

2016 -- H 7005

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE--PROCEDURE GENERALLY -
CAUSES OF ACTION

Introduced By: Representatives Keable, Craven, and McEntee

Date Introduced: January 06, 2016

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 9-1 of the General Laws entitled "Causes of Action" is hereby
2 amended by adding thereto the following section:

3 **9-1-54. Civil action against employer by employee under subpoena. – (a) An**
4 employer shall not discharge, threaten, or otherwise discriminate against an employee regarding
5 the employee's compensation, terms, conditions, location or privileges of employment:

6 (1) When an employee has been duly served with a subpoena, to give evidence or testify
7 before any court within or without the state of Rhode Island or before any judicial, quasi-judicial
8 or other administrative body or entity with the authority to issue subpoenas.

9 (2) When the employee, upon being duly served with a properly issued subpoena,
10 promptly provides notice to their employer of being served and of the requirement to attend court
11 or other duly constituted hearing.

12 (b) Any employer who violates this section may be liable for damages which may include
13 actual damages, compensatory damages, and reasonable attorneys' fees incurred by the employee.

14 (c) Any cause of action under this section shall be commenced within three (3) years
15 from the date of violation.

16 (d) Nothing herein shall prevent an aggrieved employee from pursuing any other cause of
17 action under federal or state law.

1 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 COURTS AND CIVIL PROCEDURE--PROCEDURE GENERALLY -
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1 This act would create a cause of action for employees who are discharged or otherwise
2 sanctioned by an employer on account of being required to attend court or other hearing pursuant
3 to a validly issued subpoena.

4 This act would take effect upon passage.

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