

**BOARD OF COMMISSIONERS  
COUNTY OF HUDSON**

**ORDINANCE**

No. 429-7-2025

On Motion of Commissioner Kopacz  
Seconded by Commissioner Romano

**AN ORDINANCE AMENDING ORDINANCE NO. 289-05-2019 ARTICLE 17 OF THE  
HUDSON COUNTY ADMINISTRATIVE CODE  
TO MANDATE MINIMUM HOURLY RATES OF PAY, VACATION  
BENEFITS AND HEALTH INSURANCE BENEFITS  
FOR CERTAIN NON-COUNTY EMPLOYEES PROVIDING  
SERVICES TO THE COUNTY**

**WHEREAS**, the State of New Jersey has amended N.J.S.A. 34:11-56a4 relative to the establishment of certain minimum wage rates; and

**WHEREAS**, by its terms, the cited legislation does not prohibit any political subdivision of the State (including counties) from adopting regulations or rules, or entering into agreements, establishing standards for vendors, contractors and subcontractors of the political subdivision regarding issues of wage rates and greater protections of rights to the employees of such vendors, contractors and subcontractors; and

**WHEREAS**, it is important to the health and welfare of all residents of Hudson County that all working people are paid a wage that enables them to lift their families out of poverty; and

**WHEREAS**, the absence of health benefits often causes both economic and emotional hardship to workers and their families during times of illness; and

**WHEREAS**, the health and well-being of workers and their families are enhanced by working conditions which allow workers to have quality leisure time as a complement to their work day; and

**WHEREAS**, the failure to provide workers with fair wages, adequate health benefits, and quality leisure time results in a climate of stress and anxiety for workers while they provide services to the County; and

**WHEREAS**, many service employees and their families both in Hudson County and throughout the State live at or below the poverty line; and

**WHEREAS**, the payment of such inadequate compensation and benefits tends to negatively affect the quality of service to the County and the public by fostering high turnover and instability in the workplace; and

**WHEREAS**, the County awards taxpayer-funded contracts to businesses, some of which subcontract to other businesses to provide services to the public and to County government; and

**WHEREAS**, a County policy to promote the creation of living wage jobs that provide adequate health benefits and leisure time to workers complements other County programs aimed at meeting the employment and economic development needs of Hudson County and its residents; and

**WHEREAS**, ensuring that businesses including subcontractors retained by those businesses benefitting from County funds promote the creation of jobs, which pay a living wage; provide reasonable health benefits; and afford reasonable leisure time to their employees, will increase the ability of residents in Hudson County and throughout the State to attain self-sufficiency, decrease economic hardship in the County and State, and reduce the need for the taxpayers to fund social services to provide supplemental support for the employees of local and state businesses; and

**WHEREAS**, it is the purpose of this policy to ensure that businesses and subcontractors benefitting from taxpayer funds provide their employees with a living wage; reasonable health benefits; and adequate leisure time, thus redounding to the welfare and best interests of Hudson County and its residents while not unreasonably burdening vendors, contractors and subcontractors; and

**WHEREAS**, the County recognizes that from time to time, the living wage benefits afforded by this Ordinance need to be adjusted to reflect changes in the cost of living.

**NOW, THEREFORE BE IT ORDAINED**, by the Board of County Commissioners of the County of Hudson, as follows:

### **SECTION I**

Pursuant to the provision of the Hudson County Administrative Code, Article 17, "Contracts and Purchases," the following minimum pay and benefits requirements must be complied with by vendors, contractors, and subcontractors who provide service workers by contract to the County of Hudson. For purposes relating to this Ordinance, a "service worker" is identified as an individual who provides services, as the term is commonly understood, as opposed to providing goods and/or commodities.

### **SECTION II**

For purposes of this Ordinance, a covered employee is a service worker performing services for a vendor, contractor, or subcontractor who provides services to the County.

### **SECTION III**

Such service workers who work at various County of Hudson work sites and/or pursuant to service contracts with the County of Hudson under contract shall receive the following minimum pay and benefits:

- (a) **For the period July 1, 2025 through June 30, 2026, an hourly rate of pay which is the greater of \$19.54 or one hundred fifty percent (150%) of the Federal Minimum Wage at the time the contract is bid or renewed or proposals received (the "Base Hourly Living Wage")**

**For the period July 1, 2026, through June 30, 2027, an hourly rate of pay which is the greater of \$20.33 or one hundred fifty percent (150%) of the Federal Minimum Wage at the time the contract is bid or renewed or proposals received (the "Base Hourly Living Wage")**

**For the period July 1, 2027, through June 30, 2028, an hourly rate of pay which is the greater of \$21.15 or one hundred fifty percent (150%) of the Federal Minimum Wage at the time the contract is bid or renewed or proposals received (the "Base Hourly Living Wage")**

**For the period July 1, 2028, through June 30, 2029, an hourly rate of pay which is the greater of \$22.05 or one hundred fifty percent (150%) of the Federal Minimum Wage at the time the contract is bid or renewed or proposals received (the "Base Hourly Living Wage")**

- (b) **An annual paid vacation of five (5) days or pay the service worker an hourly stipend equal to two percent (2%) of the Base Hourly Living Wage (the "Hourly Vacation Benefit"); and**
- (c) **Medical benefits provided by the employer for each employee within ninety (90) days of hiring or pay the service worker an hourly stipend equal to twenty percent (20%) of the Base Hourly Living Wage (the "Hourly Medical Benefit").**
- (d) **It is the intention of this Ordinance that the level of medical benefits provided by a vendor, contractor or subcontractor to a service worker be of a level so that the premium costs per service worker be equal to or more than the Hourly Medical Benefit prorated on an hourly basis. In the event**

that the premium costs per service worker is less than the Hourly Medical Benefit then in addition to any other benefits or payments made to a service worker the vendor, contractor, or subcontractor shall pay the service worker on an hourly basis the difference between the Hourly Medical Benefit and the amount paid for the medical benefits.

#### **SECTION IV**

- A. At the time the County awards a contract to a vendor, the vendor shall furnish the County with the per-employee premium cost it pays to provide medical benefits for its employees. The premium cost shall be that paid for single coverage.
- B. At the time the contract is awarded and on a quarterly basis thereafter (January 15<sup>th</sup>, May 15<sup>th</sup>, August 15<sup>th</sup>; and November 15<sup>th</sup>) the vendor shall supply for those employees who perform work on the County contract the names of its employees performing the work; the hourly wage paid to the employees; the number of vacation days provided to those employees or the hourly vacation benefit paid to those employees; proof of medical benefit coverage provided to those employees or the Hourly Medical Benefit provided to those employees.
- C. The reporting shall be on forms supplied by the County at the time the contract is awarded.
- D. All vendors, contractors or subcontractors governed by the terms of this Ordinance shall post in a prominent place or places of employment, in a conspicuous place or places a sign, to be designed and delivered by the County, which clearly reflects the terms of this Ordinance in English and Spanish.
- E. In addition to the posting of a sign or signs in the workplace or workplaces, it is recognized that some covered employees may not regularly visit such workplaces. Accordingly, all employers shall provide to their employees a notice in a form to be supplied by the County that describes this Ordinance in plain language and in both English and Spanish. The notice shall be distributed to and signed by all employees performing work pursuant to service contracts with the County.

#### **SECTION V**

Any vendor contractor or subcontractor who is governed by the terms of this Ordinance shall have no obligation to provide medical benefits, an Hourly Medical Benefit payment, annual vacation, or an Hourly Vacation Benefit to any employee who is paid an hourly rate of pay of at least three hundred percent (300%) of the Federal Minimum Wage.

Excluded from the provisions of this Ordinance shall be (i) any entity who is the recipient of County funds through a Public Donor Agreement entered into by the County pursuant to regulations and/or programs established by the State of New Jersey; (ii) any entity who receives funding by way of sub-grants from the Community Development Block Grant funds received by the County; and (iii) any social services entity who receives funds from the County to supplement the general operations of the entity as opposed to performing a specific contract awarded by the County.

#### **SECTION VI**

Remedies for breach of the Living Wage Ordinance shall include:

- (a) Restitution to employees for unpaid wages.
- (b) Suspension of payments under the contract until restitution for unpaid wages is made.
- (c) Termination of the contract if restitution is not made.
- (d) Debarment from contracting with the County should restitution not be made and the contract is terminated. Debarment shall be pursuant to the provisions of N.J.S.A. 40A:11-4 and may be for up to five (5) years.

#### **SECTION VII**

Effective July 1, 2025, the previously enacted County Living Wage Ordinance, as enacted

on May 8, 2019 (No. 289-5-2019), referred to subsequently herein as the "Previous Living Wage Ordinance" shall be of no further force and effect. However, any vendor to whom a contract was awarded and who was required to comply with the terms of the Previous Living Wage Ordinance as to the payment of wages and benefits to its employees shall continue to comply with the Previous Living Wage Ordinance until the expiration of the contract. All of the terms and provisions of the Previous Living Wage Ordinance, including remedies, shall continue to remain in effect for those vendors covered by the Previous Living Wage Ordinance.

**SECTION VIII**

The terms and conditions of this Ordinance shall be prospective only and shall not apply to any contract authorized prior to the effective date of this Ordinance. Nor shall this Ordinance apply during the period of any contract renewal included in a contract authorized prior to the effective date of this Ordinance.

Compliance with the requirements of this Ordinance shall be waived for any vendor, contractor and subcontractor currently under contract with the County if the Ordinance provisions vary with the terms of an existing bona fide collective bargaining agreement in place at the date of the enactment of this Ordinance, provided that all parties to the existing bona fide collective bargaining agreement in place at the date of the enactment of this Ordinance agree to a waiver of the application of this Ordinance. However, upon expiration of the term of the collective bargaining agreement, all provisions of this Ordinance shall apply.

**SECTION IX**

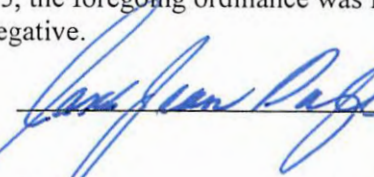
Commencing on March 1, 2029, and every three (3) years thereafter, the County Executive and the County Board of Commissioners shall review the Base Hourly Living Wage to determine whether the wages and benefits imposed by the terms of this Ordinance shall be adjusted. In performing that assessment as mandated by this Ordinance the County shall consider and review among other factors the Consumer Price Index for Urban Wage Earners and Clerical Workers published by the United States Department of Labor for the New York, New York-Northeastern New Jersey area for the thirty-six (36) month period immediately preceding any review.

**SECTION X**

This Ordinance shall take effect on July 1, 2025, and shall remain in full force and effect unless modified or rescinded. In the event that any portion of this Ordinance is invalidated by an order of a court of competent jurisdiction, that order shall not in any way affect the validity or effect of the remainder of this Ordinance.

Commissioner	Aye	Nay	Abst.	N.P.	Commissioner	Aye	Nay	Abst.	N.P.
Walker				✓	Cedeño	✓			
Cifelli	✓				Rodriguez	✓			
Kopacz				✓	Baselice	✓			
Aponte-Lipski	✓				Chairman Romano	✓			
O'Dea	✓								

It is hereby certified that at a regular meeting of the Board of County Commissioners of the County of Hudson held on the 17 day of July A.D. 2025, the foregoing ordinance was finally adopted with 7 members voting in the affirmative and 0 in the negative.

 Clerk

The foregoing ordinance having been duly presented to me, I hereby \_\_\_\_\_ the same

Dated: \_\_\_\_\_ A.D. 2025 \_\_\_\_\_ County Executive

Source: Law  
GZ