

Wage and Hour

Wage and Hour Laws in New Jersey

New Jersey has enacted several statutes that strictly regulate the payment of wages to employees. Specifically, the New Jersey Wage Payment Law requires that every employer pay employees the full amount of wages at least twice during the calendar month. Of course, there are certain exceptions to the manner in which employees are paid. The New Jersey Wage and Hour Law, in conjunction with the federal Fair Labor Standards Act (FLSA), provides a minimum wage level for certain employees. In addition, in certain circumstances, employees must be paid for overtime. With the exception of executives, administrators and professionals, in New Jersey, employees who work more than 40 hours a week must receive “time and a half,” (one and one-half times the regular hourly wage), for every hour worked in excess of 40 hours in a week.

The New Jersey Department of Labor and Workforce Development Division of Wage and Hour Compliance enforces labor laws concerning conditions of employment and the payment of wages. If an employee feels they have not been properly paid by their employer, or if an employer is faced with an employee lawsuit due to a dispute about wages, a New Jersey wage and hour attorney at Einhorn Barbarito can help in:

- Filing or defending wage claims;
- Advising clients with regard to the investigative and litigation process; and
- Educating clients on minimum and prevailing wage rates, among other issues and concerns.

Our employment attorneys have extensive experience handling wage and hour matters. In addition to pursuing and defending against wage claims, we also represent employers and complainants who are seeking to appeal a decision or outcome of a Division of Wage and Hour investigation.

Prevailing Wages

In certain circumstances, employers must pay employees prevailing wages when an employee is engaged in public works. Generally, prevailing wages are required on government-funded projects that meet a certain contract threshold. The prevailing wage rate is a minimum wage rate designed to protect union contractors from under-bidding on a public works project. The wage rates vary by employment classification. Prevailing wages are required by the New Jersey Prevailing Wage Act for state projects and under federal laws such as the Davis-Bacon Act and the Service Contract Act. We regularly assist businesses faced with audits by the New Jersey Department of Labor or United States Department of Labor.

If you are a contractor with concerns related to the payment of wages for a public works project, a New Jersey prevailing wage attorney at our firm can guide you through the applicable legal requirements. Additionally, if you are a worker on a public project who believes that an employer has not paid the prevailing wage rate, our attorneys can assist you in bringing a civil claim to secure the money you are due under the law.

Unpaid Commissions? Contact a New Jersey Employment Lawyer for Assistance

Issues related to the payment of commissions and bonuses can be complicated and tend to arise after the employment relationship has been terminated. The attorneys in our Employment Law practice have substantial experience assisting both employers and employees in claims involving unpaid commissions or bonuses. We also work with employers to ensure that they have well-drafted and updated employee bonus or commission structures in place. These documents can help to avoid disputes and resolve disputes after they have arisen.

The Employment Law Practice at Einhorn Barbarito counsels and represents employers and employees throughout New Jersey. If you have questions involving a wage and hour matter or any other type of employment law issue, we invite you to schedule a consultation with a member of our legal team.