

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- PAYMENT OF WAGES --
FREQUENCY OF PAYMENT

Introduced By: Senators Ciccone, Acosta, F. Lombardi, and Britto

Date Introduced: February 12, 2024

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 28-14-2.2 of the General Laws in Chapter 28-14 entitled "Payment
2 of Wages" is hereby amended to read as follows:

3 **28-14-2.2. Frequency of payment.**

4 ~~(a) Except as provided in §§ 28-14-4, and 28-14-5 and subsections (b) and (c) of this~~
5 ~~section,~~ every employee other than employees of the state and its political subdivisions, municipal
6 governments, and nonprofit organizations with less than twenty-five (25) employees and of
7 ~~religious, literary, or charitable corporations~~ shall be paid weekly all due wages from ~~his or her~~
8 their employer, except those employees whose compensation is fixed at a biweekly, semi-monthly,
9 monthly, or yearly rate.

10 ~~(b) The director may, upon written petition showing good and sufficient reason, permit~~
11 ~~employers in the state of Rhode Island whose average payroll exceeds two hundred percent (200%)~~
12 ~~of the state minimum wage as defined in § 28-12-3 to pay wages less frequently than weekly~~
13 ~~provided:~~

14 ~~(1) The employer makes payment of wages regularly on a predesignated date no less than~~
15 ~~twice per month;~~

16 ~~(2) The employer provides proof of a surety bond or other sufficient demonstration of~~
17 ~~security in the amount of the highest biweekly payroll exposure in the preceding year for the~~
18 ~~employees subject to the petition; and~~

1 ~~(3) If the involved employees are subject to collective bargaining, the employer provides~~
2 ~~the written consent of the collective bargaining representative for all involved employees.~~

3 ~~(c) The director may, upon written petition showing good and sufficient reason, permit~~
4 ~~employers in the state of Rhode Island whose average payroll is less than two hundred percent~~
5 ~~(200%) of the state minimum wage as defined in § 28-12-3 to pay wages and salaries of their~~
6 ~~employees less frequently than weekly provided:~~

7 ~~(1) The employer has supplied the department with the following information:~~

8 ~~(i) The method through which wages shall be paid;~~

9 ~~(ii) The requested frequency of payment;~~

10 ~~(iii) The employer's designated payday(s);~~

11 ~~(iv) The classification of the employees involved;~~

12 ~~(v) The salary range of the employees involved; and~~

13 ~~(vi) The employer's federal identification number;~~

14 ~~(2) The employer makes payment of wages regularly on a predesignated date no less than~~
15 ~~twice per month;~~

16 ~~(3) The employer has no history of wage and hour violations;~~

17 ~~(4) The employer provides proof of a surety bond or other sufficient demonstration of~~
18 ~~security in the amount of the highest biweekly payroll exposure in the preceding year for the~~
19 ~~employees subject to the petition; and~~

20 ~~(5) If the involved employees are subject to collective bargaining, the employer provides~~
21 ~~the written consent of the collective bargaining representative for all involved employees.~~

22 ~~(d) If the director approves a written petition under subsection (b) or (c), the permission is~~
23 ~~valid for an indefinite period of time, provided that:~~

24 ~~(1) Payroll is regularly satisfied on the designated payday;~~

25 ~~(2) The information provided by the employer to substantiate its request does not change;~~

26 ~~and~~

27 ~~(3) The employer remains in compliance with all other state labor laws.~~

28 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 LABOR AND LABOR RELATIONS -- PAYMENT OF WAGES --
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1 This act would eliminate all exceptions to the provision that all employees are to be paid
2 weekly except for employees of the state and its political subdivisions, municipal governments, and
3 nonprofit organizations with less than twenty-five (25) employees, and those whose compensation
4 is fixed at a biweekly, semi-monthly, monthly or yearly rate.

5 This act would take effect upon passage.

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