

**2013 -- H 5698 SUBSTITUTE A**

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LC01817/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2013**

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A N A C T

RELATING TO HOLIDAYS AND DAYS OF SPECIAL OBSERVANCE -- WORK ON  
HOLIDAYS AND SUNDAYS

Introduced By: Representative Patricia A. Serpa

Date Introduced: February 27, 2013

Referred To: House Labor

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 25-3-3 of the General Laws in Chapter 25-3 entitled "Work on  
2   Holidays and Sundays" is hereby amended to read as follows:

3           **25-3-3. Work on Sundays or holidays.** -- (a) Work performed by employees on Sundays  
4   and holidays must be paid for at least one and one-half (1 1/2) times the normal rate of pay for the  
5   work performed; provided: (1) that it is not grounds for discharge or other penalty upon any  
6   employee for refusing to work upon any Sunday or holiday enumerated in this chapter; (2) any  
7   manufacturer which operates for seven (7) continuous days per week is exempt from the  
8   requirement of subdivision (1).

9           (b) Any manufacturer of wall-covering products which operates for seven (7) continuous  
10   days per week, twenty-four (24) hours per day, and has complied with the provisions of  
11   subsection (a) is exempt from the requirement that the work be voluntary on Sundays as provided  
12   in subsection (a); provided, that the manufacturer increases employment by at least ten percent  
13   (10%), within one year of its conversion to continuous operation from non-continuous operation.

14           (c) Any manufacturer that operates three (3) shifts, or begins its work week on Sundays,  
15   may begin the shift or start the work week at 11:00 P.M. on Sunday and not be required to pay its  
16   employees one and one-half (1 1/2) times the normal rate of pay during the one hour period  
17   between 11:00 P.M. Sunday and 12 midnight.

18           (d) Any and all employees of a chauffeur driven limousine or taxi cab company that

1 operates seven (7) continuous days per week, twenty-four (24) hours per day are exempt from the  
2 provisions of subsection (a) hereof.

3 (e) Any car rental company which operates a car rental agency at T.F. Green Airport and  
4 is required pursuant to its lease agreement with the Rhode Island Airport Corporation to operate  
5 on Sundays and/or holidays is exempt from the provisions of subsection (a) hereof with respect to  
6 work performed at its T.F. Green Airport location.

7 (f) For any holiday as defined in subdivision 25-3-1(5), excluding Sundays, which is not  
8 also designated by the United States Congress in 5 U.S.C. 6103 as a national public holiday, an  
9 employer shall be allowed to observe that holiday on any date, as determined by the employer,  
10 within the same calendar year provided the employer notifies the employee at least thirty (30)  
11 days prior to the date the floating holiday is to be observed, subject to the requirements of  
12 subsection (a), provided that:

13 (1) The holiday may not be observed before the date the holiday is celebrated as  
14 enumerated in section 25-1-1;

15 (2) The employer may not observe the holiday on a Sunday;

16 (3) The employer shall provide employees with sufficient notice, as determined by the  
17 director, of any date change; and

18 (4) No two (2) holidays may be observed on the same date for the purposes of this  
19 section.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would allow for any holiday observance by the state, excluding Sundays which  
2 is not designated by the United States Congress as a national public holiday to be observed by an  
3 employer on any date within the same calendar year, yet subject to certain provisions.

4           This act would take effect upon passage.

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