

LC004473

## IN GENERAL ASSEMBLY

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RELATING TO LABOR AND LABOR RELATIONS -- RESTRICTIONS ON SELF-SERVICE  
CHECKOUT STATIONS ACT

Referred To: Senate Commerce

1           SECTION 1. Title 28 of the General Laws entitled "LABOR AND LABOR RELATIONS"

2    is hereby amended by adding thereto the following chapter:

## RESTRICTIONS ON SELF-SERVICE CHECKOUT STATIONS ACT

6       This act shall be known and may be cited as the “Restrictions on Self-Service Checkout  
7       Stations Act”.

9           This act shall apply to all grocery stores in this state that offer shoppers the use of self-  
10   service checkout stations.

As used in this chapter, the following terms and phrases are defined as follows:

(2) “Groceries” means

(i) Any raw or processed food or beverage intended for human consumption except alcoholic beverages and marijuana products;

(ii) Prescription and over-the-counter drugs and related personal care and hygiene items,  
when sold by a retailer that also sells food and beverages; and

1           (iii) Miscellaneous household maintenance items including, but not limited to, laundry  
2           detergent and dishwashing soap, when sold by a retailer that also sells food and beverages.

3           (3) “Grocery store” means a business that earns the majority of its gross income from the  
4           retail sale of groceries.

5           (4) “Manual checkout station” means a checkout station at which a human operator assists  
6           shoppers by scanning, bagging, and accepting payment for purchases.

7           (5) “Retail clerk” means an employee whose primary responsibility is assisting shoppers  
8           with scanning, bagging, and receiving payment for purchases.

9           (6) “Retail sale” means the sale of groceries to a shopper for personal use or consumption;  
10          provided, such use is not for the purpose of resale.

11          (7) “Self-service checkout” means an automated process that enables shoppers to scan, bag,  
12          and pay for their purchases without human assistance.

13           **28-61-4. Restrictions on self-service checkout stations.**

14          (a) Grocery stores shall not have more than eight (8) self-service checkout stations  
15          operating at any one time per location.

16          (b) Grocery stores with self-service checkout stations shall have a minimum of one manual  
17          checkout station in operation for every two (2) self-service checkout stations in operation.

18          (c) No more than two (2) self-service checkout stations may be simultaneously monitored  
19          by any one employee. Further, an employee shall be relieved of all other duties when monitoring  
20          any self-service checkout station including, but not limited to, operating a manual checkout station.

21           **28-61-5. Rulemaking authority.**

22          The department shall have the primary authority to promulgate rules, regulations, and  
23          penalties to enforce the provisions of this chapter.

24           **28-61-6. Violations.**

25          (a) Fines for multiple violations made by the same grocery store at the same location or  
26          different locations shall be equal to wages for one eight (8) hour shift based on the highest wage  
27          for hourly retail clerks for each day on which there is a violation.

28          (b) Any employee may file a complaint with the department alleging a violation of this  
29          chapter, free from fear of retaliation. Any employee of a grocery store who alleges retaliation by  
30          their employer for submitting a complaint alleging violation(s) of this chapter may bring a cause of  
31          action in superior court.

32          (c) If a grocery store does not comply with the provisions of this chapter after thirty (30)  
33          days of receiving notice of a violation of this chapter, such non-compliance shall be considered an  
34          unlawful act punishable in accordance with §§ 6-13-2 and 6-13.1-5.

1           (d) A consumer who alleges a violation of this chapter may file a complaint with the  
2           department. Retaliation against a consumer who files a complaint alleging violation of this chapter  
3           shall constitute an unlawful act punishable in accordance with §§ 6-13-2 and 6-13.1-5.

4           **28-61-7. Severability.**

5           If any part, section, or provision of this chapter is found unconstitutional, illegal, or invalid,  
6           such a finding will affect only that part, section or provision of this chapter and the remaining parts,  
7           sections, or provisions shall remain in full force and effect.

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 -- RESTRICTIONS ON SELF-SERVICE  
CHECKOUT STATIONS ACT

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- 1           This act would limit grocery stores by capping the number of self-service checkout stations  
2   they can operate and mandating a minimum ratio of manual checkout stations to self-service  
3   checkout stations. Further, it limits the workload and additional duties an employer can assign to  
4   an employee that monitors self-service checkout stations.  
5           This act would take effect upon passage.

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