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LC003684

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

AN ACT

RELATING TO LABOR AND LABOR RELATIONS -- WORKPLACE PSYCHOLOGICAL SAFETY ACT

Introduced By: Senators Ciccone, Urso, Felag, Burke, and Dimitri

Date Introduced: February 06, 2026

Referred To: Senate Labor & Gaming

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 28 of the General Laws entitled "LABOR AND LABOR RELATIONS"
2 is hereby amended by adding thereto the following chapter:

CHAPTER 61

WORKPLACE PSYCHOLOGICAL SAFETY ACT

28-61-1. Purpose.

6 It is the purpose of this chapter to ensure the psychological safety of employees and/or the
7 work environment without regard to protected class status by holding employers accountable for
8 bullying conduct.

28-61-2. Definitions.

10 For the purposes of this chapter, the following words and phrases shall have the following
11 meanings:

12 (1) “Employee” means any person who renders services to an employer, contractor, or any
13 other entity and receives compensation for those services, including full- and part-time paid
14 employees, temporary employees, contracted employees, and independent contractors.

15 (2) "Employer" means a person or entity of any size who obtains services from a full- or
16 part-time paid employee, temporary employee, contracted employee, or independent contractor and
17 hires at least one employee for any compensation. This chapter applies to employers with a
18 minimum of fifteen (15) employees only.

(3) "Representative employee" means an employee in a leadership, management, or legal position whose responsibility is to advise on, oversee, and/or enforce organizational policies.

28-61-3. Workplace bullying regulation.

16 (b) Employers and representative employees shall take all reasonable preventative and
17 responsive measures to provide safe work environments free from bullying by:

18 (1) Acknowledging and responding to complaints of bullying within a reasonable time
19 frame appropriate to the level of urgency;

20 (2) Providing and executing a transparent, timely complaint process that includes a
21 legitimate, fair, fact-finding investigation and the issuance of timely and accurate reports of
22 findings;

23 (3) Providing and executing a transparent disciplinary process according to the severity of
24 the offense within a reasonable time frame, if applicable including, but not limited to: coaching,
25 counseling, a warning, or other disciplinary action, including removal of supervisory duties and/or
26 termination;

27 (4) Maintaining accurate records of complaints, findings, and discipline;

28 (5) Writing, distributing, posting, and otherwise providing a written preventative policy
29 against all forms of bullying, to include an anti-retaliation policy and an identification and
30 description of all reporting methods, consistent with this section and all other laws within ninety
31 (90) days. Such policies shall be distributed to employees on a regular basis; and

32 (6) Training all employees on such preventative and reporting policies. It shall be
33 considered an affirmative defense for an employer to take prompt, good-faith steps to address
34 alleged bullying with a threshold of evidence.

(c) It shall be unlawful for an employer or representative employee to:

(1) Mandate mediation and/or arbitration of a bullying complaint prior to the employee's hiring of counsel. Voluntary mediation with both parties' consent may be permitted only when employees understand their rights before entering mediation and can consult with legal aid organizations if they cannot afford an attorney. Employers shall be prohibited from requiring mediation as a condition of employment or filing a complaint;

(2) Mandate, offer, or use a non-disclosure or non-disparagement agreement related to a
g complaint; and/or

(3) Engage in an adverse employment action. An adverse employment action occurs when
loyee opposes an unlawful employment practice and/or exercises a right under this section
then the target of forced resignation, termination, demotion, unfavorable reassignment,
to promote, disciplinary action, reduction in compensation, constructive discharge, or a
action.

(d) A violation or violations of any provisions of this section can be enforced by a private action against an individual employee and/or employer in violation of this chapter.

28-61-4. Damages.

(a) Complainants who prove a violation of § 28-61-3 or any of its subsections or divisions shall be entitled to all remedies necessary to make such complainants whole. Remedies include, but not be limited to:

(1) Compensatory damages to include economic (back pay and front pay and/or related expenses) and non-economic (pain, suffering, and/or distress); and

(2) Punitive damages when a violation is extreme and/or egregious;

(3) Injunctive relief whereby the court may enjoin the defendant from engaging in the
bullying employment practice and may order any other relief deemed appropriate (reinstatement
and/or removal of the bullying employee from the complainant's work environment and/or
all of supervisory duties or termination of said employee); and

(4) Restorative measures (correction of reputational damage including false statements in the disciplinary record, and/or performance evaluations of the complainant and/or public notice of the case without disclosing the plaintiff's name if desired by the plaintiff).

(b) In instances where the employer violates §§ 28-61-3(b)(5) and/or 28-61-3(b)(6), the
shall not exceed one hundred dollars (\$100) for each offense.

(c) In all other instances, the complainant shall receive the greater of all damages as
ed in subsection (b) of this section or five thousand dollars (\$5,000) per violation of §§ 28-
28-61-3(b) and or 28-61-3(c) for a maximum of fifteen thousand dollars (\$15,000)

1 (d) The at-fault party shall pay the plaintiff's reasonable attorneys' fees and costs. A
2 prevailing employer shall not be awarded fees and costs.

3 **28-61-5. Employee rights.**

4 (a) Any person who has a cause of action under the provisions of this chapter shall have a
5 period of three (3) years after the last violation of § 28-61-3 to file said cause of action.

6 (b) A pseudonym can be used in cases where the plaintiff can demonstrate a credible risk
7 of retaliation or harm at the plaintiff's request, subject to the court's approval.

8 **28-61-6. Review.**

9 A regulatory review of this chapter is required five (5) years after the effective date of this
10 chapter to be performed by the department of labor and training.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO LABOR AND LABOR RELATIONS -- WORKPLACE PSYCHOLOGICAL
SAFETY ACT

1 This act would establish the workplace psychological safety act to provide protection for
2 employees from workplace psychological abuse (bullying) by requiring employers and
3 representative employees to take all reasonable steps to prevent workplace bullying and respond
4 appropriately thereto. This act would also provide a cause of action for employees to pursue
5 injunctive relief and/or actual and punitive damages.

6 This act would take effect upon passage.

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