

Rita Morante, Manager and Individually, and FOX FENCE ENTERPRISES INC. 417 Crooks Ave Clifton NJ 07011

February 21, 2024

Re: PC-26-0124-BOY

Fence Installation - School #5 - PO # 201724 Fence Installation - School #5 - PO # 201724 Winslow Township Board of Education

Dear Rita Morante:

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.

Sincerely,

Case No. PC-26-0124-BOY

Signature:

FOX FENCE ENTERPRISES INC.

2/21/2024

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

lialatian	Citation No.	Penalty
liolation lecords - Inaccurate Certified Payroll	34:11-56.29 / 12:60-2.1	\$1,000.00 (1 peoject x 1000)
cecords - maccurate Certified Payron Certified Payroll / Public Body	34:11-56.33 / 12:60-5.1(c)	\$1,000.00 (1 project x 1000)
refilled Fayron / Fability Body		
Assessments:		
Total Monies due Employees	\$0.00	
Back Wages \$0.0		
Liquidated Damages \$0.0		
Misclassification Penalty \$0.0	\$0.00	
Administrative Fee (0% of Total Monies)	\$2,000,00	
Penalty	Ψ2,000.00	
	<u>Instructions</u>	
a statement of deductions. Any with Misclassification Penalty are not subject and corresponding statement of deduction	nholdings should be remitted to the ect to tax deductions. Submit copie ns to this office as proof of payment.	or gross back wages due, provide employees with proper taxing agencies. Liquidated Damages and s of all payments to employee (cancelled checks)
If a former employee's check is reture to the Wage and Hour Division and check.	ned to you as undeliverable, forwa Contract Compliance to be held in	rd the returned check and statement of deductions trust for that employee. Include case number on
Payment of Administrative Fee and Development, include case number on cl	d/or Penalty: Make check payable heck.	e to the Commissioner of Labor and Workforce
Check the appropriate box below deductions, and payment to:	: Mail completed forms, cancelle	d employee checks, corresponding statement of
	Wage and Hour Division and Contract	Compliance
	PO Box 389	
	Trenton, NJ 08625-0389	
	Fax (609) 695-1174	
	ove instructions. I am submitting	If any monies are due employees, I have paid copies of the cancelled employee checks and sholdings have been remitted to the proper taxing
☐ I am contesting the above Assessr (explain briefly):	ments and I am requesting a tel	ephone conference to discuss my case because
Print Name:	Phone	9;
	_	
corresponding statement of deduction agencies. I am contesting the above Assessr	is as proof of payment. Any with ments and I am requesting a tel	ephone conference to discuss my case be

Date: _____ Email: ____



Silvia Tavarez, Treasurer and Individually, and FOX FENCE ENTERPRISES INC. 417 Crooks Ave Clifton NJ 07011

February 21, 2024

Re: PC-26-0124-BOY

Fence Installation - School #5 - PO # 201724 Fence Installation - School #5 - PO # 201724 Winslow Township Board of Education

Dear Silvia Tavarez:

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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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Sincerely,

Case No. PC-26-0124-BOY

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2/21/2024

Violation of New Jersey Statutes Annotated (N.	J.S.A.) and/or New Jersey Adminis	trative Code (N.J.A.C.):
Violation Records - Inaccurate Certified Payroll Certified Payroll / Public Body	Citation No. 34:11-56.29 / 12:60-2.1 34:11-56.33 / 12:60-5.1(c)	Penalty \$1,000.00 (1 peoject x 1000) \$1,000.00 (1 project x 1000)
Assessments:		
Total Monies due Employees Back Wages \$0.0 Liquidated Damages \$0.0 Misclassification Penalty \$0.0 Administrative Fee (0% of Total Monies)	0 \$0.00	
Penalty	\$2,000.00	
	<u>Instructions</u>	
a statement of deductions. Any with Misclassification Penalty are not subject and corresponding statement of deduction	sholdings should be remitted to ect to tax deductions. Submit const to this office as proof of payments.	
to the Wage and Hour Division and check.	Contract Compliance to be neig	rward the returned check and statement of deductions in trust for that employee. Include case number on
Development. Include case number on c	neck.	able to the Commissioner of Labor and Workforce
Check the appropriate box below deductions, and payment to:	: Mail completed forms, canc	elled employee checks, corresponding statement of
	Wage and Hour Division and Contr PO Box 389 Trenton, NJ 08625-0389 Fax (609) 695-1174	act Compliance
the ob-	ovo inetructions I am SUDMIII	ty. If any monies are due employees, I have paid ing copies of the cancelled employee checks and withholdings have been remitted to the proper taxing
I am contesting the above Assessi (explain briefly):	ments and I am requesting a	telephone conference to discuss my case because
Print Name:	Pt	none:
Title:	Fa	X:
Signature:	_	mail:



Rafael Tavarez, President and Individually, and FOX FENCE ENTERPRISES INC. 417 Crooks Ave Clifton NJ 07011

February 21, 2024

Re: PC-26-0124-BOY

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2/21/2024

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Assessments:		
Total Monies due Employees Back Wages \$0.6 Liquidated Damages \$0.6 Misclassification Penalty \$0.0 Administrative Fee (0% of Total Monies) Penalty	00	
	Instructions	
a statement of deductions. Any with Misclassification Penalty are not sub- and corresponding statement of deduction	thholdings should be remitted to to ject to tax deductions. Submit cop ons to this office as proof of payment.	
If a former employee's check is retu to the Wage and Hour Division and check.	<u>rrned to you as undeliverable,</u> forv Contract Compliance to be held i	vard the returned check and statement of deductions n trust for that employee. Include case number or
Development. Include case number on o	check.	ble to the Commissioner of Labor and Workforce
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	Wage and Hour Division and Contract PO Box 389 Trenton, NJ 08625-0389 Fax (609) 695-1174	ct Compliance
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☐ I am contesting the above Assess (explain briefly):	sments and I am requesting a f	elephone conference to discuss my case because
Print Name:	Pho	one:
Title:	Fax	
1110.		



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February 21, 2024

Re: PC-24-0124-BOY

Fence Installations (Multiple Schools) - PO # 203201 Fence Installations (Multiple Schools) - PO # 203201 Cherry Hill Township Board of Education

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Assessments:			
Total Monies due Employee Back Wages Liquidated Damages Misclassification Pena	\$0.00 \$0.00	\$0.00	
Administrative Fee (0% of T		\$0.00 \$2,000.00	
		<u>Instructions</u>	
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to the Wage and Hour check.	Division and Contra	ot Compliance to be neith	orward the returned check and statement of deductions in trust for that employee. Include case number on
Development, Include case	e number on check.		yable to the Commissioner of Labor and Workforce
3. Check the appropriate deductions, and payment	box below: Mai	I completed forms, can	celled employee checks, corresponding statement of
	PO Bo Trento	and Hour Division and Cont ix 389 n, NJ 08625-0389 09) 695-1174	ract Compliance
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I am contesting the a (explain briefly):	bove Assessments	and I am requesting a	telephone conference to discuss my case because
Print Name:		P	Phone:
Title:		F	ax:
Signature:	Da	ate: E	mail:



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February 21, 2024

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	Instructions	
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Print Name:	Phon	e:
Title:	Fax:	



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Penalty	Instructions_	
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check.		I in trust for that employee. Include case number on
Development, Include case number	er on check.	yable to the Commissioner of Labor and Workforce
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	Wage and Hour Division and Conti PO Box 389 Trenton, NJ 08625-0389 Fax (609) 695-1174	ract Compliance
employees directly as per to corresponding statement of de agencies.	ne above instructions. I am submit ductions as proof of payment. Any	lty. If any monies are due employees, I have paid ting copies of the cancelled employee checks and withholdings have been remitted to the proper taxing
I am contesting the above A (explain briefly):	ssessments and I am requesting a	telephone conference to discuss my case because
Print Name:	P	hone:
Title:	F	ax:
Signature:		mail:



Rita Morante, Manager and Individually, and FOX FENCE ENTERPRISES INC. 417 Crooks Ave Clifton NJ 07011

February 21, 2024

Re: PC-447-1123-LIP

Fence Fence

Pascack Valley Board of Education

Dear Rita Morante:

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 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:

- 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. 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,

William Kiss, Section Chief **Public Contracts Section** 201-618-4541

Case No. PC-447-1123-LIP

FOX FENCE ENTERPRISES INC.

2/21/2024

Violation Certified Payroll / Public Body	Citation No. 34:11-56.33 / 12:60-5.1(c	Penalty) \$1,000.00 (1 project x 1000)
Assessments:		
Total Monies due Employees Back Wages \$0.00 Liquidated Damages \$0.00 Misclassification Penalty \$0.00 Administrative Fee (0% of Total Monies)	\$0.00 \$0.00	
Penalty	\$1,000.00	
	<u>Instructions</u>	
a statement of deductions. Any withhold Misclassification Penalty are not subject to and corresponding statement of deductions to	ings should be remitted to tax deductions. Submit this office as proof of paym	
to the Wage and Hour Division and Cont check.	ract Compliance to be n	forward the returned check and statement of deductions eld in trust for that employee. Include case number on
Development. Include case number on check	•	payable to the Commissioner of Labor and Workforce
Check the appropriate box below: M deductions, and payment to:	ail completed forms, ca	incelled employee checks, corresponding statement of
PO I Tren	e and Hour Division and Co Box 389 ton, NJ 08625-0389 (609) 695-1174	ntract Compliance
employees directly as per the above corresponding statement of deductions as agencies.	instructions. I am subt s proof of payment. An	nalty. If any monies are due employees, I have paid nitting copies of the cancelled employee checks and y withholdings have been remitted to the proper taxing
I am contesting the above Assessment (explain briefly):	s and I am requesting	a telephone conference to discuss my case because
Print Name:		Phone:
Title:		Fax:
	Date:	Email:



Silvia Tavarez, Treasurer and Individually, and FOX FENCE ENTERPRISES INC. 417 Crooks Ave Clifton NJ 07011

February 21, 2024

Re: PC-447-1123-LIP

Fence Fence

Pascack Valley Board of Education

Dear Silvia Tavarez:

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.

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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.

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Case No. PC-447-1123-LIP

FOX FENCE ENTERPRISES INC.

2/21/2024

iolation ertified Payroll / Public Body	Citation No. 34:11-56.33 / 12:60-5.1(c)	Penalty \$1,000.00 (1 project x 1000)
Assessments:		
Total Monies due Employees Back Wages \$0.0 Liquidated Damages \$0.0 Misclassification Penalty \$0.0 Administrative Fee (0% of Total Monies) Penalty	00	
1 51.3.5	Instructions	
a statement of deductions. Any wi Misclassification Penalty are not sub and corresponding statement of deducti	thholdings should be remitted to triplet to tax deductions. Submit copions to this office as proof of payment.	For gross back wages due, provide employees with ne proper taxing agencies. Liquidated Damages and ies of all payments to employee (cancelled checks ard the returned check and statement of deductions n trust for that employee. Include case number on
check.		
Payment of Administrative Fee at Development, include case number on of	nd/or Penalty: Make check payat check.	ole to the Commissioner of Labor and Workforce
Check the appropriate box below deductions, and payment to:	w: Mail completed forms, cancell	ed employee checks, corresponding statement o
	Wage and Hour Division and Contract PO Box 389 Trenton, NJ 08625-0389 Fax (609) 695-1174	et Compliance
and the simulation of the si	hove instructions I am SUDMITTING	If any monies are due employees, I have paid g copies of the cancelled employee checks and thholdings have been remitted to the proper taxing
☐ I am contesting the above Assess (explain briefly):	sments and I am requesting a te	elephone conference to discuss my case because
Print Name:	Pho	ne:
	Fax:	
Title:		



Rafael Tavarez, President and Individually, and FOX FENCE ENTERPRISES INC. 417 Crooks Ave Clifton NJ 07011

February 21, 2024

Re: PC-447-1123-LIP

Fence Fence

Pascack Valley Board of Education

Dear Rafael Tavarez:

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Sincerely,

William Kiss, Section Chief **Public Contracts Section** 201-618-4541

Case No. PC-447-1123-LIP

FOX FENCE ENTERPRISES INC.

2/21/2024

iolation ertified Payroll / Public Body	Citation No. 34:11-56.33 / 12:60-5.1(c)	Penalty \$1,000.00 (1 project x 1000)
Assessments:		
Liquidated Damages \$0	\$0.00 0.00 0.00 0.00) \$0.00) \$1,000.00	
	<u>Instructions</u>	
a statement of deductions. Any of Misclassification Penalty are not sure and corresponding statement of deductions. If a former employee's check is restored to the Wage and Hour Division are check.	withholdings should be remitted to the object to tax deductions. Submit copications to this office as proof of payment. Sturned to you as undeliverable, forward Contract Compliance to be held in	For gross back wages due, provide employees with e proper taxing agencies. Liquidated Damages and es of all payments to employee (cancelled checks) and the returned check and statement of deductions trust for that employee. Include case number on
Development. Include case number or	n check.	le to the Commissioner of Labor and Workforce
Check the appropriate box bel deductions, and payment to:	ow: Mail completed forms, cancell	ed employee checks, corresponding statement o
	Wage and Hour Division and Contract	t Compliance
	PO Box 389 Trenton, NJ 08625-0389 Fax (609) 695-1174	
employees directly as per the corresponding statement of deduct agencies.	above instructions. I am submitting ions as proof of payment. Any wit	If any monies are due employees, I have paid g copies of the cancelled employee checks and thholdings have been remitted to the proper taxing
☐ I am contesting the above Asse (explain briefly):	ssments and I am requesting a te	elephone conference to discuss my case because
Print Name:	Phor	ne:
Title:	Fax:	
nue.		



OPRA Request

Case #:PC-501-0407-MOR

October 30, 2024

Employer Details:

Fox Fence Enterprises Inc 417 Crooks Ave Clifton NJ 07011

<u>Citations</u>

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

Violation	Citation No.	Final Penalty
Certified Payroll / Public Body	34:11-56.33 / 12:60-5.1(c)	1,000.00

Final Wages, Fees and Penalty

Final Wages Assessed:	0.00
Final Fees Assessed:	0.00
Fianl Penalty Aseessed:	1,000.00



State of New Jersey

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

OPRA Request

Case #:PC-324-1118-MOR

October 30, 2024

Employer Details:

Fox Fence Enterprises Inc 417 Crooks Ave Clifton NJ 07011

Citations

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

Violation	Citation No.	Final Penalty
Records - No Addresses	34:11-56.29 / 12:60-2.1	1,000.00

Final Wages, Fees and Penalty

Final Wages Assessed:	0.00
Final Fees Assessed:	0.00
Fianl Penalty Aseessed:	1,000.00



State of New Jersey

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

OPRA Request

Case #: CR1-606281-07

October 30, 2024

Employer Details:

Fox Fence Enterprises Inc 417 Crooks Ave Clifton NJ 07011

Fianl Penalty Aseessed:

Citations

Violation	Citation No.	Final Penalty
Other Failure to provide information	12:62-2.4 (a) 3.	0.00 1,250.00
Final Wages, Fees and Penalty		3
Final Wages Assessed:	0.00	
Final Fees Assessed:	0.00	
Fianl Penalty Aseessed:	1,250.00	



State of New Jersey

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

OPRA Request

Case #:PC-478-0603-VAN

October 30, 2024

Employer Details:

Fox Fence Enterprises Inc 417 Crooks Ave Clifton NJ 07011

Citations

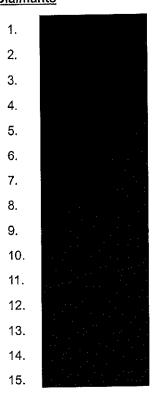
Violation(s) of New Jersey Statutes Annotated (N.J.S.A.) and/or New Jersey Administrative Code (N.J.A.C):

Violation	Citation No.	Final Penalty
Unpaid Wages / Late Payment Failure To Pay Prevailing Wage Records Records / Public body	34 : 11 - 4.2 34 : 11 - 56.27 34 : 11 - 56.29 34 : 11 - 56.33	125.00 125.00 100.00 0.00

Final Wages, Fees and Penalty

Final Wages Assessed:	589.32
Final Fees Assessed:	58.93
Fianl Penalty Aseessed:	350.00

Claimants





Rita Morante, Manager and Individually, and FOX FENCE ENTERPRISES INC. 417 Crooks Ave Clifton NJ 07011

September 9, 2024

Re: PC-23-0124-BOY

Hackettstown High School Soccer Field Fence Installation (PO Hackettstown High School Soccer Field Fence Installation (PO Hackettstown Board of Education

Dear Rita Morante:

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.

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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:

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

Sincerely,

Case No. PC-23-0124-BOY

FOX FENCE ENTERPRISES INC.

9/9/2024

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

Signature: _____ Date: ____

/iolation of New Jersey Statutes Annotat	ed (N.J.S.A.) and/or New Jersey A	Administrative Code (N.J.A.C.):
/iolation Records - Inaccurate Certified Payroll Certified Payroll / Public Body	Citation No. 34:11-56.29 / 12:60-2. 34:11-56.33 / 12:60-5.	
Assessments:		
Total Monies due Employees Back Wages Liquidated Damages Misclassification Penalty	\$0.00 \$0.00 \$0.00 \$0.00	
Administrative Fee (0% of Total Mor Penalty	nies) \$0.00 \$2,000.00	PAID
	<u>Instructions</u>	
a statement of deductions. An Misclassification Penalty are not and corresponding statement of de	y withholdings should be remitte subject to tax deductions. Sub ductions to this office as proof of pa	
to the Wage and Hour Division check.	and Contract Compliance to be	<u>ble,</u> forward the returned check and statement of deducti e held in trust for that employee. Include case number
Development. Include case number	r on check.	ck payable to the Commissioner of Labor and Workfo
3. Check the appropriate box deductions, and payment to:	below: Mail completed forms,	, cancelled employee checks, corresponding statement
	Wage and Hour Division and	d Contract Compliance
	PO Box 389 Trenton, NJ 08625-0389 Fax (609) 695-1174	
	- above instructions I 9M S	Penalty. If any monies are due employees, I have submitting copies of the cancelled employee checks Any withholdings have been remitted to the proper tax
☐ I am contesting the above A (explain briefly):	ssessments and I am requesti	ting a telephone conference to discuss my case beca
		Phone:
Print Name:		1 1101101

Email:



Silvia Tavarez, Treasurer and Individually, and FOX FENCE ENTERPRISES INC. 417 Crooks Ave Clifton NJ 07011

September 9, 2024

Re: PC-23-0124-BOY

Hackettstown High School Soccer Field Fence Installation (PO Hackettstown Board of Education

Dear Silvia Tavarez:

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.

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Sincerely,

Case No. PC-23-0124-BOY

FOX FENCE ENTERPRISES INC.

9/9/2024

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

Signature: _____ Date: ____

Violation of New Jersey Statutes Annotated	d (N.J.S.A.) and/or New Jersey Admir	nistrative Code (N.J.A.C.):
Violation Records - Inaccurate Certified Payroll Certified Payroll / Public Body	Citation No. 34:11-56.29 / 12:60-2.1 34:11-56.33 / 12:60-5.1(c)	Penalty \$1,000.00 (paid) \$1,000.00 (paid)
Assessments:		
Liquidated Damages Misclassification Penalty	\$0.00 \$0.00 \$0.00 \$0.00 (ss) \$0.00	
Administrative Fee (0% of Total Monie Penalty	-,	AID
	<u>Instructions</u>	
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to the Wage and Hour Division a check.	and Contract Compliance to be ne	forward the returned check and statement of deductions lid in trust for that employee. Include case number on
Development, Include case number	on check.	ayable to the Commissioner of Labor and Workforce
Check the appropriate box be deductions, and payment to:	elow: Mail completed forms, ca	ncelled employee checks, corresponding statement of
	Wage and Hour Division and Cor	ntract Compliance
	PO Box 389 Trenton, NJ 08625-0389	
	Fax (609) 695-1174	
employees directly as per the corresponding statement of dedu agencies.	above instructions. I am subtractions as proof of payment. An	nalty. If any monies are due employees, I have paid nitting copies of the cancelled employee checks and withholdings have been remitted to the proper taxing
☐ I am contesting the above Ass (explain briefly):	essments and I am requesting	a telephone conference to discuss my case because
Print Name:		Phone:
Title:		Fax:

Email:



Rafael Tavarez, President and Individually, and FOX FENCE ENTERPRISES INC. 417 Crooks Ave Clifton NJ 07011

September 9, 2024

Re: PC-23-0124-BOY

Hackettstown High School Soccer Field Fence Installation (PO Hackettstown High School Soccer Field Fence Installation (PO Hackettstown Board of Education

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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:

- 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. 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,

Case No. PC-23-0124-BOY

FOX FENCE ENTERPRISES INC.

9/9/2024

iolation lecords - Inaccurate Certified Payroll sertified Payroll / Public Body	Citation No. 34:11-56.29 / 12:60-2.1 34:11-56.33 / 12:60-5.1(c)	Penalty \$1,000.00 (paid) \$1,000.00 (paid)
Assessments:		
Total Monies due Employees Back Wages \$0. Liquidated Damages \$0. Misclassification Penalty \$0. Administrative Fee (0% of Total Monies)	00 00	
Penalty	<u>Instructions</u>	
a statement of deductions. Any winder Misclassification Penalty are not sub- and corresponding statement of deduct	ithholdings should be remitted to the oject to tax deductions. Submit copie ions to this office as proof of payment.	or gross back wages due, provide employees with proper taxing agencies. Liquidated Damages and sof all payments to employee (cancelled checks
to the Wage and Hour Division and check.	Contract Compliance to be field in	rd the returned check and statement of deductions trust for that employee. Include case number on
Development. Include case number on	check.	e to the Commissioner of Labor and Workforce
Check the appropriate box belo deductions, and payment to:	w: Mail completed forms, cancelle	d employee checks, corresponding statement o
	Wage and Hour Division and Contract PO Box 389 Trenton, NJ 08625-0389 Fax (609) 695-1174	Compliance
employees directly as per the a corresponding statement of deduction agencies.	ons as proof of payment. Any with	If any monies are due employees, I have pain copies of the cancelled employee checks and pholdings have been remitted to the proper taxing
☐ I am contesting the above Asses (explain briefly):	ssments and I am requesting a tel	ephone conference to discuss my case because
Print Name:	Phon.	e:
Print Name:		e: