Total Monies)		\$3,596.48
Penalty		\$20,000.00

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: _____

Phone: _____

Title: _____

Fax: _____

Signature: _____

Date: _____

Email: _____

Monies Due Employees Form

Tadeusz Citak, Owner and Individually, and
CCC20, LLC
208 N 9th
Newark NJ 07107-3720

Case No. PC-63-0321-ROM
9/8/2022

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. [REDACTED] Employee No. 496408	XXX-XX-	Gross Back Wages: \$2,872.00 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$2,872.00
2. [REDACTED] Employee No. 496409	XXX-XX-____	Gross Back Wages: \$12,988.80 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$12,988.80
3. [REDACTED] Employee No. 496410	XXX-XX-	Gross Back Wages: \$4,882.40 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$4,882.40
4. [REDACTED] Employee No. 496411	XXX-XX-	Gross Back Wages: \$7,610.80 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$7,610.80
5. [REDACTED] Employee No. 496412	XXX-XX-	Gross Back Wages: \$2,872.00 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$2,872.00
6. [REDACTED] Employee No. 496413	XXX-XX-	Gross Back Wages: \$1,866.80 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$1,866.80
8. [REDACTED] Employee No. 496414	XXX-XX-	Gross Back Wages: \$2,872.00 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$2,872.00

Total Gross Back Wages Due: \$35,964.80

Total Liquidated Damages Due: \$0.00

Total Misclass Penalty Due: \$0.00

Total Monies Due Employees: \$35,964.80



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

September 8, 2022

Tadeusz Citak, Owner and Individually; and
CCC20, LLC
208 N 9th
Newark NJ 07107-3720

Public Works Jobsite(s):

PC-63-0321-ROM

ELSA- Ewing Lawrence Sewerage Authority
Roof Improvements; Repairing Roof

Dear Sir or Madam:

Pursuant to N.J.A.C. 12:60-7.4 of the New Jersey Prevailing Wage Regulations, you are hereby provided with a written notice of debarment as follows:

(1) Debarment is being considered against CCC20, LLC; and Tadeusz Citak, Owner and Individually.

(2a) N.J.S.A. 34:11-56.37 provides, "In the event that the commissioner shall determine, after investigation, that any contractor or subcontractor has failed to pay the prevailing wage he shall thereupon list and keep on record the name of such contractor or subcontractor and forthwith give notice by mail of such list to any public body who shall request the commissioner so to do. Where the person responsible denies that a failure to pay the prevailing wage has occurred, he shall have the right to apply to the commissioner for a hearing which must be afforded and a decision rendered within 48 hours of the request for a hearing. If the commissioner rules against the petitioning party he shall have the right to apply for injunctive relief in the Superior Court against the listing by the commissioner."

(2b) N.J.S.A. 34:11-56.38 provides, "The public body awarding any contract for public work, or otherwise undertaking any public work, or entering into a lease or agreement to lease pursuant to which public work is to be done, shall first ascertain from the commissioner the list of names of contractors or subcontractors who have failed to pay prevailing wages as determined in Section 13 of this act, and no contract shall be awarded to such contractor or subcontractor, or to any firm, corporation or partnership in which such contractor or subcontractor has an interest until three years have elapsed from the date of listing as determined in Section 13 of this act."

New Jersey Is An Equal Opportunity Employer



DIVISION OF WAGE AND HOUR COMPLIANCE
(609) 292-2259 * FAX (609) 695-1174 * www.nj.gov/labor

For purposes of this section, "interest" shall mean an interest in the firm, corporation or partnership bidding on, or performing public work, whether having the interest as an owner, partner, officer, manager, employee, agent, consultant or representative. The term may also include, but not be limited to, all instances in which the contractor or subcontractor listed by the commissioner under section 13 of this act has received payments, whether those payments are in the form of cash or any other form of compensation from the firm, corporation or partnership, or when the contractor or subcontractor listed by the commissioner under section 13 of this act has entered into any contract or agreement with the firm, corporation or partnership for services performed or to be performed, for services that have been or will be assigned or subletted, or for the sale, rental or lease of vehicles, tools, equipment or supplies during the period from the initiation of the proceedings under section 13 of this act against the contractor or subcontractor until three years have elapsed from the date that the contractor or subcontractor has been listed by the commissioner under section 13 of this act. The term "interest" shall not include shares held in a publicly traded corporation if the shares were not received as compensation after the initiation of proceedings under section 13 of this act from a firm, corporation or partnership bidding or performing public work.

A rebuttable presumption that a contractor or subcontractor listed by the commissioner under section 13 of this act has an interest in another firm, corporation or partnership may arise if the two share any of the following capacities or characteristics: (1) perform similar work within the same geographical area and within the same monetary range, (2) occupy the same premises, (3) have the same telephone number or fax number, (4) have the same email address or internet website, (5) employ substantially the same administrative employees, (6) utilize the same tools and equipment, (7) employ or engage the services of any listed person or persons involved in the direction or control of the other, or (8) list substantially the same work experience in order to obtain the requisite pre-qualification rating from the Department of Treasury, or any other entity, to participate in any public work.

If a rebuttable presumption has arisen that a contractor or subcontractor listed by the commissioner under section 13 of this act has an interest in another firm, corporation or partnership, the adversely affected contractor or subcontractor, including the firm, corporation or partnership, which would by virtue of a finding of "interest" be prevented under this section from being awarded public work, may request a hearing, which shall be conducted in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

(2c) N.J.A.C. 12:60 - 7.2 provides that "Interest" means an interest in the entity bidding or performing work on the public works project, whether as an owner, partner, officer, manager, employee, agent, consultant or representative. The term also includes, but is not limited to, all instances where the debarred contractor or subcontractor receives payments, whether cash or any other form of compensation, from any entity bidding or performing work on the public works project, or enters into any contracts or agreements with the entity bidding or performing work on the public works project for services performed, or to be performed, for contracts that have been or will be assigned or sublet, or for vehicles, tools, equipment or supplies that have been or will be sold, rented or leased during the period from the initiation of the debarment proceedings until the end of the term of the debarment period. "Interest," however, does not include shares held in a publicly traded corporation if the shares were not received as compensation after the initiation of debarment from an entity bidding or performing work on a public works project.

(3) The specific details of the violations are:

Case No(s): GE-386-0321-ROM, PC-63-0321-ROM

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

<u>Citation:</u>	<u>Citation No.</u>
Overtime Rate	34:11-56a4
Records - No Daily/Weekly Hours	34:11-56a20 / 12:56-4.1
Hindrance	34:11-56a22
Records - Earned Sick Leave	34:11D-6
Unpaid Wages / Late Payment	34:11-4.2
Failure to Pay Prevailing Wage	34:11-56.27
Records - Inaccurate Certified Payroll	34:11-56.29 / 12:60-2.1
Records / Obstruction	34:11-56.31
Obstruction / Hindering	34:11-56.35
Failure to Register	34:11-56.51
Improper Classification Construction Workers	34:20-5

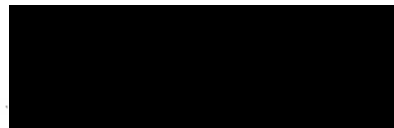
Wages Due:	\$44,964.80	All Case(s) as listed above
Fees Due:	\$4,496.48	All Case(s) as listed above
Penalty Due:	\$26,500.00	All Case(s) as listed above

(4a) You do have the right to a hearing to contest the foregoing if you so choose. If you want a hearing, you must submit written notification to the Commissioner requesting such a hearing within 15 days of the date of this notice of intent to debar. You should mail your request to the following address:

Division of Wage and Hour Compliance
Director's Office
PO Box 389
Trenton, New Jersey 08625-0389

(4b) If you request a hearing pursuant to (4a) above, it is the Department's intention that the following sequence of events may occur. First, a Conference which you should attend will be scheduled at the Department, at which time this case will be fully discussed with a hearing officer, and the discussion will include, but not be limited to, topics of resolution. If the conference fails to resolve the case, it is then referred to the Office of Administrative Law (OAL) for the purpose of scheduling and holding the requested Hearing. After the OAL receives the case, it assigns the case to an Administrative Law Judge (ALJ), who holds the hearing and renders an initial decision. Thereafter, the Commissioner of Labor makes a final decision, from which appeals may be taken to the Superior Court, Appellate Division.

Sincerely,



David A. Biglin, Director
Division of Wage and Hour Compliance

Enclosure(s)
Certified and Regular Mail

Certified Mail No.: 7019 2280 0002 2585 8061

Tracking Number:

Remove X

70192280000225858078

[Copy](#)

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 9:56 am on September 13, 2022 in NEWARK, NJ 07107.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Left with Individual

NEWARK, NJ 07107

September 13, 2022, 9:56 am

[See All Tracking History](#)

Feedback

Text & Email Updates



USPS Tracking Plus®



Product Information



[See Less ^](#)

Track Another Package

Enter tracking or barcode numbers



State of New Jersey

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

September 8, 2022

Tadeusz Citak, Owner and Individually, and
CCC20, LLC
208 N 9th
Newark NJ 07107-3720

Re: GE-386-0321-ROM

Dear Tadeusz Citak:

On December 21, 2020, 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.

Sincerely,

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

Assessment Form

9/8/2022

Case No. GE-386-0321-ROM CCC20, LLC

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

Violation	Citation No.	Penalty
Overtime Rate	34:11-56a4	\$1,000.00 (4 weeks x \$250)
Records - No Daily/Weekly Hours	34:11-56a20 / 12:56-4.1	\$250.00 (violation)
Hindrance	34:11-56a22	\$2,250.00 (1 wk x \$250/4 wks x \$500)
Records - Earned Sick Leave	34:11D-6	\$250.00 (violation)
Unpaid Wages / Late Payment	34:11-4.2	\$250.00 (violation)
Improper Classification Construction Workers	34:20-5	\$2,500.00 (1 EE x \$2500)

Assessments:

Total Monies due Employees	\$9,000.00
Back Wages	\$9,000.00
Liquidated Damages	\$0.00
Misclassification Penalty	\$0.00
Administrative Fee (10% of Total Monies)	\$900.00
Penalty	\$6,500.00

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: _____

Phone: _____

Title: _____

Fax: _____

Signature: _____

Date: _____

Email: _____

Monies Due Employees Form

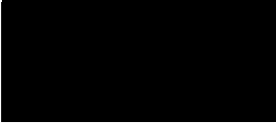
Tadeusz Citak, Owner and Individually, and
CCC20, LLC
308 N 9th
Newark NJ 07107-3720

Case No. GE-386-0321-ROM

9/8/2022

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. 491122	XXX-XX-____	Gross Back Wages: \$9,000.00 Liquidated Damages: \$0.00 Misclass Penalty: \$0.00 Total Monies Due: \$9,000.00

Total Gross Back Wages Due: \$9,000.00

Total Liquidated Damages Due: \$0.00

Total Misclass Penalty Due: \$0.00

Total Monies Due Employees: \$9,000.00



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

PHIL MURPHY
Governor

SHEILA OLIVER
Lieutenant Governor

ROBERT ASARO-ANGELO
Commissioner

September 8, 2022

Tadeusz Citak, Owner, Individually; and
CCC20 LLC
208 N 9th. St.
Newark, NJ 07107

CASE # GE-386-0321-ROM

Dear Sir or Madam:

This Department has determined that, following an investigation and issuance of an assessment, you knowingly violated the provisions of N.J.S.A. 34:20-6 by:

- 1) *failing to properly classify an individual(s) as an employee in accordance with N.J.S.A. 34:20-4, and;*
- 2) failing to pay required wages, benefits, taxes or other contributions, as set forth in N.J.S.A. 34:20-5, and/or;
- 3) having a final conviction and disposition of N.J.S.A. 34:20-5 in which you were found to be guilty of a crime of the second, third or fourth degree.
(italicized denotes provision violated)

As a result, the Department is required, pursuant to N.J.S.A. 34:20-6, to place you on a list of employers who are prohibited from contracting, directly or indirectly, with any public body for the construction of any public building or other public work projects, or from performing any work on the same, for a period of three years. The commissioner shall give notice by mail of that list to any public body who shall request the commissioner so to do.

You do have the right to a hearing to contest the foregoing if you so choose. If you want a hearing, you must submit written notification to the Commissioner requesting such a hearing within 15 days of the date of this notice. You should mail your request to the following address:

New Jersey Is An Equal Opportunity Employer



Printed on Recycled and Recyclable Paper

AD-18G (5-10)

September 8, 2022
CCC20 LLC

Page 2 of 2

Division of Wage and Hour Compliance
Director's Office
PO Box 389
Trenton, New Jersey 08625-0389

Alternatively, you may email your request to wage.hour@dol.nj.gov

If you request a hearing, it is the Department's intention that the following sequence of events may occur. First, a conference which you should attend will be scheduled at the Department, at which time this case will be fully discussed with a hearing officer, and the discussion will include, but not be limited to, topics of resolution. If the conference fails to resolve the case, it is then referred to the Office of Administrative Law (OAL) for the purpose of scheduling and holding the requested hearing. After the OAL receives the case, it assigns the case to an Administrative Law Judge (ALJ), who holds the hearing and renders an initial decision. Thereafter, the Commissioner of Labor and Workforce Development makes a final decision, from which appeals may be taken to the Superior Court, Appellate Division.

Sincerely,



David A. Biglin, Director
Division of Wage and Hour Compliance

Enclosure(s)

Certified and Regular Mail
Certified Mail No.: 7019 2280 0002 8061