



General Assembly

***Raised Bill No. 1035***

January Session, 2023

LCO No. 4397



Referred to Committee on LABOR AND PUBLIC  
EMPLOYEES

Introduced by:  
(LAB)

***AN ACT CONCERNING STOP WORK ORDERS.***

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

1 Section 1. Section 31-76a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2023*):

3 (a) On receipt of a complaint for nonpayment of wages, [or] a  
4 violation of the provisions of subsection (g) of section 31-288 or a  
5 violation of the provisions of subsection (b) of section 31-53, the Labor  
6 Commissioner, the director of Wage and Workplace Standards or the  
7 director's designee, shall have power to enter, during usual business  
8 hours, the place of business or employment of any employer to  
9 determine compliance with the wage payment laws, [or] subsection (g)  
10 of section 31-288 or subsection (b) of section 31-53, and for such  
11 purpose may examine payroll and other records and interview  
12 employees, call hearings, administer oaths, take testimony under oath  
13 and take depositions in the manner provided by sections 52-148a to  
14 52-148e, inclusive.

15 (b) The commissioner or the director, for such purpose, may issue

16 subpoenas for the attendance of witnesses and the production of books  
17 and records. Any employer or any officer or agent of any employer,  
18 corporation, firm or partnership who wilfully fails to furnish time and  
19 wage records as required by law to the commissioner, the director of  
20 minimum wage or any wage enforcement agent upon request, or who  
21 refuses to admit the commissioner, the director or such agent to the  
22 place of employment of such employer, corporation, firm or  
23 partnership, or who hinders or delays the commissioner, the director  
24 or such agent in the performance of the commissioner's, the director's  
25 or such agent's duties in the enforcement of this section shall be fined  
26 not less than [one hundred dollars nor more than two hundred fifty  
27 dollars] one thousand dollars. Each day of such failure to furnish the  
28 time and wage records to the commissioner, the director or such agent  
29 shall constitute a separate offense, and each day of refusal to admit, of  
30 hindering or of delaying the commissioner, the director or such agent  
31 shall constitute a separate offense.

32 (c) (1) If the commissioner determines, after an investigation  
33 pursuant to subsection (a) of this section, that an employer is in  
34 violation of (A) subsection (g) of section 31-288, or (B) subsection (b) of  
35 section 31-53, the commissioner shall issue, not later than seventy-two  
36 hours after making such determination, a stop work order against the  
37 employer requiring the cessation of all business operations of such  
38 employer. Such stop work order shall be issued only against the  
39 employer found to be in violation of subsection (g) of section 31-288 or  
40 in violation of subsection (b) of section 31-53 and only as to the specific  
41 place of business or employment for which the violation exists. Such  
42 order shall be effective when served upon the employer or at the place  
43 of business or employment. A stop work order may be served at a  
44 place of business or employment by posting a copy of the stop work  
45 order in a conspicuous location at the place of business or  
46 employment. Such order shall remain in effect until the commissioner  
47 issues an order releasing the stop work order upon a finding by the  
48 commissioner that the employer has come into compliance with the  
49 requirements of subsection (b) of section 31-284 or subsection (b) of

50 section 31-53, or after a hearing held pursuant to subdivision (2) of this  
51 subsection.

52 (2) Any employer against which a stop work order is issued  
53 pursuant to subdivision (1) of this subsection may request a hearing  
54 before the commissioner. Such request shall be made in writing to the  
55 commissioner not more than ten days after the issuance of such order.  
56 Such hearing shall be conducted in accordance with the provisions of  
57 chapter 54.

58 (3) Stop work orders and any penalties imposed under section 31-  
59 288 or 31-69a, as amended by this act, against a corporation,  
60 partnership or sole proprietorship for a violation of subsection (g) of  
61 section 31-288 or for a violation of subsection (b) of section 31-53 shall  
62 be effective against any successor entity that has one or more of the  
63 same principals or officers as the corporation, partnership or sole  
64 proprietorship against which the stop work order was issued and are  
65 engaged in the same or equivalent trade or activity.

66 (4) The commissioner shall adopt regulations, in accordance with  
67 the provisions of chapter 54, necessary to carry out this subsection.

68 Sec. 2. Subsection (a) of section 31-69a of the general statutes is  
69 repealed and the following is substituted in lieu thereof (*Effective*  
70 *October 1, 2023*):

71 (a) In addition to the penalties provided in this chapter and chapter  
72 568, any employer, officer, agent or other person who violates any  
73 provision of this chapter, chapter 557 or subsection (g) of section 31-  
74 288 shall be liable to the Labor Department for a civil penalty of three  
75 hundred dollars for each violation of said chapters and for each  
76 violation of subsection (g) of section 31-288, except that (1) any person  
77 who violates (A) a stop work order issued pursuant to subsection (c) of  
78 section 31-76a, as amended by this act, shall be liable to the Labor  
79 Department for a civil penalty of [one thousand dollars] five thousand  
80 dollars and each day of such violation shall constitute a separate

81 offense, and (B) any provision of section 31-12, 31-13 or 31-14,  
82 subsection (a) of section 31-15 or section 31-18, 31-23 or 31-24 shall be  
83 liable to the Labor Department for a civil penalty of six hundred  
84 dollars for each violation of said sections, and (2) a violation of  
85 subsection (g) of section 31-288 shall constitute a separate offense for  
86 each day of such violation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2023</i>	31-76a
Sec. 2	<i>October 1, 2023</i>	31-69a(a)

**LAB**      *Joint Favorable*