

## **HB 3237 – PREVAILING WAGE RECORD KEEPING REQUIREMENTS**

HB 3237 amends the Prevailing Wage Act to impose new record-keeping requirements on contractors and subcontractors that participate in public works. Contractors and subcontractors shall keep records for at least three years from the date of the last payment on a contract or subcontract. The bill also provides that such contractors and subcontractors shall file a certified payroll for each month signed by the contractor or subcontractor or an officer, employee, or agent of the contractor or subcontractor and stating that he or she has examined the certified payroll records. Penalties for the willful failure to file or the willful filing of a false certified payroll are added. Contractors or subcontractors shall also make available for inspection and copying records, upon 3 business days' notice (instead of 7), to federal, State or local law enforcement agencies and prosecutors in addition to the public body in charge of the public works project and the Director of Labor and his deputies and agents. The willful failure to create, keep, maintain or produce a record or document required by the Prevailing Wage Act is also subject to Illinois Municipal League | 2011 Legislation Approved by Both Chambers Page 6 penalty. Contractors or subcontractors convicted under specific provisions of the Act may be subject to an automatic and immediate debarment, thereafter prohibited from participating in any public works project for 4 years, with no right to a hearing. Effective January 1, 2012.