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RULE ADOPTIONS

**LABOR AND WORKFORCE DEVELOPMENT
DIVISION OF WAGE AND HOUR COMPLIANCE**

46 N.J.R. 626(b)

Readoption: *N.J.A.C. 12:55*

Notice of Readoption

Wage Payments

Authority: *N.J.S.A. 34:1-20, 34:1A-3(e), 34:11-4.4, and 34:11-4.11.*

Authorized By: Harold J. Wirths, Commissioner, Department of Labor and Workforce Development.

Effective Date: March 13, 2014.

New Expiration Date: March 13, 2021.

[page=627] **Take notice** that pursuant to the provisions of Executive Order No. 66 (1978) and *N.J.S.A. 52:14B-5.1*, the rules at *N.J.A.C. 12:55*, which pertain to wage payments, will expire on April 12, 2014.

A summary of the sections of *N.J.A.C. 12:55* follows:

N.J.A.C. 12:55-1.1 sets forth the purpose and scope of the chapter.

N.J.A.C. 12:55-1.2 defines the words and terms used throughout the chapter.

N.J.A.C. 12:55-1.3 lists the powers of the Commissioner.

N.J.A.C. 12:55-1.4 concerns the punishment for violation of *N.J.S.A. 34:11-4.1* et seq. (the Wage Payment Law).

N.J.A.C. 12:55-1.5 sets a schedule of administrative fees.

N.J.A.C. 12:55-1.6 establishes a schedule of administrative penalties, a procedure for notification of such penalties, and the factors to be considered by the Commissioner when assessing such penalties.

N.J.A.C. 12:55-1.7 addresses the payment of interest on awards of back pay.

N.J.A.C. 12:55-1.8 sets forth the procedure for the request of a hearing with regard to the assessment of an administrative penalty.

N.J.A.C. 12:55-2.1 sets forth the provisions governing payroll deductions, taken directly from *N.J.S.A. 34:11-4.4*.

N.J.A.C. 12:55-2.2 concerns deductions for mass transportation commuter tickets.

N.J.A.C. 12:55-2.3 concerns voluntary wage deductions for repayment of financial obligations to the State of New Jersey.

N.J.A.C. 12:55-2.4 sets forth the procedure for the time and mode of final wage payment.

N.J.A.C. 12:55-2.5 concerns withholding of income tax for foreign jurisdictions.

The Department of Labor and Workforce Development has reviewed these rules and has determined that the rules should be readopted without amendment. The rules are necessary, reasonable, and proper for the purpose for which they were originally promulgated. Therefore, pursuant to *N.J.S.A. 52:14B-5.1.c(1)*, these rules are readopted and shall continue in effect for a seven-year period.