



Senate

General Assembly

File No. 211

February Session, 2026

Substitute Senate Bill No. 356

Senate, March 26, 2026

The Committee on Labor and Public Employees reported through SEN. KUSHNER of the 24th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING ELECTRONIC FILING OF CERTIFIED PAYROLL AND DAILY LOGS FOR CERTAIN PUBLIC WORKS PROJECTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-53 of the 2026 supplement to the general statutes
2 is repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2026*):

4 (a) Each contract for the construction, remodeling, refinishing,
5 refurbishing, rehabilitation, alteration or repair of any public works
6 project by the state or any of its agents, or by any political subdivision
7 of the state or any of its agents, including, on and after July 1, 2025, each
8 contract for off-site custom fabrication for any such public works
9 project, shall contain the following provision: "The wages paid on an
10 hourly basis to any person performing the work of any mechanic,
11 laborer or worker on the work herein contracted to be done and the
12 amount of payment or contribution paid or payable on behalf of each

13 such person to any employee welfare fund, as defined in subsection (i)
14 of this section, shall be at a rate equal to the rate customary or prevailing
15 for the same work in the same trade or occupation in the town in which
16 such public works project is being constructed. Any contractor who is
17 not obligated by agreement to make payment or contribution on behalf
18 of such persons to any such employee welfare fund shall pay to each
19 mechanic, laborer or worker as part of such person's wages the amount
20 of payment or contribution for such person's classification on each pay
21 day." For purposes of this subsection, "off-site custom fabrication"
22 means the fabrication of mechanical systems that are fabricated at a site
23 located within the state other than the location of a public works project,
24 but are fabricated specifically for such public works project, including
25 plumbing systems, heating systems, cooling systems, pipefitting
26 systems, ventilation systems or exhaust duct systems. "Off-site custom
27 fabrication" does not include components or materials that are stock
28 shelf items or readily available.

29 (b) If the commissioner, upon inspection or investigation of a
30 complaint, believes that a contractor or subcontractor has knowingly or
31 wilfully employed any mechanic, laborer or worker in the construction,
32 remodeling, refinishing, refurbishing, rehabilitation, alteration or repair
33 of any public works project for or on behalf of the state or any of its
34 agents, or any political subdivision of the state or any of its agents, at a
35 rate of wage on an hourly basis that is less than the rate customary or
36 prevailing for the same work in the same trade or occupation in the town
37 in which such public works project is being constructed, remodeled,
38 refinished, refurbished, rehabilitated, altered or repaired, or who has
39 failed to pay the amount of payment or contributions paid or payable
40 on behalf of each such person to any employee welfare fund, or in lieu
41 thereof to the person, as provided by subsection (a) of this section, such
42 contractor or subcontractor shall be issued a citation and may be fined
43 five thousand dollars for each offense. The commissioner shall maintain
44 a list of any contractor or subcontractor that, during the three preceding
45 calendar years, violates this section or enters into a settlement with the
46 commissioner to resolve any claim brought by the commissioner
47 pursuant to this section. For each contractor or subcontractor placed on

48 such list, the commissioner shall record the following information: (1)
49 The nature of the violation; (2) the total amount of wages and fringe
50 benefits making up the violation or agreed upon in any settlement with
51 the commissioner; and (3) the total amount of civil penalties and fines
52 agreed upon by the commissioner. The commissioner shall review the
53 list on the first day of May each year for the preceding rolling three-year
54 period and may refer for debarment any contractor or subcontractor that
55 committed a violation of this section during the rolling three-year
56 period. The commissioner shall refer for debarment any contractor or
57 subcontractor that entered into one or more settlement agreements with
58 the commissioner where the sum total of all settlements within such
59 period exceeds fifty thousand dollars in back wages or fringe benefits,
60 or entered into one or more settlement agreements with the
61 commissioner where the sum total of all settlements within such period
62 exceeds fifty thousand dollars in civil penalties or fines agreed upon by
63 the commissioner. Any contractor or subcontractor the commissioner
64 refers for debarment may request a hearing before the commissioner.
65 Such hearing shall be conducted in accordance with the provisions of
66 chapter 54. In addition, if it is found by the contracting officer
67 representing the state or political subdivision of the state that any
68 mechanic, laborer or worker employed by the contractor or any
69 subcontractor directly on the site for the work covered by the contract
70 has been or is being paid a rate of wages less than the rate of wages
71 required by the contract to be paid as required by this section, the state
72 or contracting political subdivision of the state may (A) by written or
73 electronic notice to the contractor, terminate such contractor's right to
74 proceed with the work or such part of the work as to which there has
75 been a failure to pay said required wages and to prosecute the work to
76 completion by contract or otherwise, and the contractor and the
77 contractor's sureties shall be liable to the state or the contracting political
78 subdivision for any excess costs occasioned the state or the contracting
79 political subdivision thereby, or (B) withhold payment of money to the
80 contractor or subcontractor. The contracting department of the state or
81 the political subdivision of the state shall, not later than two days after
82 taking such action, notify the Labor Commissioner, in writing or

83 electronically, of the name of the contractor or subcontractor, the project
84 involved, the location of the work, the violations involved, the date the
85 contract was terminated, and steps taken to collect the required wages.

86 (c) The Labor Commissioner may make complaint to the proper
87 prosecuting authorities for the violation of any provision of subsection
88 (b) of this section.

89 (d) For the purpose of predetermining the prevailing rate of wage on
90 an hourly basis and the amount of payment, contributions and member
91 benefits paid or payable on behalf of each person to any employee
92 welfare fund, as defined in subsection (i) of this section, in each town
93 where such contract is to be performed, the Labor Commissioner shall
94 adopt the rate of wages on an hourly basis in accordance with the
95 provisions of this section and section 31-76c and the amount of payment,
96 contributions and member benefits, including health, pension, annuity
97 and apprenticeship funds, as recognized by the United States
98 Department of Labor and the Labor Commissioner paid or payable on
99 behalf of each person to any employee welfare fund, as defined in
100 subsection (i) of this section, as established in the collective bargaining
101 agreements or understandings between employers or employer
102 associations and bona fide labor organizations for the same work in the
103 same trade or occupation in the town in which the applicable public
104 works project, as defined in section 31-56a, is being constructed. For
105 each trade or occupation for which more than one collective bargaining
106 agreement is in effect for the town in which such project is being
107 constructed, the collective bargaining agreement of historical
108 jurisdiction shall prevail. For each trade or occupation for which there
109 is no collective bargaining agreement in effect for the town in which the
110 public works project is being constructed, the Labor Commissioner shall
111 adopt and use such appropriate and applicable prevailing wage rate
112 determinations as have been made by the Secretary of Labor of the
113 United States under the provisions of the Davis-Bacon Act, as amended.

114 (e) The Labor Commissioner shall determine the prevailing rate of
115 wages on an hourly basis and the amount of payment or contributions

116 paid or payable on behalf of such person to any employee welfare fund,
117 as defined in subsection (i) of this section, in each locality where any
118 such public work is to be constructed, and the agent empowered to let
119 such contract shall contact the Labor Commissioner, at least ten but not
120 more than twenty days prior to the date such contracts will be
121 advertised for bid, to ascertain the proper rate of wages and amount of
122 employee welfare fund payments or contributions and shall include
123 such rate of wage on an hourly basis and the amount of payment or
124 contributions paid or payable on behalf of each person to any employee
125 welfare fund, as defined in subsection (i) of this section, or in lieu thereof
126 the amount to be paid directly to each person for such payment or
127 contributions as provided in subsection (a) of this section for all
128 classifications of labor in the proposal for the contract. The rate of wage
129 on an hourly basis and the amount of payment or contributions to any
130 employee welfare fund, as defined in subsection (i) of this section, or
131 cash in lieu thereof, as provided in subsection (a) of this section, shall, at
132 all times, be considered as the minimum rate for the classification for
133 which it was established. Prior to the award of any contract, purchase
134 order, bid package or other designation subject to the provisions of this
135 section, such agent shall certify to the Labor Commissioner, either in
136 writing or electronically, the total dollar amount of work to be done in
137 connection with such public works project, regardless of whether such
138 project consists of one or more contracts. Upon the award of any
139 contract subject to the provisions of this section, the contractor to whom
140 such contract is awarded shall certify, under oath, to the Labor
141 Commissioner the pay scale to be used by such contractor and any of
142 the contractor's subcontractors for work to be performed under such
143 contract.

144 (f) (1) Each employer subject to the provisions of this section, section
145 31-53c, subsection (f) of section 31-53d or section 31-54 shall [(1)] (A)
146 keep, maintain and preserve such records relating to the wages and
147 hours worked by each person performing the work of any mechanic,
148 laborer and worker and a schedule of the occupation or work
149 classification at which each person performing the work of any
150 mechanic, laborer or worker on the project is employed during each

151 work day and week in such manner and form as the Labor
152 Commissioner establishes to assure the proper payments due to such
153 persons or employee welfare funds under this section, section 31-53c,
154 subsection (f) of section 31-53d or section 31-54, regardless of any
155 contractual relationship alleged to exist between the contractor and such
156 person, provided such employer shall have the option of keeping,
157 maintaining and preserving such records in an electronic format, and
158 [(2)] (B) submit monthly to the contracting agency or the Department of
159 Economic and Community Development pursuant to section 31-53c or
160 to the developer of a covered project, as defined in section 31-53d, as
161 applicable, by mail, electronic mail or other method accepted by such
162 agency, the Department of Economic and Community Development or
163 such developer, a certified payroll that shall consist of a complete copy
164 of such records accompanied by a statement signed by the employer
165 that indicates [(A)] (i) such records are correct; [(B)] (ii) the rate of wages
166 paid to each person performing the work of any mechanic, laborer or
167 worker and the amount of payment or contributions paid or payable on
168 behalf of each such person to any employee welfare fund, as defined in
169 subsection (i) of this section, are not less than the prevailing rate of
170 wages and the amount of payment or contributions paid or payable on
171 behalf of each such person to any employee welfare fund, as determined
172 by the Labor Commissioner pursuant to subsection (d) of this section,
173 and not less than those required by the contract to be paid; [(C)] (iii) the
174 employer has complied with the applicable provisions of this section,
175 section 31-53c, subsection (f) of section 31-53d and section 31-54; [(D)]
176 (iv) each such person is covered by a workers' compensation insurance
177 policy for the duration of such person's employment, which shall be
178 demonstrated by submitting to the contracting agency the name of the
179 workers' compensation insurance carrier covering each such person, the
180 effective and expiration dates of each policy and each policy number;
181 [(E)] (v) the employer does not receive kickbacks, as defined in 41 USC
182 52, from any employee or employee welfare fund; and [(F)] (vi)
183 pursuant to the provisions of section 53a-157a, the employer is aware
184 that filing a certified payroll which the employer knows to be false is a
185 class D felony for which the employer may be fined up to five thousand

186 dollars, imprisoned for up to five years, or both. This subsection shall
187 not be construed to prohibit a general contractor from relying on the
188 certification of a lower tier subcontractor, provided the general
189 contractor shall not be exempted from the provisions of section 53a-157a
190 if the general contractor knowingly relies upon a subcontractor's false
191 certification. Notwithstanding the provisions of section 1-210, the
192 certified payroll shall be considered a public record and every person
193 shall have the right to inspect and copy such records in accordance with
194 the provisions of section 1-212. The provisions of subsections (a) and (b)
195 of section 31-59 and sections 31-66 and 31-69 that are not inconsistent
196 with the provisions of this section, section 31-53c or 31-54 apply to this
197 section. Failing to file a certified payroll pursuant to subparagraph (B)
198 of this subdivision and subdivision (2) of this subsection is a class D
199 felony for which the employer may be fined up to five thousand dollars,
200 imprisoned for up to five years, or both.

201 (2) On and after December 1, 2028, each employer subject to the
202 provisions of this subsection shall submit monthly certified payroll
203 records, consistent with the provisions of subdivision (1) of this
204 subsection, to the Labor Commissioner through the online system
205 developed pursuant to subsection (a) of section 2 of this act. Such
206 certified payroll records shall include, but need not be limited to, the
207 total of the employer's contributions to or reasonably anticipated costs
208 of fringe benefits.

209 (g) Any contractor who is required by the Labor Department to make
210 any payment as a result of a subcontractor's failure to pay wages or
211 benefits, or any subcontractor who is required by the Labor Department
212 to make any payment as a result of a lower tier subcontractor's failure
213 to pay wages or benefits, may bring a civil action in the Superior Court
214 to recover no more than the damages sustained by reason of making
215 such payment, together with costs and a reasonable attorney's fee.

216 (h) (1) The provisions of this section shall not apply where (A) the
217 combined total cost or total bond authorization for all work to be
218 performed by all contractors and subcontractors in connection with new

219 construction of any public works project is less than one million dollars,
220 or (B) the combined total cost of all work to be performed by all
221 contractors and subcontractors in connection with any remodeling,
222 refinishing, refurbishing, rehabilitation, alteration or repair of any
223 public works project is less than one hundred thousand dollars.

224 (2) On and after October 31, 2017, and prior to July 1, 2019, the
225 provisions of this subdivision shall not apply where the work to be
226 performed by any contractor or subcontractor in connection with new
227 construction, remodeling, refinishing, refurbishing, rehabilitation,
228 alteration or repair of any public works project funded in whole or in
229 part by any private bequest that is greater than nine million dollars but
230 less than twelve million dollars for a municipality in New Haven
231 County with a population of not less than twelve thousand and not
232 more than thirteen thousand, as determined by the most recent
233 population estimate by the Department of Public Health.

234 (3) On and after July 1, 2019, and prior to January 1, 2020, the
235 provisions of this subdivision shall not apply where the work to be
236 performed by any contractor or subcontractor in connection with new
237 construction, remodeling, refinishing, refurbishing, rehabilitation,
238 alteration or repair of any public works project funded in whole or in
239 part by any private bequest that is greater than nine million dollars but
240 less than twenty-two million dollars for a municipality in New Haven
241 County with a population of not less than twelve thousand and not
242 more than thirteen thousand, as determined by the most recent
243 population estimate by the Department of Public Health.

244 (i) As used in this section and sections 31-53c and 31-54, "employee
245 welfare fund" means any trust fund established by one or more
246 employers and one or more labor organizations or one or more other
247 third parties not affiliated with the employers to provide from moneys
248 in the fund, whether through the purchase of insurance or annuity
249 contracts or otherwise, benefits under an employee welfare plan;
250 provided such term shall not include any such fund where the trustee,
251 or all of the trustees, are subject to supervision by the Banking

252 Commissioner of this state or any other state or the Comptroller of the
253 Currency of the United States or the Board of Governors of the Federal
254 Reserve System, and "benefits under an employee welfare plan" means
255 one or more benefits or services under any plan established or
256 maintained for persons performing the work of any mechanics, laborers
257 or workers or their families or dependents, or for both, including, but
258 not limited to, medical, surgical or hospital care benefits; benefits in the
259 event of sickness, accident, disability or death; benefits in the event of
260 unemployment, or retirement benefits.

261 (j) (1) Each employer subject to the provisions of this section, section
262 31-53c, subsection (f) of section 31-53d or section 31-54 shall complete a
263 daily record of each person performing the work of any mechanic,
264 laborer or worker at a work site. Such daily record shall include (A) the
265 name and location of the project, (B) the current date, (C) the printed
266 name, signature and, where applicable, trade license number of each
267 person performing the work of a mechanic, laborer or worker, and (D)
268 the arrival and departure time to the work site of each person
269 performing the work of a mechanic, laborer or worker.

270 (2) An employer shall (A) keep, maintain and preserve such daily
271 records, and (B) submit such daily records weekly to the contracting
272 agency or the Department of Economic and Community Development,
273 pursuant to section 31-53c, or to the developer of a covered project, as
274 defined in section 31-53d, as applicable, by mail, electronic mail or other
275 method accepted by such agency, the Department of Economic and
276 Community Development or such developer.

277 (3) Notwithstanding the provisions of section 1-210, the daily records
278 required pursuant to this subsection shall be considered a public record
279 and every person shall have the right to inspect and copy such daily log
280 or sign-in sheet in accordance with the provisions of section 1-212.

281 (4) Failure to file the daily records required pursuant to this
282 subsection is a class D felony for which the employer may be fined up
283 to five thousand dollars, imprisoned for up to five years, or both.

284 Sec. 2. (NEW) (*Effective October 1, 2026*) (a) Not later than December
 285 1, 2028, the Labor Commissioner shall develop and maintain an online
 286 system through which an employer subject to the provisions of section
 287 31-53 of the general statutes, as amended by this act, section 31-53c of
 288 the general statutes, subsection (f) of section 31-53d of the general
 289 statutes or section 31-54 of the general statutes shall submit the certified
 290 payroll records required pursuant to subdivision (2) of subsection (f) of
 291 section 31-53 of the general statutes, as amended by this act. The
 292 certified payroll records submitted by each such employer through such
 293 system shall be transmitted to the online database developed pursuant
 294 to subsection (b) of this section.

295 (b) Not later than December 1, 2028, the Labor Commissioner shall
 296 develop and maintain a searchable online database on the Labor
 297 Department's Internet web site for purposes of posting the certified
 298 payroll records submitted pursuant to subdivision (2) of subsection (f)
 299 of section 31-53 of the general statutes, as amended by this act. Such
 300 database shall be publicly accessible and the commissioner shall remove
 301 all personally identifying information from such records, except the
 302 commissioner shall, upon request, provide an unredacted certified
 303 payroll record to an exclusive representative in a digital file format. For
 304 purposes of this subsection, "personally identifying information" has the
 305 same meaning as provided in section 42-284 of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2026</i>	31-53
Sec. 2	<i>October 1, 2026</i>	New section

Statement of Legislative Commissioners:

In Section 1(f)(1), "subparagraph (A) of this subdivision" was changed to "subparagraph (B) of this subdivision" for accuracy.

LAB *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Labor Dept.	GF - Cost	None	None
Judicial Dept. (Probation); Correction, Dept.	GF - Potential Cost	See Below	See Below
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill changes requirements for employers covered by the state prevailing wage laws regarding certified payroll records. This results in the fiscal impact described below.

Section 1 creates a new felony, which results in a potential cost to the Department of Correction and the Judicial Department for incarceration or probation and a potential revenue gain to the General Fund from fines¹. On average, the marginal cost to the state for incarcerating an offender for the year is \$3,300² while the average marginal cost for supervision in the community is less than \$600³ each year for adults and

¹ The maximum penalty is \$5,000.

² Inmate marginal cost is based on increased consumables (e.g., food, clothing, water, sewage, living supplies, etc.). This does not include a change in staffing costs or utility expenses because these expenses would only be realized if a unit or facility opened.

³ Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

\$450 each year for juveniles.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of offenses.

Section 2 requires the Department of Labor (DOL) to develop and maintain an online system through which an employer must submit certified payroll records and to maintain a searchable online database on the agency's website for such information. This results in a one-time cost to DOL of at least \$2.5 million in FY 29 for related vendor costs⁴.

⁴ This estimate is based on conversations DOL has had with their counterparts in New York and New Jersey regarding the implementation of similar legislation.

OLR Bill Analysis**sSB 356*****AN ACT CONCERNING ELECTRONIC FILING OF CERTIFIED PAYROLL AND DAILY LOGS FOR CERTAIN PUBLIC WORKS PROJECTS.*****SUMMARY**

This bill makes changes to the record keeping requirements for employers covered by the state prevailing wage laws (including similar laws that apply to certain projects funded by the Department of Economic and Community Development (DECD), renewable energy projects, and work on state highways (BACKGROUND)).

Generally, it requires these employers to keep daily attendance records of the workers on a covered project and submit them weekly to the agency overseeing the project. Starting December 1, 2028, it also requires these employers to electronically submit their certified payroll records to the labor commissioner, who must make them publicly available in an online, searchable database.

As under the current law for filing certified payroll records, a failure to file the records as required by the bill is a Class D felony subject to a fine of up to \$5,000, up to five years' imprisonment, or both.

EFFECTIVE DATE: October 1, 2026

DAILY ATTENDANCE RECORDS

The bill requires employers covered by the state prevailing wage laws to keep a daily record of each construction worker at the covered work site. This record must include (1) the project's name and location; (2) the current date; and (3) each worker's (a) name (printed and signed), (b) trade license number (when applicable), and (c) arrival and departure times at the site. The bill requires the employer to submit these records weekly to the contracting agency, DECD, or the clean energy project's

developer, as applicable.

Under the bill, and regardless of the state Freedom of Information Act's (FOIA) provisions on public records access, these daily records are a public record and every person has a right to inspect and copy a daily log or sign-in sheet under FOIA's provisions on copying and scanning public records.

CERTIFIED PAYROLL RECORDS

The bill requires the labor commissioner, by December 1, 2028, to develop and maintain an online (1) system for employers subject to the prevailing wage laws to submit the certified payroll records required by law and (2) publicly accessible and searchable database of those certified payroll records. Under the bill, the certified payroll records submitted to the online system must be transmitted to the online database and the labor commissioner must remove all personally identifying information from them. However, the bill requires her, upon request, to provide an unredacted certified payroll record in a digital file format to an exclusive representative (presumably, an employee's union representative).

Under the bill, "personally identifying information" is someone's (1) birth date; (2) mother's maiden name; or (3) driver's license, Social Security, health insurance identification, financial account, security code, personal identification, or other government-issued identification number that is not otherwise directly available to the public.

Starting December 1, 2028, the bill requires employers to (1) submit their monthly certified payroll records through the online system and (2) include in the records their total, or reasonably anticipated, fringe benefit costs.

BACKGROUND

Prevailing Wage Laws

The state's prevailing wage law generally requires contractors and subcontractors on certain public works projects to pay their construction workers wages and benefits equal to those that are customary or prevailing for the same work, in the same occupation, in the same town.

The requirement applies to new construction projects costing at least \$1 million and renovation projects costing at least \$100,000 (CGS § 31-53).

Similar prevailing wage requirements also apply to certain (1) projects that receive at least \$1 million in DECD financial assistance (CGS § 31-53c), (2) clean energy projects (CGS § 31-53d), and (3) work on state highways (CGS § 31-54).

Related Bill

SB 268 (File 76), reported favorably by the Labor and Public Employees Committee, allows the state comptroller to withhold payment to a contractor or subcontractor for whom the labor commissioner has issued a stop work order for a violation of the prevailing wage law.

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 9 Nay 4 (03/12/2026)