**An Update from the State House**

**Last Week – Weather Alerts and Testimonies**

Last Wednesday arrived with yet another cancellation due to the prediction of a snow storm. All hearings were again postponed. The Senate Labor Committee rescheduled its hearings for Wednesday, March 28th as did the Senate Committee on Environment and Energy.

**What’s Going On This Week**

**Tuesday, March 27th**

The *Senate Judiciary Committee* is meeting to consider a number of bills, one of which is **S.2699**, An Act Relating to Labor and Labor Relations – Fair Employment Practices – Sexual Harassment (Senators Goldin, Goodwin, Coyne, Lynch Prata and Gallo). S.2699 requires all businesses with 4 or more employees to have a written policy on sexual harassment in the workplace (current law is 50 or more employees). The policy must include: A statement of the range of consequences for employees who are found to have committed sexual harassment; a description of the process for filing internal complaints about sexual harassment and the work addresses and telephone numbers of the person or persons to whom complaints should be made; and the identity of the appropriate state and federal employment discrimination enforcement agencies, and directions as to how to contact these agencies. The policy must be given to each employee. Employers must conduct sexual harassment training programs for their employees by September 1, 2018 and within one month of hire for new employees after that date. The Department of Labor, together with the Commission for Human Rights, have enforcement powers

**Wednesday, March 28th**

The *Senate Labor Committee* will take testimony on two bills Wednesday, March 28th. **S.2475** (Senators Goldin, Goodwin, Ruggerio, Lynch Prata, and McCaffrey) requires employers to pay employees at the same wage rate if they have the similar skills, efforts, responsibilities, and work in similar working conditions. A wage differential is allowed if: (1) a seniority system exists (although pregnancy leave, medical leave and family leave can’t affect the seniority calculation); (2) a merit system has been adopted; (3) a system exists that measures quantity output – and the business can prove it is a fair calculation; or (4) some other system that the business can prove is based on necessity and that the system is not based on gender or race. If an employer is deemed to be in violation of this act, the employer can not cure the situation by lowering the wages of other employees. If an applicant requests a copy of the wage ranges for all comparable jobs in the company prior to the employer asking the applicant about wage expectations, that request must be honored; and every employee has the right to ask for the company’s current wage range comparisons annually. Finally, any employee that successfully challenges his/her wages is entitled to unpaid back wages, benefits, other compensatory damages and liquidated damages equal to three times the unpaid wages and benefits owed. **The Chamber opposes S.2475**.

**S.2638** (Senators Goodwin and Goldin) requires businesses with 100 or more employees to file an annual report with the Department of Labor. The report must contain information regarding the compensation and hours worked by employees broken down by gender, race, ethnicity, and job category. Should an employer fail to submit the report, the Department can file and action in court to compel the company to comply. **The Chamber opposes S.2638**.

The *Senate Committee on Environment and Agriculture* will take testimony on **S.2188** (Senators Calkin, Miller, Sosnowski, Coyne, and Seveney). This bill creates the “Energize Rhode Island” program. The costs associated with S.2188 would place high financial burdens on businesses that rely on carbon based fuel for transport, heat, or electricity. The bill imposes a $15 per ton carbon tax on all fossil fuels that escalates $5 per ton every year thereafter until the rate equals $50 per ton. Once the $50 per ton rate is reached, the tax would raise annually according to the rate of inflation. The implementation trigger date is dependent upon passage of a carbon fee of at least $5 per metric ton in Massachusetts and one other New England state. Electric companies would pay the tax on behalf of their customers which would then be passed along to the consumer. The goal is to eliminate the use of fossil fuels. The taxes collected are placed into the Energize Rhode Island Fund. Twenty-eight (28%) would be used to fund climate change resiliency projects and renewable energy programs. Thirty percent (30%) is slated to be returned to businesses based on FTEs. Forty percent (40%) would be returned to Rhode Island residents over the age of 18 either through a tax credit or a dividend. Heads of households would receive an extra “bump” for every dependent under the age of 18. Up to two percent (2%) would go to administrative costs.

If passed, Rhode Island would be the first state in the country to have this legislation on the books. **The Chamber opposes S.2188.**

**Thursday, March 29th**

The *House Finance Committee* will meet around 4:30 p.m. in Room 101. **H.7427** (sponsored by Reps. Donovan, Ruggiero, Ranglin-Vassell, Shekarchi and Blazejewski), the companion bill to S.2475 (see explanation above) will be heard; as will H.**7544** (Blazejewski, Maldonado, Winfield, Casimiro and McEntee) which allows employees to qualify for 6 weeks of TDI benefits to care for ill siblings, foster siblings, step-siblings or grandchildren. **H.7893** (by Reps. Williams, Morin, Vella-Wilkinson, Walsh and Hull) allows employees, who believe they are owed wages, to place a lien on the owner’s property by first personally serving a written notice to the employer stating the facts surrounding the owing of wages and a description of the property on which a lien might be placed. If the owner fails to dispute the lien by filing a complaint in the appropriate court within 30 days of receiving the notice, then the employee can record the lien. ***The Chamber opposes all of these bills***.

The following bills were filed last week:

Senate Bill No. [2657](http://webserver.rilin.state.ri.us/BillText/BillText18/SenateText18/S2657.pdf)

**BY**  Morgan, Paolino, Raptakis, Gee, Lombardo

**ENTITLED,**AN ACT RELATING TO TAXATION - BUSINESS CORPORATION TAX (Provides that corporations with less than fifty (50) employees shall not be subject to the four hundred dollar ($400) minimum corporate tax.)

Senate Bill No. [2708](http://webserver.rilin.state.ri.us/BillText/BillText18/SenateText18/S2708.pdf)

**BY**  Morgan, Paolino, Raptakis, Cote

**ENTITLED,**AN ACT RELATING TO LABOR AND LABOR RELATIONS (Requires most employers in Rhode Island to participate in the E/Verify employment authorization program and establishes deadlines to do so.)