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RULE ADOPTIONS
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

38 N.J.R. 1460(a)

Adopted Amendment: N.J.A.C. 13:31-3.5

Joint Ventures; Subcontracting of Electrical Work

Proposed: February 22, 2005 at 37 N.J.R. 583(a).

Adopted: July 6, 2005 by the Board of Examiners of Electrical Contractors, Joseph P. Schooley, Chairman.

Filed: February 17, 2006 as R.2006 d.108, without change.

Authority: N.J.S.A. 45:5A-6.

Effective Date: March 20, 2006.

Expiration Date: May 2, 2007.

Federal Standards Statement

A Federal standards analysis is not required because the adopted amendment is governed by N.J.S.A. 45:5A-1 et seq., and is not subject to any Federal standards or requirements.

Full text of the adoption follows:

13:31-3.5 Joint ventures; subcontracting of electrical work

(a)-(b) (No change.)

(c) An electrical contractor holding a business permit issued by the Board may only subcontract electrical work to a person or persons holding a business permit issued by the Board.

(d) An electrical contractor holding a business permit shall not subcontract electrical work to be performed by unlicensed persons. This provision shall not be interpreted to prohibit an electrical contractor holding a business permit from assigning electrical work to be performed by his or her unlicensed employees.

(e) The term "employee," as used in (d) above, is defined to mean persons hired to work on an ongoing and continuous basis, whose remuneration is reported on a Form W-2 to the Internal Revenue Service, and whose work is supervised pursuant to the provisions of N.J.A.C. 13:31-3.4.