**This Week at the State House**

**Senate Scheduled to Vote on Minimum Wage Bill Today**

Today at 4:00 pm, the full Senate is scheduled to vote on S.1, An Act Relating to Labor and Labor Relations – Minimum Wages. Rhode Island’s current minimum wage, $11.50 per hour, went into effect October 1, 2020. S.1 proposes to increase the minimum wage to $12.25 on October 1, 2021, $13.00 on October 1, 2022, $14.00 on October 1, 2023 and $15.00 on October 1, 2024.

Governor Raimondo, in her State of the State Address, suggested that the Senate and House pass legislation creating a “path to $15” before she vacates the Governor’s office.

The Chamber testified at the Senator Labor Committee expressing concerns about raising the minimum wage, especially while the State’s business community continues to struggle to remain viable during the pandemic. The Senate Labor Committee did consider an amendment to delay the first proposed increase until January 1, 2022, and the sponsor of the bill seemed to be amenable to the delay, but the amendment died 6-5.

**This is the time to make your voice heard.**  Please send an email to your State Senator and State Representative now (if you have not already done so).  Let them know how the change in minimum wage and the October 1, 2021, date will affect your business specifically. Many legislators are not business owners so they may not understand how the wage and date impacts a business. Please be respectful – speak from the heart – give facts. Thank you for your help!

**Bill Treats Marijuana Smoke Same as Tobacco**

Today, the House Health and Human Services Committee is scheduled to hear testimony on H.5246, An Act Relating to Health and Safety. The bill states that any law currently on the books to protect individuals from second-hand tobacco smoke in a public place or in the workplace, would also apply to marijuana smoke, regardless of how the smoke is generated. Written testimony should be submitted to [lcataldi@rilegislature.gov](mailto:lcataldi@rilegislature.gov) For those who would prefer the option of providing verbal testimony, please send an email to [lcataldi@rilegislature.gov](mailto:lcataldi@rilegislature.gov) with the following information: Bill # 5246, For/Against, Your Name and Phone number (to be reached for your testimony) Affiliation: (if any) \*Deadline to request verbal testimony is Tuesday, February 9, 2021 at 11 a.m.

**House Labor Schedules COVID Liability Bill and Labor Bills**

On Thursday, February 10, 2021 at 6:00 p.m. the House Labor Committee will meet to take testimony on a number of bills including a COVID liability bill and workplace relations bills.

H.5264, An Act Relating to Labor and Labor Relations – Workers Compensation – Occupational Diseases, addresses questions of liability related to the COVID-19 virus. The first part of the bill creates a presumption that workers on the front lines – such as hospital workers, first responders and nursing home workers – who become infected by the virus, contracted the virus on the job, thus covering them under the employers’ workers compensation insurance. This is not new. Workers’ compensation has been covering these individuals unless there are extenuating circumstances. H.5264 goes on to provide the presumption to “essential workers.” The Governor has declared a number of industries “essential” during the pandemic, including grocery stores, convenience stores, heating fuel delivery and others. Should H.5264 pass, these employees would also be covered by workers’ compensation for COVID related illnesses or related disabilities. Employers have a right to rebut the presumption.

H.5265, An Act Relating to Labor and Labor Relations – Payment of Wages, assesses new penalties on employers that fail to maintain an employee’s health care benefits while that employee is out of work under TCI (the employee must continue to pay any required premium co-share); and for failing to retain the employee’s job or provide a similar job to that employee once he/she returns to work. The bill also assesses the same penalty against an employer who fails to pay the proper premium pay under Rhode Island law. Rhode Island is the last state in the country that requires employers to pay time and a half to employees who work Sundays or holidays as part of their normal 40 hour work week. The penalties include: private right of action, payment to the employee equal to the unpaid benefits or wages, liquidated damages equal to two times the amount of unpaid benefits and wages, attorney fees, and protection from employer retaliation.

H.5266, An Act Relating to Labor and Labor Relations – Unlawful Employment Practices, allows employees to sue employers and individual employees for “directly or indirectly” committing any act considered to be an unfair employment practice under Rhode Island law. Unlawful practices under RIGL 28-5-7, include failing to hire someone based on race, color, gender, religion, sexual orientation. It is also an unfair practice to discharge an employee, or discriminate against an employee using compensation, privileges or tenure. H.5266 allows individuals to be sued, and the legislation is retroactive to include all pending claims and cases.

Written testimony for any of these bills should be submitted to [jdecastro@rilegislature.gov](mailto:jdecastro@rilegislature.gov) If you wish to provide verbal testimony, please send an email to [jdecastro@rilegislature.gov](mailto:jdecastro@rilegislature.gov) with the following information: Bill # you are testifying on, For/Against, Your Name and Phone number (to be reached for your testimony) and Affiliation: (if any) \*Deadline to request verbal testimony is Wednesday, February 10, 2021 at 11 a.m.

The following new bills have been filed:

House Bill No. [5227](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5227.pdf) Alzate, Amore, Blazejewski, Williams, Speakman, Giraldo, Slater, Kazarian, Potter, Diaz**,**AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX (Adds one new income tax bracket for purposes of state income taxation.) [H5227.pdf (state.ri.us)](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5227.pdf)

House Bill No. [5229](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5229.pdf) Amore, Alzate, Tanzi, Kislak**,**AN ACT RELATING TO TAXATION -- PERSONAL INCOME TAX (Creates a new income tax bracket of 6.99% on taxable income over five hundred thousand dollars. Any tax collected on this income deposited into restricted receipt account and expended on education for grades kindergarten through twelfth grade.) [H5229.pdf (state.ri.us)](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5229.pdf)

House Bill No. [5231](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5231.pdf) Shekarchi, Edwards, Noret, McEntee, Solomon**,**AN ACT RELATING TO TAXATION -- BUSINESS CORPORATION TAX (Provides technical amendments to the existing Pass-through Entity Election Tax statute to allow tax practitioners and the Rhode Island Division of Taxation to comply with the provisions in practice.) [H5231.pdf (state.ri.us)](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5231.pdf)

House Bill No. [5246](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5246.pdf) Diaz, McNamara, Slater, Vella-Wilkinson, Perez, McLaughlin, Biah, Tobon**,**AN ACT RELATING TO HEALTH AND SAFETY - PUBLIC HEALTH AND WORKPLACE SAFETY ACT (Provides that any law or regulation which protects a person from exposure to second hand smoke would also provide protection from exposure to second-hand marijuana smoke, regardless of how the smoke was generated.) [H5246.pdf (state.ri.us)](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5246.pdf)

House Bill No. [5261](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5261.pdf) Donovan, Williams, Alzate, Blazejewski, Speakman**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- FAIR EMPLOYMENT PRACTICES (Comprehensively addresses wage discrimination, based on sex by expanding employee protections and the scope of the remedies available to employees who have experienced wage discrimination.) [H5261.pdf (state.ri.us)](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5261.pdf)

House Bill No. [5264](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5264.pdf) Williams, Batista, Biah, Slater, Felix**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS - WORKERS' COMPENSATION - OCCUPATIONAL DISEASES (Classifies as an occupational disease any disability or quarantine resulting from COVID-19 or other viral infection classified by an executive order during a declared state of emergency, subject to certain requirements.) [H5264.pdf (state.ri.us)](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5264.pdf)

House Bill No. [5265](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5265.pdf) Edwards**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS - PAYMENT OF WAGES (Eliminates repealed statute references and create a mechanism for employees to enforce their existing right to continuation of medical benefits.) [H5265.pdf (state.ri.us)](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5265.pdf)

House Bill No. [5266](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5266.pdf) Edwards**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS -- UNLAWFUL EMPLOYMENT PRACTICES (Prohibits an employer, employment agency, labor organization, or employee, to commit any act declared to be an unlawful employment practice; individuals would be held personally liable for such conduct.) [H5266.pdf (state.ri.us)](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5266.pdf)

House Bill No. [5280](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5280.pdf) McEntee, Cortvriend, Bennett, Hawkins, Carson, Speakman, Knight, Caldwell**,**AN ACT RELATING TO HEALTH AND SAFETY -- BEVERAGE CONTAINER DEPOSIT RECYCLING ACT OF 2021 (Creates a refundable ten cent ($0.10) deposit for non-reusable beverage containers. A four cents ($0.04) handling fee would be paid by distributors.) [H5280.pdf (state.ri.us)](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5280.pdf)

House Bill No. [5348](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5348.pdf) Filippi**,**AN ACT RELATING TO CORPORATIONS, ASSOCIATIONS, AND PARTNERSHIPS -- THE RHODE ISLAND LIMITED-LIABILITY COMPANY ACT (Permits a member or members of a limited-liability company to avoid dissolution by buying the units owned by the other member or members seeking dissolution.) [H5348.pdf (state.ri.us)](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5348.pdf)

House Bill No. [5358](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5358.pdf) McEntee, Cortvriend, Bennett, Knight, Carson, Blazejewski, Speakman, Phillips, Donovan, Craven**,**AN ACT RELATING TO HEALTH AND SAFETY - PLASTIC WASTE REDUCTION ACT (Creates the "Plastic Waste Reduction Act" designed to reduce the use of plastic bags by retail establishments by offering recyclable bag options and providing penalties for violations.) [H5358.pdf (state.ri.us)](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5358.pdf)

House Bill No. [5364](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5364.pdf) Amore**,**AN ACT RELATING TO TAXATION -- SALES AND USE TAXES -- LIABILITY AND COMPUTATION (Extends the sales tax exemption of a manufacturer who processes raw materials into finished goods.) [H5364.pdf (state.ri.us)](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5364.pdf)

House Bill No. [5403](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5403.pdf) Amore, Alzate, Fogarty, Lombardi, Messier**,**AN ACT RELATING TO HOLIDAYS AND DAYS OF SPECIAL OBSERVANCE -- WORK ON HOLIDAYS AND SUNDAYS (Requires an individual employer to meet certain criteria in order to qualify for class exemption from the increased pay requirement for work on holidays and Sundays.) [H5403.pdf (state.ri.us)](http://webserver.rilin.state.ri.us/BillText/BillText21/HouseText21/H5403.pdf)

Senate Bill No. [143](http://webserver.rilin.state.ri.us/BillText/BillText21/SenateText21/S0143.pdf) Ciccone**,**AN ACT RELATING TO LABOR AND LABOR RELATIONS --MINIMUM WAGES (Provides increases to the minimum wage in 2021, 2022, and 2023 and implements a permanent formula to provide annual adjustments to the minimum wage thereafter.) [S0143.pdf (state.ri.us)](http://webserver.rilin.state.ri.us/BillText/BillText21/SenateText21/S0143.pdf)