

2021 -- H 5029

=====
LC000240
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- MINIMUM WAGES

Introduced By: Representatives Morales, Potter, and Ranglin-Vassell

Date Introduced: January 15, 2021

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 28-12 of the General Laws entitled "Minimum Wages" is hereby
2 amended by adding thereto the following section:

3 **28-12-26. Public health disaster emergency.**

4 (a) Except for the state and its political subdivisions, every employer providing health care
5 services or treatment shall pay any employee who performs essential services outside the
6 employee's home or residence, at a rate of one and one-half (1 ½) times the regular rate of pay
7 during any period of public health disaster emergency as declared by the governor pursuant to §
8 30-15-9.

9 (b) For purposes of this section, essential services include:

10 (1) Health care work physically provided in an inpatient setting (including hospitals and
11 other inpatient post-acute care settings such as nursing homes, inpatient rehabilitation facilities,
12 and other related settings) and other work physically performed in such inpatient settings that
13 supports or is in furtherance of such health care work physically provided in inpatient settings.

14 (2) Health care work physically provided in outpatient settings (including at physician
15 offices, community health centers, rural health clinics and other clinics, hospital outpatient
16 departments, freestanding emergency departments, surgical centers, and other related settings), and
17 other work physically performed in such outpatient settings that supports or is in furtherance of
18 such health care work physically provided in outpatient settings.

19 (3) Pharmacy work, physically performed in pharmacies, drug stores, or other retail

1 facilities specializing in medical goods and supplies.

2 (4) Any work physically performed in a facility that performs medical testing and
3 diagnostic services, including laboratory processing, medical testing services, or related activities.

4 (5) Home and community-based work, including home health care, residential care,
5 assistance with activities of daily living, and any services provided by direct care workers, personal
6 care attendants, and home health aides.

7 (6) Biomedical research regarding SARS-CoV-2 and COVID-19 that involves the handling
8 of hazardous materials such as COVID-19 samples.

9 (7) Behavioral health work requiring physical interaction with individuals, including
10 mental health services and substance use disorder prevention, treatment, and recovery services.

11 (8) Nursing care and residential care work physically provided in a facility.

12 (9) Cleaning work and building maintenance work physically performed on the grounds of
13 a medical or health care facility, including all custodial or janitorial services, security services, and
14 repair and maintenance services.

15 SECTION 2. This act shall take effect upon passage.

=====
LC000240
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- MINIMUM WAGES

1 This act would provide that employers pay essential health care facility employees at a rate
2 of one hundred fifty percent (150%) of their regular pay during a declared public health emergency.

3 This act would take effect upon passage.

=====
LC000240
=====