

2021 -- H 6219

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- RIGHT TO ORGANIZE

Introduced By: Representatives Slater, O'Brien, Potter, Felix, Williams, Morales, and
Tanzi

Date Introduced: April 08, 2021

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-7-3 of the General Laws in Chapter 28-7 entitled "Labor Relations
2 Act" is hereby amended to read as follows:

3 **28-7-3. Definitions.**

4 When used in this chapter:

5 (1) "Board" means the labor relations board created by § 28-7-4.

6 (2) "Company union" means any committee employee representation plan or association
7 of employees which exists for the purpose, in whole or in part, of dealing with employers
8 concerning grievances or terms and conditions of employment, which the employer has initiated or
9 created or whose initiation or creation he or she has suggested, participated in or in the formulation
10 of whose governing rules or policies or the conducting of whose management, operations, or
11 elections the employer participates in or supervises, or which the employer maintains, finances,
12 controls, dominates, or assists in maintaining or financing, whether by compensating any one for
13 services performed in its behalf or by donating free services, equipment, materials, office or
14 meeting space or any thing else of value, or by any other means.

15 (3)(i) "Employees" includes, but is not restricted to, any individual employed by a labor
16 organization; any individual whose employment has ceased as a consequence of, or in connection
17 with, any current labor dispute or because of any unfair labor practice, and who has not obtained
18 any other regular and substantially equivalent employment; and shall not be limited to the
19 employees of a particular employer, unless the chapter explicitly states otherwise;

1 (ii) "Employees" does not include any individual employed by his or her parent or spouse
2 or in the domestic service of any person in his or her home, or any individuals employed only for
3 the duration of a labor dispute, or any individuals employed as farm laborers; provided, however,
4 any employee who works for an employer in an industry, established or regulated pursuant to
5 chapter 28.6 of title 21 or any other medicinal or recreational cannabis related industry, shall be
6 allowed to organize under this chapter.

7 (4) "Employer" includes any person acting on behalf of or in the interest of an employer,
8 directly or indirectly, with or without his or her knowledge, but a labor organization or any officer
9 or its agent shall only be considered an employer with respect to individuals employed by the
10 organization.

11 (5) "Labor dispute" includes, but is not restricted to, any controversy between employers
12 and employees or their representatives as defined in this section concerning terms, tenure, or
13 conditions of employment or concerning the association or representation of persons in negotiating,
14 fixing, maintaining, changing, or seeking to negotiate, fix, maintain, or change terms or conditions
15 of employment, or concerning the violation of any of the rights granted or affirmed by this chapter,
16 regardless of whether the disputants stand in the proximate relation of employer and employee.

17 (6) "Labor organization" means any organization which exists and is constituted for the
18 purpose, in whole or in part, of collective bargaining, or of dealing with employers concerning
19 grievances, terms or conditions of employment, or of other mutual aid or protection and which is
20 not a company union as defined in this section.

21 (7) "Person" includes one or more individuals, partnerships, associations, corporations,
22 legal representatives, trustees, trustees in bankruptcy, or receivers.

23 (8) "Policies of this chapter" means the policies set forth in § 28-7-2.

24 (9) "Representatives" includes a labor organization or an individual whether or not
25 employed by the employer of those whom he or she represents.

26 (10) "Unfair labor practice" means only those unfair labor practices listed in §§ 28-7-13
27 and 28-7-13.1.

28 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 labor organizations/unions to organize any employees who work for
2 employers in an industry that is regulated by the medical marijuana act or cannabis-regulated
3 industry.

4 This act would take effect upon passage.

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