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## **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)