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Senator Cabrera Votes to Crack Down on Contractor Theft in Connecticut

Despite some Republican opposition, state Senator Jorge Cabrera **(D-Hamden)** has joined several of his Senate colleagues in passing a bill that allows the state to withhold payments to contractors and subcontractors who won't pay their employees working on state projects.

Senate Bill 268, "AN ACT AUTHORIZING THE COMPTROLLER TO WITHHOLD PAYMENT FOR VIOLATIONS OF THE PREVAILING WAGE STATUTES," passed the state Senate today on a bipartisan 31-5 vote and now heads to the House of Representatives for consideration.

One of Sen. Cabrera's first jobs out of college was visiting job sites and investigating wage theft complaints.

"This is a persistent problem here in Connecticut and throughout the country that has continually been hurting workers. Right underneath our noses, not too far away from here in Meriden, a subcontractor was issued eight -- I'll repeat that, eight -- stop work orders impacting over 50 workers and $150,000 in stolen wages," said Sen. Cabrera, who is Vice-Chair of the Labor and Public Employees Committee. "We're also not the first state to do this. There are 10 states in our country that have similar bills, similar laws on the books to fight back and help workers whose wages are being stolen every single day, right under our noses, on job sites that we drive by every single day. Many times, these workers don't have the time, the resources, or the willingness to be able to engage the Department of Labor. It simply takes too long. But this bill empowers us, empowers the State of Connecticut to take swift action and hold these contractors responsible. It's yet one more tool on the tool belt to make sure that we're on the side of workers in this country and in this state."

Joseph P. Toner, Executive Director of the Connecticut State Building Trades Council, testified in support of the bill at its public hearing in February.

S.B. 268 sets a process for the state comptroller to withhold payment to a contractor or subcontractor who has violated the state's prevailing wage law. More specifically, it allows the labor commissioner to notify the comptroller when she issues a stop-work order against a contractor or subcontractor for knowingly or willfully failing to pay an employee the prevailing wage required on a public works project.

The bill requires the comptroller, within 10 business days after getting the notice, to notify the contractor or subcontractor that he received the notice and that the contractor or subcontractor must comply with the prevailing wage requirement within 10 business days.

If the contractor or subcontractor remains noncompliant after this 10-day period, the bill allows the comptroller to withhold payment to the contractor or subcontractor until the labor commissioner releases the stop work order, the contractor or subcontractor pays any penalties imposed under the prevailing wage law, or parties finalize a settlement agreement.

Connecticut'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.

