**Paid Sick and Safety Leave Alert – PLEASE READ**

As you may be aware, the RI Department of Labor sent a letter to businesses stating that the Department would not enforce the Paid Sick and Safety Leave Act (PSSLA) until January 1, 2019. While perhaps well meaning, this letter has only set a trap for Rhode Island businesses. The PSSLA provides employees with the right to seek relief through the assistance of DLT, but it also gives employees a ***private right of action***. DLT has no authority over the court system; and the Court will have no choice but to enforce the law. The only way to delay the effective date of the law is through legislative intervention. The Chamber sent a letter to the leadership of the House and the Senate asking them to remedy this situation.

If the legislature does not act, the PSSLA goes into full effect July 1, 2018. If the legislature delays the PSSLA in its entirety, then businesses will have until January 1, 2019 to change policy manuals, begin the accrual of time off for employees and provide the leave. Lastly, if the legislature chooses to only delay the penalties in the Act until January 1, 2019, then businesses must change their policies, begin accrual, and provide employees with the time off – but if you make a mistake, the penalties provided in the law by the courts and DLT will not be assessed as long as the business corrects the situation before January 1, 2019.

**An Update from the State House**

The House passed the $9.55 billion budget 66-7 at 9:52 p.m. last Friday night. Had the debate continued much longer, the House was prepared to return to finishing the debate Saturday afternoon. Fortunately, that was not necessary. Most changes to the budget were technical in nature, although the sports betting agreement was reached. The State will get 51% of the revenue, IGT – the operator of the betting will get 32%, and Twin River will get 17%. In addition, the communities of Lincoln and Tiverton will receive and annual payment of $100,000 for hosting the facilities. Some in the media drew attention to the fact that the amended Article passed with no debate on the floor, but most legislators had agreed on the amount that would be raised from the activity prior to the final vote leaving debate unnecessary.

**This Week At the State House**

We are coming into what should be the last week of the 2018 legislative session. Many issues remain in play: Pay Equity, the Pawsox Stadium, Internet Privacy Disclosures, Sexual Harassment Training in the Workplace, Non-Disclosure Agreements in Employer/Employee Settlement Agreements, Anti-bullying Procedures in the Workplace, Health Insurance Surprise Billing, Harassment Reports for Companies with 100+ Employees…the list is substantial.

The House Speaker said he hopes to reach consensus on **Pawsox** legislation by Tuesday. **H.7290** (Reps. Messier, Coughlin, Johnston, Tobon and Barros) is scheduled for a hearing and possible consideration in the House Finance Committee at 3:30pm in Room 35 of the State House.

**H.7111 SubA** (Reps. Shanley, Carson, Regunberg, Marszalkowski and Edwards) remains very much in play. This bill is referred to by proponents as the **Data Transparency bill**. The Chamber sent out an action alert last week asking for your help. The Senate version is S.2277 (Sens. Pearson, Euer, Goldin, Satchell, Seveney). Various business groups met with the House sponsor Monday. The fate of the bill is unclear at this time. While the bill is very difficult for telecom companies to administer, it also has ramifications for the general business population as well.

1. If a company has 10 employees or more and is completely self-contained in its internet customer information collection activity, then the company has no new requirements under this bill. “Self-contained” means the company creates its own website, gathers the data itself, shares it with no one – not even a website operator or payment company.

2. If a company has 10+ employees and uses a third-party to create and operate its website or to take orders, fill orders or uses a payment system that interacts with the website information, then the company must execute a confidentiality agreement with the third party and take steps to “effectively enforce” the agreement. If that happens, the company has no new requirements under the law.

3. If a company has 10+ employees and fails to meet the criteria of #2 above, or if the company shares information with a third party for the third party’s use, then the company must change its website by July 1, 2018, to state what categories of information are collected, disclose the third parties that receive the information and how it is used, and provide information on how a consumer can request specific knowledge about the information on file with the company. If a customer requests information, the company has 30 days to provide a list of the information that has been collected over the past 12 months concerning that specific customer. This means that the data collected must be collected in a way where it is tied to the name of the customer – something cyber security experts advise against to deter hackers from obtaining identity theft information.

This bill is not law in any other state in the country. Illinois passed it, but it was vetoed by the Governor of Illinois.

The following bills were filed last week:

House Bill No. [8320](http://webserver.rilin.state.ri.us/BillText/BillText18/HouseText18/H8320.pdf)

**BY**  Amore

**ENTITLED,**AN ACT RELATING TO SPORTS, RACING, AND ATHLETICS - SPORTS BETTING (Establishes 9 sports betting parlor licenses for on-site/on-line wagering with DBR granted licensing/regulatory power relating to license issuance to applicants/employees/third-party vendors/collection of fees/taxes with local licensing. eff. 11/6/18)