

2014 -- S 2251

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO HOLIDAYS AND DAYS OF SPECIAL OBSERVANCE -- WORK ON  
HOLIDAYS AND SUNDAYS

Introduced By: Senator Joshua Miller

Date Introduced: January 30, 2014

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 25-3-3 of the General Laws in Chapter 25-3 entitled "Work on  
2 Holidays and Sundays" is hereby amended to read as follows:

3 **25-3-3. Work on Sundays or holidays.** -- (a) Work performed by employees on Sundays  
4 and holidays must be paid for at least one and one-half (1 1/2) times the normal rate of pay for the  
5 work performed; provided: (1) that it is not grounds for discharge or other penalty upon any  
6 employee for refusing to work upon any Sunday or holiday enumerated in this chapter; (2) any  
7 manufacturer which operates for seven (7) continuous days per week is exempt from the  
8 requirement of subdivision (1).

9 (b) Any manufacturer of wall-covering products which operates for seven (7) continuous  
10 days per week, twenty-four (24) hours per day, and has complied with the provisions of  
11 subsection (a) is exempt from the requirement that the work be voluntary on Sundays as provided  
12 in subsection (a); provided, that the manufacturer increases employment by at least ten percent  
13 (10%), within one year of its conversion to continuous operation from non-continuous operation.

14 (c) Any manufacturer that operates three (3) shifts, or begins its work week on Sundays,  
15 may begin the shift or start the work week at 11:00 P.M. on Sunday and not be required to pay its  
16 employees one and one-half (1 1/2) times the normal rate of pay during the one hour period  
17 between 11:00 P.M. Sunday and 12 midnight.

18 (d) Any and all employees of a chauffeur driven limousine or taxi cab company that

1 operates seven (7) continuous days per week, twenty-four (24) hours per day are exempt from the  
2 provisions of subsection (a) hereof.

3 (e) Any car rental company which operates a car rental agency at T.F. Green Airport and  
4 is required pursuant to its lease agreement with the Rhode Island Airport Corporation to operate  
5 on Sundays and/or holidays is exempt from the provisions of subsection (a) hereof with respect to  
6 work performed at its T.F. Green Airport location.

7 (f) For any state holiday as enumerated in § 25-3-1(5), excluding Sundays, which is not  
8 also designated as a national public holiday by the United States Congress in 5 U.S.C. 6103, an  
9 employer shall be allowed to observe that holiday on a future date within the same calendar year,  
10 in accordance with subsection (a), provided, however, that:

11 (1) The employer shall not observe the rescheduled holiday on a Sunday;

12 (2) The employer shall not observe the rescheduled holiday before the actual holiday was  
13 originally scheduled to be celebrated;

14 (3) The employer shall not be allowed to observe two (2) holidays on the same day; and

15 (4) The employer shall determine the amount of notice of the rescheduled holiday that an  
16 employer shall provide to its employees.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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- 1           This act would allow a Rhode Island employer some flexibility to reschedule the
- 2 observance of state holidays that Congress doesn't recognize as national public holidays.
- 3           This act would take effect upon passage.

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