

NEW JERSEY STATE AFL-CIO

106 West State Street
Trenton, New Jersey 08608
(609) 989-8730
FAX (609) 989-8734
www.njafclcio.org



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May 30, 2013

Dear Members of the State Senate:

**Re: Please Support S-1450 (Weinberg / Lesniak)
Establishes the Truck Operator Independent Contractor Act**

The New Jersey State AFL-CIO supports S-1450 and respectfully asks for your support. We commend the sponsors for their efforts in combating widespread misclassification of employees in the trucking and parcel delivery industry.

The bill before you today is a win-win for the state, taxpayers, employees and employers that play by the rules in this industry, because when misclassification occurs, costs that are traditionally borne by the employer are shifted onto employees, thereby reducing their earnings, while simultaneously cheating state administered funds such as unemployment insurance and temporary disability insurance out of revenue. It should be noted that in 2007, the State Department of Labor found that between 38% - 42% of all employers audited were either paying "off the books" or engaging in misclassification. Furthermore, it was stated by the Department that in 2005 in New Jersey, \$625 million in unreported wages were discovered and 28,200 workers were misclassified. These statistics illustrate the severity of this problem and the legislation before you today would help remedy it.

Misclassification is a national problem. However, states have an obligation to act to protect businesses that play by the rules and to protect workers and government entities that are cheated by this practice. As you know, New Jersey has acted, and in 2007 legislation passed in a bi-partisan fashion to address the issue in the construction industry. This legislation is a "get tough" and much needed approach to addressing the problem of misclassification and we respectfully ask for your support.

Sincerely,

Charles Wowkanech
President

Laurel Brennan
Secretary-Treasurer

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