

2023 -- H 5591 SUBSTITUTE A

LC001006/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- PAYMENT OF WAGES

Introduced By: Representatives Edwards, Bennett, Handy, Craven, Kislak, Shanley,
Kazarian, Casimiro, and Casey

Date Introduced: February 15, 2023

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-14-18.4 of the General Laws in Chapter 28-14 entitled "Payment
2 of Wages" is hereby amended to read as follows:

3 **28-14-18.4. Extension of protection Extension of protection -- Annual report.**

4 (a) The ~~protections set forth in § 28-14-18 [repealed] and the~~ relief and damages for
5 violations set forth in ~~§§ 28-14-18.1 [repealed] and 28-14-18.2 [repealed]~~ §§ 28-14-19.2 and 28-
6 14-19.3 shall also apply to §§ 28-41-35(f) and (g) and chapters 3, 6, 12, and 18 of this title, ~~and to~~
7 chapter 23 of title 5 and chapter 3 of title 25.

8 (b) The director, on or before December 31, 2024, and annually thereafter, shall submit a
9 report to the governor, the speaker of the house and the president of the senate regarding all
10 complaints filed in the preceding year with the department of labor and training (the "department")
11 for alleged violations of § 28-41-35(f) and (g).

12 (c) The annual report required pursuant to subsection (b) of this section shall include, but
13 not be limited to, the following information:

14 (1) The total number of complaints filed with the department for alleged violations of § 28-
15 41-35(f) or (g), or both;

16 (2) The exact nature of the alleged violations;

17 (3) How each complaint was resolved, whether after hearing or settlement;

18 (4) Whether the findings after hearing were appealed;

19 (5) Results of each appeal;

1 (6) The number of complaints in which an alleged violation was determined to be founded,
2 and the number of complaints determined to be unfounded or dismissed; and

3 (7) A determination of the number of complaints for alleged violations of § 28-41-35(f) or
4 (g) which also included an alleged violation of § 25-3-3, and the resolution of the complaint with
5 respect to the alleged violation of § 25-3-3.

6 (d) The provisions of subsections (b) and (c) of this section shall sunset and expire on July
7 1, 2025, unless extended by the general assembly.

8 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO LABOR AND LABOR RELATIONS -- PAYMENT OF WAGES

1 This act would eliminate several repealed state references and allow employees who return
2 to work from being a temporary caregiver, to enforce their rights to a continuation of their medical
3 benefits, reinstatement of status, seniority, payment and other benefits. It would also extend those
4 protections to employees that engage in whistleblower and job-related investigations, as well as
5 those who allege work violations on holiday and Sundays.

6 This act would also require the director of the department of labor and training (DLT) to
7 file an annual report with the governor, the speaker of the house and the senate president providing
8 statistics for complaints filed with the DLT for violation of § 28-41-35(f) and (g) and related
9 violations of § 25-3-3. The provisions to provide a report would expire on July 1, 2025, unless
10 extended by the general assembly.

11 This act would take effect upon passage.

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