

2026 -- S 2921

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- FAIR EMPLOYMENT PRACTICES

Introduced By: Senators Murray, Thompson, Gu, DiMario, Mack, Euer, Lauria, Ujifusa,
Valverde, and Vargas

Date Introduced: March 04, 2026

Referred To: Senate Labor & Gaming

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-5-6 of the General Laws in Chapter 28-5 entitled "Fair
2 Employment Practices" is hereby amended to read as follows:

3 **28-5-6. Definitions.**

4 When used in this chapter:

5 (1) "Age" means anyone who is at least forty (40) years of age.

6 (2) "Because of sex" or "on the basis of sex" includes, but is not limited to, because of or
7 on the basis of pregnancy, childbirth, or related medical conditions, and women affected by
8 pregnancy, childbirth, or related medical conditions shall be treated the same for all employment
9 related purposes, including receipt of benefits under fringe benefit programs, as other persons not
10 so affected but similar in their ability or inability to work, and nothing in this chapter shall be
11 interpreted to permit otherwise.

12 (3) "Commission" means the Rhode Island commission against discrimination created by
13 this chapter.

14 (4) "Confidential" means to remain secret and not to be disclosed to another person or
15 entity.

16 (5) "Conviction" means, for the purposes of this chapter only, any verdict or finding of
17 guilt after a criminal trial or any plea of guilty or nolo contendere to a criminal charge.

18 (6) "Disability" means a disability as defined in § 42-87-1.

19 (7) "Discriminate" includes segregate or separate.

1 (8) "Employee" does not include any individual employed by their parents, spouse, or
2 child, ~~or in the domestic service of any person.~~

3 (9)(i) "Employer" includes the state and all political subdivisions of the state and any
4 person in this state employing four (4) or more individuals, and any person acting in the interest of
5 an employer directly or indirectly.

6 (ii) Nothing in this subdivision shall be construed to apply to a religious corporation,
7 association, educational institution, or society with respect to the employment of individuals of its
8 religion to perform work connected with the carrying on of its activities.

9 (10) "Employment agency" includes any person undertaking, with or without
10 compensation, to procure opportunities to work, or to procure, recruit, refer, or place employees.

11 (11) "Firefighter" means an employee the duties of whose position include work connected
12 with the control and extinguishment of fires or the maintenance and use of firefighting apparatus
13 and equipment, including an employee engaged in this activity who is transferred or promoted to a
14 supervisory or administrative position.

15 (12) "Gender identity or expression" includes a person's actual or perceived gender, as
16 well as a person's gender identity, gender-related self image, gender-related appearance, or gender-
17 related expression; whether or not that gender identity, gender-related self image, gender-related
18 appearance, or gender-related expression is different from that traditionally associated with the
19 person's sex at birth.

20 (13) "Labor organization" includes any organization that exists for the purpose, in whole
21 or in part, of collective bargaining or of dealing with employers concerning grievances, terms or
22 conditions of employment, or of other mutual aid or protection in relation to employment.

23 (14) "Law enforcement officer" means an employee the duties of whose position include
24 investigation, apprehension, or detention of individuals suspected or convicted of offenses against
25 the criminal laws of the state, including an employee engaged in such activity who is transferred or
26 promoted to a supervisory or administrative position. For the purpose of this subdivision,
27 "detention" includes the duties of employees assigned to guard individuals incarcerated in any
28 penal institution.

29 (15) "Non-disparagement agreement" means an agreement which restricts an individual
30 from taking any action to include, but not be limited to, speaking or publicizing information that
31 negatively impacts the other party to the agreement to include the reputation, products, services,
32 employees, and management of the protected party.

33 (16) "Person" includes one or more individuals, partnerships, associations, organizations,
34 corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

1 (17) “Protective hairstyles” means and includes, but is not limited to, hair texture or
2 hairstyles, if that hair texture or that hairstyle is commonly associated with a particular race or
3 national origin (including a hairstyle in which hair is tightly coiled or tightly curled, locks,
4 cornrows, twists, braids, Bantu knots, and Afros).

5 (18) “Race” means and includes traits historically associated with the race, including, but
6 not limited to, hair texture and protective hairstyles.

7 (19) “Religion” includes all aspects of religious observance and practice, as well as belief,
8 unless an employer, union, or employment agency demonstrates that it is unable to reasonably
9 accommodate to an employee’s or prospective employee’s or union member’s religious observance
10 or practice without undue hardship on the conduct of its business.

11 (20) “Sexual orientation” means having or being perceived as having an orientation for
12 heterosexuality, bisexuality, or homosexuality.

13 (21) The terms, as used regarding persons with disabilities:

14 (i) “Auxiliary aids and services” and “reasonable accommodation” shall have the same
15 meaning as those items are defined in § 42-87-1.1; and

16 (ii) “Hardship” means an “undue hardship” as defined in § 42-87-1.1.

17 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 -- FAIR EMPLOYMENT PRACTICES

- 1 This act would change the definition of employee to include individuals employed in the
- 2 domestic service of any person.
- 3 This act would take effect upon passage.

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