

# ASSEMBLY, No. 4870

# STATE OF NEW JERSEY

## 217th LEGISLATURE

INTRODUCED MAY 22, 2017

**Sponsored by:**

**Assemblyman VINCENT PRIETO**

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**District 34 (Essex and Passaic)**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Assemblywoman ELIANA PINTOR MARIN**

**District 29 (Essex)**

**Assemblyman GARY S. SCHAER**

**District 36 (Bergen and Passaic)**

**SYNOPSIS**

"Safe Transportation Jobs and Fair Employment Rules Act."

**CURRENT VERSION OF TEXT**

As introduced.

**AN ACT** concerning certain transportation center service workers and wages, and supplementing P.L.2005, c.379 (C.34:11-56.58 et seq.).

**BE IT ENACTED** *by the Senate and General Assembly of the State of New Jersey:*

1. This act shall be known and may be cited as the "Safe Transportation Jobs and Fair Employment Rules Act."

2. As used in this act:

"Applicable standard rate for subcontracted transportation center service workers" shall mean the greater of:

a. the wage and benefit rates and paid time off minimums designated by the commissioner based on the determinations made by the General Services Administration pursuant to the federal "Service Contract Act of

1965" (41 U.S.C. s.351 et seq.), for the classification of "Guard I" for the county in which the covered transportation center is located; or

b. the wage and benefits rates and paid time off minimums designated in the state building services prevailing wages schedule by the Department of Labor and Workforce Development pursuant to P.L.2005, c.379 (C.34:11-56.58 et seq.) or any successor statute establishing a prevailing wage requirement applicable to unarmed security services in the county in which the covered transportation center is located.

"Covered transportation center" means Newark Liberty International Airport, Newark Penn Station or the Hoboken Terminal.

"Covered transportation center service provider" means any person or entity that employs covered transportation center services employees to provide one or more covered transportation center services under a service contract or subcontract with a private entity at a covered transportation center.

"Covered transportation center services" means work performed at a covered transportation center and includes:

a. escort services; catering security; passenger aircraft, train or bus security; fireguard services; terminal or station security; and traffic security;

b. cargo related and ramp services, including: cargo screening, including guards and warehouse security; baggage and cargo handling; load control and ramp communication; aircraft, train or bus mechanics and fueling of aircraft, trains or buses; provision of water, cooling/heating, power; equipment and toilet services to aircraft, trains or buses; passenger aircraft, train or bus servicing; cabin equipment maintenance; guiding aircraft, trains or buses in and out of gates; gate side aircraft, train or bus maintenance; and ramp area cleaning;

c. in-terminal and in-station and passenger handling services, including: baggage handling skycap or redcap; wheelchair attendant; ticketing agent; customer service representatives; queue managers; id checkers; porter service for baggage; passenger and employee shuttle drivers;

d. cleaning services, including: building cleaning; aircraft, cabin, train or bus cleaning; plane, train, bus or ferry washers; and

e. concession services, including: food service, including, food and beverage service, wait service, busing, cashiers; retail service including news, gifts and duty-free; cleaning for concession services; security for concession services; and airport, station or terminal lounge services, including food, retail, cleaning and security services.

"Subcontracted transportation center service workers" means workers performing covered transportation center services for a covered transportation center service provider.

3. a. Every subcontracted transportation center service worker shall be compensated at a rate that is no less than the applicable standard rate for subcontracted transportation center service workers.

b. Notwithstanding subsection a. of this section, the minimum wage rate for a subcontracted transportation center service worker who is a food service worker, a skycap or a redcap receiving tips shall be a cash wage of at least two-thirds of the minimum wage rate set forth in subsection a. of this section, rounded to the nearest five cents, provided that the tips of such an employee, when added to the employee's cash wage, are equal to or exceed the minimum wage rate for subcontracted transportation center service workers in effect

pursuant to subsection a. of this section. Tipped skycaps, redcaps, and food service workers shall also receive the full amount of benefits and paid time off minimums as provided under subsection a. of this section.

4. This act shall take effect on the first day of the third month next following enactment.

## STATEMENT

This bill enacts the "Safe Transportation Jobs and Fair Employment Rules Act," or the "STAFER Act," which requires certain subcontracted transportation center service workers to be paid certain wage rates.

Specifically, the bill requires every subcontracted transportation center service worker to be compensated at a rate that is no less than the applicable standard prevailing wage rate for subcontracted transportation center service workers. In the case of a subcontracted transportation center service worker who is a food service worker, a skycap or a redcap receiving tips, a cash wage of at least two-thirds of that wage rate must be paid, provided that the tips of the employee, when added to the employee's cash wage, are equal to or exceed the minimum wage rate. Tipped skycaps, redcaps, and food service workers shall also receive the full amount of benefits and paid time off minimums as provided under the bill.

The bill applies to subcontracted transportation center service workers at Newark Liberty International Airport, Newark Penn Station and the Hoboken Terminal that perform certain transportation center services, including escort services, cargo related and ramp services, in-terminal and in-station and passenger handling services, cleaning services, and concession services.