

PUBLIC WORKS CONTRACTOR REGISTRATION (PWCR) FAQs

Q. What is Public Works Contractor Registration (PWCR)?

A. The Public Works Contractor Registration Act ([NJSA 34:11-56.48 et seq.](#)) requires all contractors, subcontractors, or lower tier subcontractors (including subcontractors listed in bid proposal) who bid on or engage in the performance of any work for which the payment of prevailing wage is required in New Jersey to register with the NJ Department of Labor & Workforce Development.

If a contractor bids on or is found working on a public works project without being registered, the maximum penalty for a first violation is \$2500. For more information about the definition of public work, public bodies, types of projects subject to prevailing wage requirements, etc., please go to [Public Works - Prevailing Wage FAQs](#).

Q. How do I register for PWCR?

A. You can apply online or by mail.

- Online: Go to njportal.com/lwd/pwcr.
- By Mail: Complete and mail an application to the NJ Department of Labor & Workforce Development, Division of Wage & Hour Compliance. Application forms and instructions are available at [LWD PWCR Contractor Registration](#).

Q. What is the application fee?

A. The fee structure is as follows:

- \$300 for a 1 year registration
- \$500 for a 2 year registration, but this option is only available to contractors who meet the following criteria:
 - Must have been continuously registered for the last two consecutive years
 - Renewal application must be received timely prior to expiration date
 - No prior violations of the Contractor Registration Act ([NJSA 34:11-56.48 et seq.](#)) or the Prevailing Wage Act ([NJSA 34:11-56.25 et seq.](#))
- If you file online, there is an additional service fee of \$4 plus a fee of 1.9% if you are using a credit card.

Fees are non-refundable.

Q. What information do I need when applying for PWCR?

A. You will need a lot of information about the contractor that is applying for PWCR:

- 1) **FEIN** (Federal Employer Identification Number) – This is the business’s taxpayer identification number. Any business that has employees and/or pays any kind of taxes must have a FEIN.

If the business entity is a sole proprietorship with NO employees and does NOT have an assigned FEIN from the IRS, you may provide the owner's SSN.

- 2) **Business Name** – Provide the name of business used to contract/subcontract public works projects. This is the business name that will appear on the certificate of registration.

If more than one business entity name is party to contracts, separate registrations are required.

- 3) **Legal / Corporate Name** – Provide legal/corporate name if different than business name. If the business entity is a sole proprietorship or partnership, provide name of owner or partners.

- 4) **Street Address** – Enter the business's street address, city, state, ZIP code, and county. Do not use a PO Box.

- 5) **Mailing Address** – Provide mailing address if different than street address.

If application is submitted by mail, notices and the Public Works Contractor Registration Certificate will be mailed to the mailing address.

- 6) **Type of Business** – Select the type of ownership:

- Individual/Sole Proprietorship
- Partnership
- NJ Corporation
- Out-of-State Corporation
- LLC (Limited Liability Company)
- LLP (Limited Liability Partnership)

- 7) **Date of Incorporation / Formation** – Date the business was started or incorporated.

- 8) **NJ Business/Corp. No.** – Provide the NJ Business/Corp. No. if known.

- 9) **Total No. of Employees** – Provide the total number of employees at time of application.

- 10) **Registered Agent** – Out-of-state applicants must appoint a registered agent in New Jersey who will accept legal service in New Jersey.

- 11) **Permit to Maintain Payroll Records Outside of New Jersey** – If the business plans to keep payroll/business records outside of New Jersey, applicant must complete an Application for Permit to Maintain Payroll Records Outside of New Jersey (form [MW-42](#)).

- 12) **Workers' Compensation Coverage** – All businesses that operate in New Jersey must have workers' compensation insurance. The expiration date must be at least 30 calendar days from date of application.

Sole proprietors, partnerships and LLCs with NO workers' compensation coverage and NO employees must sign a certified statement to that fact.

- 13) **Responsible Owners/Officers** – Provide the name of each individual with a financial interest in the business – except that if the business is a publicly traded corporation – the corporation's officers.

If the applicant business is owned by another business entity, you must still provide the names of the responsible individuals for the applicant business. If the individual owners, partners, managing members, members or corporate officers are not listed, the processing of the application will be delayed and considered incomplete.

IMPORTANT:

- The names and titles of the individual owners, partners, or responsible corporate officers will be listed on the certificate of registration.
- A certificate of registration shall not be transferable.
- Any change to the responsible owners/officers should be noted to the Division of Wage and Hour Compliance at the time of the change.

- 14) **Association with Other Firms** – If at any time during the preceding five (5) years, any of the responsible owners/officers ever held an "interest" (for definition of "interest" see [N.J.A.C. 12:60-7.2](#)) in another firm which has applied for or obtained a "Public Works Contractor Registration Certificate," the individual is required to list the name and address of company, position held, and start and end dates.

IMPORTANT: Failure to disclose associations with other firms could cause the denial or loss of the applicant's contractor registration certificate.

- 15) **Alleged Violations/Debarment/Unlawful Act** – The business as well as all of the responsible owners/officers must answer questions regarding any prior prohibition or debarment from performing public work; receipt of any notice of alleged violation of any state, federal or other Labor Laws; and any allegation of any unlawful act in attempting to obtain or in the performance of a Public Contract.

IMPORTANT: Failure to disclose any prior history of alleged violations could cause the denial or loss of the applicant's contractor registration certificate.

- 16) **NAICS Code** – Provide the North American Industry Classification System (NAICS) code that the applicant business intends to perform. The selection(s) will not limit the firm's eligibility to perform any particular type of work.

Q. What is the list of prevailing wage crafts?

A. Select all prevailing wage crafts employed by the contractor directly upon any work for which the payment of prevailing wage is required. Below is a list of crafts. If a craft is not listed, please add it under "Other" and provide a description of craft.

NOTE: Craft means the work classification, taken from the NJDOL wage determination, that a company would list on a certified payroll. If you are unsure of your company or individual employee work classification, please contact the Division at wage.hour@dol.nj.gov

List of Crafts

Air Conditioning & Refrigeration – Service & Repair	Electrician – Utility Work	Paperhanger
Boilermaker	Elevator Constructor	Pipefitter
Boilermaker – Minor Repairs	Elevator Modernization & Service	Plasterer
Bricklayer, Stone Mason	Glazier	Plumber
Carpenter	Heat & Frost Insulator	Roofer
Carpenter – Resilient Flooring	Heat & Frost Insulator – Asbestos Worker	Sheet Metal Sign Installation
Cement Mason	Ironworker	Sheet Metal Worker
Diver	Laborer – Asbestos & Hazardous Waste Removal	Sprinkler Fitter
Dockbuilder	Laborer – Building	Tile Finisher
Drywall Finisher	Laborer – Heavy & General	Tile Setter
Electrician	Millwright	Truck Driver
Electrician – Teledata	Operating Engineer	Truck Driver – Material Delivery Driver
Electrician – Outside Commercial	Painter	Welder

Q. What are the five (5) different methods by which a contractor is considered to be participating in a registered apprenticeship program

A. A contractor is considered to be participating in a registered apprenticeship program if the contractor meets one of the following five (5) methods:

- 1) **The contractor is signatory to a collective bargaining agreement** through which the contractor has access to a registered apprenticeship program that is sponsored by the labor union, or agrees to joint sponsorship with the labor union of a registered apprenticeship program; provided that the collective bargaining agreement also requires ongoing employer contributions into an ERISA-covered apprenticeship training program trust fund;

*Requires being a signatory with a Union(s) for the craft(s) employed, where regular payments are made to an ERISA trust. **Does not require the use of an apprentice.***

- 2) **The contractor is signatory to an agreement with a workforce intermediary**, such as an industry association, consortium of businesses, community-based organization, or educational institution, through which the contractor has access to a registered apprenticeship program sponsored by the workforce intermediary, or agrees to joint sponsorship with the workforce intermediary of a registered apprenticeship program; provided that the agreement between the contractor and the workforce intermediary also requires ongoing employer contributions into an ERISA-covered apprenticeship training program trust fund;

*Requires being a member of an Association that is the sponsor of an apprentice program(s). The Association must also have an ERISA trust set up where you (the contractor) contributes to the trust on a regular basis. **Does not require the use of an apprentice.***

- 3) **The contractor is the sponsor of a registered apprenticeship program;**

*Requires the contractor applying for a registration application to be the sponsor of an apprentice program, certified and approved by the US Department of Labor. Requires an active apprentice in the program (see 4 & 5 for exceptions). **Requires at least one apprentice registered with the US Department of Labor.***

- 4) **The contractor currently employs at least one apprentice who is registered with the United States Department of Labor within a registered apprenticeship program;** provided that as of the date of the contractor's submission to the Department of the Application for Public Works Contractor Registration, the apprentice has completed at least 1000 hours of on-the-job learning with the contractor; or

*Requires the contractor applying for a registration is the sponsor of a program certified and approved by the US Department of Labor and currently has an apprentice registered and enrolled in the approved (by the USDOL) program and has completed 1000 hours of on the job learning with the contractor. **Requires at least one apprentice registered with the US Department of Labor.***

- 5) **During the one-year period immediately preceding submission to the Department of the Application for Public Works Contractor Registration, the contractor employed at least one apprentice who was registered with the United States Department of Labor within a registered apprenticeship program;** provided that the apprentice had completed at least 1000 hours of on-the-job learning with the contractor.

Requires the contractor applying for a registration is the sponsor of a program certified and approved by the US Department of Labor and in the immediate preceding year employed as least one apprentice that was registered with the US Department of Labor, provided that employee completed at least 1000 hours of on the job learning with the contractor.

For all work classifications that each contractor employs on a prevailing wage project, you must meet one of the above methods to be in compliance and to become registered to bid on public work. There are no exemptions to this law.

Q. How long does it take to process my PWCR application?

A. Please allow 30 days from date of receipt to process the application. If the application is incomplete or additional information is required, it may take longer than 30 days.

Q. How can I check on the status of my PWCR application?

A. If you submitted an application online, you can check the status of your application at njportal.com/lwd/pwcr. Click on the “Check Status of a Contractor Registration Application” option and enter the confirmation number you received via email when you applied online. The status of your submission will be displayed.

You can also check the [List of Registered Public Works Contractors](#). This list includes the registration effective and expiration dates and the certificate number.

Q. When will I receive my Public Works Contractor Registration (PWCR) certificate?

A. After the NJ Division of Wage & Hour Compliance receives a fully completed PWCR application and the corresponding fee, and assuming that there are no outstanding issues or violations, the Division will issue a certificate of registration within 30 days.

- Email: If you filed online, the certificate will be emailed to the business email address.
- By Mail: If you submitted your application by mail, the certificate will be mailed to the mailing address provided on the application.

Q. What type of information is listed on the PWCR certificate?

A. The PWCR certificate will list the following information:

- Business Name
- Names and Titles of Responsible Owners/Officers *
- Registration and Expiration Dates
- Certificate Number

* Any change to the responsible owner/officers should be noted to the Division of Wage and Hour Compliance at the time of the change.

* A certificate of registration shall not be transferable.

Q. How do I know if my company has a current PWCR registration?

A. The PWCR certificate lists the registration effective and expiration dates. You may check your certificate for these dates, or you can check the [List of Registered Public Works Contractors](#). This list includes the registration effective and expiration dates and the certificate number.

Q. Incomplete/Missing Information – Why did I receive a notice stating my PWCR application was incomplete?

A. If any information on the application is incomplete, missing, or requires clarification, a notice requesting the information will be emailed or mailed to you. Your response must be in writing and can be emailed, faxed, or mailed to the Contractor Registration section (see the last FAQ for contact information).

Q. UI/DI Tax Delinquency – Why did I receive a notice about a UI/DI tax delinquency?

A. All PWCR applications are reviewed for potential UI/DI (Unemployment Insurance/Temporary Disability Insurance) tax delinquencies. Contractors are responsible for contacting the Division of Employer Accounts at (609) 633-6400 Option 2, to resolve the delinquency.

Q. Application Denied – Why did I receive a notice stating my PWCR application was denied?

A. The reason(s) your PWCR application was denied is provided in the notice. Your appeal rights are also explained in the notice.

Some common reasons for denial are:

- No response to agency requests for additional/clarifying information;
- Failure to resolve delinquent UI/DI (Unemployment Insurance/Temporary Disability Insurance) taxes with the Division of Employer Accounts;
- Failure to disclose responsible owners/officers' associations with other firms;
- Failure to disclose any prior history of alleged violations;
- Failure to resolve outstanding balances on assessed violations;
- No fee submitted with application or failure to replace an invalid payment, etc.

Q. Notice of Intent to Revoke or Suspension – Why did I receive a notice stating that my PWCR certificate is being revoked or suspended?

A. The reason(s) your PWCR certificate is being revoked or suspended is provided in the notice. Your appeal rights are also explained in the notice.

Some common reasons for revocation or suspension are:

- Non-compliance with payment plans agreed to with either the NJ Division of Employer Accounts (UI/DI taxes) or NJ Division of Wage & Hour Compliance;
- Failure to disclose responsible owners/officers' associations with other firms;
- Failure to disclose any prior history of alleged violations;
- Failure to resolve outstanding balances on assessed violations;
- Failure to replace an invalid payment, etc.

Q. Appeal Rights – If my application is denied or if my PWCR certificate is revoked or suspended, do I have appeal rights?

A. Yes. If you disagree with the determination, you must send a written request explaining why you disagree and request a hearing. You may mail or fax your request (see the last FAQ for contact information). You must submit your request within 10 days of receiving the

determination.

After your request for a hearing is received, you will be scheduled for a conference before a Hearing & Review Officer. Additional information about the appeal process is available at [Appeal a Decision](#).

Q. Who can I contact if I have additional questions about Public Works Contractor Registration?

A. You may contact the Contractor Registration Section in the NJ Division of Wage & Hour Compliance. Office hours are Monday – Friday (excluding holidays) 8:30 am to 4:30 pm.

- Phone (609) 292-9464
- Fax (609) 633-8591
- Email: pwcr@dol.nj.gov (Include your certificate number if available.)
- Mailing Address:
 - NJ Dept. of Labor & Workforce Development
 - Division of Wage & Hour Compliance
 - PO Box 389
 - Trenton NJ 08625-0389
- Overnight Mail:
 - NJ Dept. of Labor & Workforce Development
 - Division of Wage & Hour Compliance
 - 1 John Fitch Plaza, 3rd Floor
 - Trenton NJ 08611