It is enacted by the General Assembly as follows:

SECTION 1. Title 28 of the General Laws entitled "LABOR AND LABOR RELATIONS" is hereby amended by adding thereto the following chapter:

CHAPTER 5.2

EQUAL PAY DATA COLLECTION AND REPORTING

28-5.2-1. Definitions.

As used in this chapter, the following words and terms shall have the following meanings:

(1) "Compensation" means an employee's total W-2 earnings for a twelve (12) month period and includes the hourly wage or annual salary for employees.

(2) "Department" means the department of labor and training.

(3) "Employee" means a permanent full or part-time employee, including apprentices and on-the-job trainees.

(4) "Employer" means an employer, including state contractors and subcontractors, with one hundred (100) or more employees in Rhode Island.

(5) "Establishment of the employer" means the physical address at which an employer does business.

(6) "Job category" means the job categories used on the federal Equal Employment Opportunity Commission's (EEOC) EEO-1 forms.
28-5.2-2. Equal pay data collection and reporting requirements.

(a) Pursuant to § 28-42-38 every employer that has one hundred (100) employees or more shall provide a report each year to the department, which report shall contain information regarding the compensation and hours worked of employees by age, gender, race, ethnicity, job category and occupation or title. The department may establish a standard presumption for the number of hours worked by a full-time employee or by a part-time employee for whom an employer does not track actual hours worked. Provided, further, an employer shall provide a report pursuant to this section that includes data from each Rhode Island establishment of the employer.

(b) An employer shall retain at all times, a copy of the most recent report filed and shall make the report available if requested by an officer, agent, or employee of the department.

(c) Any employer failing or refusing to file a report when required to do so may be compelled to file by order of a court of competent jurisdiction, upon application of the department.

(d) The department shall develop procedures for using and comparing data from reports in an industry or geographic area to guide enforcement priorities.

(e) The department shall annually publish aggregate data compiled from the reports, including, but not limited to, state, regional, and industry pay disparities by occupational category.

(f) The department is authorized to promulgate rules and regulations regarding the content and the timely and proper filing of reports pursuant to this chapter.

SECTION 2. This act shall take effect on January 1, 2019.
This act would require an employer of one hundred (100) or more employees to annually report information regarding the compensation and hours worked of employees by age, gender, race, ethnicity, job category and occupation or title to the department of labor and training (DLT). This act would take effect on January 1, 2019.