**Paid Sick and Safety Leave Alert – Effective July 1st - IMPORTANT**

Be aware that the Paid Sick and Safety Leave Act (PSSLA) goes into full effect July 1, 2018.

Employers with 18 or more employees – defined as the number of employees in a business’s two highest quarters of 2017 (for businesses formed in 2018, the trigger for compliance begins as soon as the 18th employee is hired) – must begin accruing paid leave July 1, 2018, at a rate of 1 hour of paid leave time for every 35 hours worked. Employees are entitled to accrue up to 24 hours of paid leave in 2018. In the alternative, an employer may give employees 24 hours of paid leave starting July 1, and avoid the need to accrue time. Your policy manual MUST have a section that tells employees how to provide notice to the employer of an unforeseen need to take leave, otherwise an employee does not have to notify an employer that he/she intends to return to work for up to 3 consecutive days. On the fourth day, if the employee returns, the employer must pay that person for the 3 days and no disciplinary action can be taken.

For employers with less than 18 employees – you must also have a policy describing how employees must notify the employer that an employee is out of work with the intent to take UNPAID sick and safety leave. Again, if no policy exists, the employee can be out for 3 consecutive days, return on the fourth day and no disciplinary action can be taken against the individual.

The link to the new law is: http://webserver.rilin.state.ri.us/PublicLaws/law17/law17347.htm

The link to the Department of Labor and Training Regulations is: http://sos.ri.gov/documents/archives/regdocs/released/pdf/DLT/9466.pdf

**An Update from the State House**

At 11:57 p.m. on Saturday night the House adjourned, completing its 2018 legislative session. The Senate adjourned shortly thereafter.

It is important to note that bills passed by both the House and Senate are NOT law until signed by the Governor or allowed by the Governor to go into law without her signature. The Chamber will provide a list of new laws in a special edition of Under the Dome in August, after all of the bills have been addressed.

The **pay equity bill** came to a halt as the Senate and House could not reach a final compromise. The two bills were very different and would have required weeks of negotiations to move forward. A study commission was mentioned as a possible alternative, but it did not come to fruition.

A **Pawsox** bill did pass the House and the Senate reluctantly passed it in the hopes of keeping the team in Rhode Island. The final product results in a higher cost to the team with less risk placed on the State. It is unclear whether the deal will be accepted by the team.

**H.7800 SubA** as amended passed the House and Senate on the last day. This bill was amended in the last hours. The original bill would have required employers to provide **paper documents** (i.e. 1099 forms, checks etc.) unless the employee opted out to allow electronic documents to be utilized. The bill was amended to say that statements and records “may” be furnished as printed or handwritten records, at no cost to the employee. “*The employer may furnish to an employee electronic records, in lieu of a printed or handwritten record, when a written authorization from such employee is provided to the employer.”* If this bill is allowed to go into law by the Governor, it will be effective upon passage.

The myriad of bills put forth by the Commission to Study **Sexual Harassment in the Workplace** saw no action on the House floor. The chamber testified against **H.8277** (Tanzi, Ajello, Walsh, Casimiro, Donovan) that would have required employers with 50+ employees to provide sexual harassment training to each new employee within 30 days of hiring, training to new managerial employees and a refresher training course every 2 years for all employees. The Chamber also testified against **H.8278** (Tanzi, Kazarian, Ruggiero, Walsh, Regunberg) which called for a ban on non-disclosure agreements involving sexual harassment and other civil rights cases. The bill also would have affected the ability to include such agreements as part of legal settlement actions, leading to more full litigation.

**Marijuana** popped up in the closing day as the House and Senate passed legislation requiring that any use of a premises for marijuana cultivation be disclosed in any real estate transaction. According to the floor debate, “marijuana cultivation” means a property with 28 or more plants under the Rhode Island medical marijuana law. If a property was used for such a purpose, that use would need to be disclosed when the property is for sale. Proponents claim the equipment and conditions under which plants are grown can lead to mold and other issues on a property. Opponents point to the fact that such disclosure technically requires an owner to admit to breaking federal law, and places the sale of the property in jeopardy. The Governor has not made her intentions known, so it is unclear whether the bill will eventually become law.

**Internet Privacy** was in play most of the last few days of session. **H.7111 SubA** called for companies with 10+ employees to change their websites, disclosing to whom they sell collected data; and if applicable, who their third party vendors sell data to as well. To avoid the disclosure requirement, companies could sign confidentiality agreements with vendors AND actively monitor the third parties to ensure compliance with the confidentiality agreements. A customer would have the right to know what data was collected on him/her individually and how the data was used. This collection procedure is problematic, because it requires entities to keep information together with the customer’s name – something cyber security experts say makes it easier for hackers to steal identities. The sponsor – Rep. Evan Shanley – agreed to amend his bill into a study commission to work with the business community over the fall to develop a workable solution. ***We thank him for his willingness to listen to the business community’s concerns.***

**S.2638 Sub A**, requiring an employer of 100 or more employees to report information as to compensation/hours worked by age/gender/race/ethnicity/job category/occupation/title to DLT did not make it to the House floor for a vote.

The **Re-naming of T.F. Green Airport** seemed as if it was on its way to the Governor’s desk, but was derailed at the very end. The House voted to adopt a changed as requested by the airport commission to the “Rhode Island International Airport.” The Senate voted to lengthen the name to “Rhode Island T.F. Green International Airport.” The bills were never reconciled. The jet fuel tax proposed by the airport commission did not survive the night as well. The commission wanted to **tax jet fuel** at a rate of 7% and then credit the amount collected back to the airlines against their CTE fees paid to the airport. The commission argued that airlines look at the CTE at airports to determine where they might want to establish hubs. By lowering the CTE, the airport may attract more airlines and more flight routes. Opponents were concerned that the commission may keep the jet fuel tax in future years thus increasing the cost of flights.

**Political Update**

During the final hours of session, both the Senate and the House said official good-byes to legislators who have decided to forego running in the upcoming elections. The list of those not seeking re-election as an incumbent include: Senator Paul Fogarty from Glocester, Senator Marc Cote from Woonsocket, Senator Dan DaPonte from East Providence, Representative Joy Hearn from Barrington, Representative Robert Nardolillo from Coventry who is running for US Senate, Representative Tom Winfield from Smithfield, Representative Aaron Regunberg from Providence who is running for Lt. Governor, Representative Patricia Morgan from West Warwick who is running for Governor, Representative Jared Nunes from Coventry, Representative Jeremiah O’Grady from Lincoln, and Representative Helder Cunha from East Providence.

If you wish to run for any office this year, you must file a declaration form found at:

https://vote.sos.ri.gov/assets/pdfs/declaration\_of\_candidacy.pdf

and deliver it to your local board of canvassers by Wednesday 4:00 pm.