

Labor and Public Employees Committee

JOINT FAVORABLE REPORT

Bill No.: SB-1035

Title: AN ACT CONCERNING STOP WORK ORDERS.

Vote Date: 2/28/2023

Vote Action: Joint Favorable

PH Date: 2/23/2023

File No.:

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

SPONSORS OF BILL:

Labor and Public Employees Committee

REASONS FOR BILL:

This bill would expand the applicability of the issuance of a stop work order to include violations of the prevailing wage and increase fines for violations of stop work orders. The increase of fines is intended to deter employers from engaging in hazardous and unfair operating procedures and to protect employees from such practices.

RESPONSE FROM ADMINISTRATION/AGENCY:

Dante Bartolomeo, Commissioner, Connecticut Department of Labor: Supported this bill and noted that it increases the two penalties associated with existing stop work order law. She commented that these changes would not result in a fiscal impact to Connecticut Department of Labor if they were to pass with the language as currently drafted in the bill.

NATURE AND SOURCES OF SUPPORT:

Kristen Abrahamson, Executive Vice President, MCAC: She supported this bill on the grounds that it will increase the number of construction projects performed by responsible contractors. She stated that this will help improve the quality of construction and competitive conditions in the markets for projects and the performance of projects overall, and that it will help protect Connecticut's workforce.

Keith Brothers, Business Manager, CSBTC: They supported this bill on the grounds that it gives the Department of Labor more teeth to go after bad actors in the industry, and creates an incentive for would-be violators to follow the law.

Nate Brown, Director of Government Affairs, IUOE: Supported this bill on the grounds that both employees and honest employers suffer when unscrupulous employers gain an illegal advantage. They stated that this bill will crack down on wage theft and level the playing field, while allowing companies that follow the law to be more successful.

James Denning FS-T & Business Manager, Ironworkers Local 15: Supports this bill on the grounds that it will be a deterrent to the companies that exploit Connecticut's wage laws and their employees. He commented that it will not change how the Department of Labor investigates the need for a stop work order.

Bill Finch, Directors, NECA-IBEW: He supported this bill on the grounds that wage theft is common, especially in the construction industry's underground economy. He also commented that the bill will deter unscrupulous companies by increasing fines for violating the prevailing wage law.

Kimberly Glassman, President, Foundation for Fair Contracting: She supported this bill on the grounds that it will provide a deterrent to unscrupulous companies from taking advantage of our wage laws and exploiting their workers.

Ed Hawthorne, President, Connecticut AFL-CIO: He supported this bill on the grounds that it protects construction workers from wage theft by permitting the Department of Labor to issue stop work orders to employers who violate Connecticut's prevailing wage law.

Justin Kelley, Political Director, IUPAT DC 11: He supported this bill on the grounds that prevailing wage fraud is one of the most common forms of wage theft that is perpetrated upon workers by unscrupulous contractors. He further stated that this bill would ensure that workers are protected through penalties that deter companies from violating the prevailing wage law.

Gerald Marotti, President, BAC Local 1 CT: He supported this bill on the grounds that it will ensure that workers are better protected from employers who seek to take advantage of them, particularly in the construction industry. He also commented that this bill will help deter unsafe conditions on construction sites and faulty construction practices that could lead to hazardous situations for workers and occupants.

Jay More, Organizer, Local 777: He supported this bill on the grounds that wage theft and exploitation of workers is widespread throughout the construction industry in Connecticut. He further commented that this bill would protect workers from unscrupulous companies who ignore Connecticut's wage laws.

Don Scoopo, Business Manager, Heat and Frost Insulators: He supported this bill on the grounds that there needs to be an incentive for contractors to play by the rules. He also commented that the states of New Jersey and Maryland have recently taken action to require greater wage compliance by strengthening stop work order laws.

Michael Thompson, Executive Director, ASMRCC: He supported this bill on the grounds that it will increase construction done by responsible contractors and level the playing field in the construction industry. He also commented that this bill will help deter unsafe conditions on construction sites that could lead to hazardous situations for occupants and workers.

Michael Thompson, Executive Director, MCAC: He supported this bill on the grounds that it will serve as a deterrent to unscrupulous contractors and help improve the entire construction industry.

Several members of the SMART SMW Local Union 38 testified in support of this bill on the grounds that they see wage theft as an issue that is rampant in the state's underground construction industry. Comments that the states of New Jersey and Maryland recently took steps to strengthen the enforcement of wage compliance through strong Stop Work Order language. States that this bill strengthens Connecticut's laws against unscrupulous companies who exploit their employees and acts as a deterrent for would-be violators. These individuals included:

1. **Eugene Barbieri, Marketing Representative**
2. **Michael Colombo, President & Business Manager**
3. **Eric Hofbauer, Vice President**
4. **Michael Keon, Training Coordinator**
5. **John Malaspina, Business Representative**
6. **James Nester, Business Representative**
7. **Richard Pagano, Fund Administrator**
8. **Thomas Picheco, Business Representative**

NATURE AND SOURCES OF OPPOSITION:

Barb Dimauro, Executive Director, UCAC: She opposed this bill on the grounds that the issuance of a stop work order should only be reserved for the most egregious of circumstances, particularly those that may compromise health or safety and are directly related to a specific job site.

Christopher Fryxell, President, Associated Builders & Contractors CT: He opposed this bill on the grounds that expanding the authority to issue stop work orders for prevailing wage violations is unnecessary and potentially harmful to the very workers it aims to protect. He commented that he has significant concerns with the lack of due process afforded to the accused under this proposal.

Reported by:

Date: 03/03/2023

Gabriel Marques, Assistant Clerk