

Rhode Island Franchisee Association, Inc.

40 Jordan St., East Providence, RI 02914

February 24, 2021

Chairwoman Anastasia Williams
House Committee on Labor
State House – Room 203
Providence, RI 02903

Re: H-5403 – An Act Relating to Holidays and Days of Special Observance – Work on Holidays and Sundays

Dear Chairwoman Williams:

Please accept this letter respectfully opposing H-5403, legislation which would significantly curtail an employer's ability to obtain an exemption from the Blue Law requirement to pay time-and-a-half on Sundays and holidays.

Currently, Rhode Island and Massachusetts are the only states in the country that require employers to pay premium wages on Sundays and holidays. As the Committee may know, Massachusetts is in the process of phasing out this requirement. When the Massachusetts law is fully phased out in 2024, Rhode Island will be the only state in the country with this mandate in place.

Our organization is comprised of small business owners who have been dealing with the COVID-19 pandemic for nearly a year. Operating our businesses and ensuring our valued employees and customers remain healthy and safe in this environment has presented new challenges and costs which we will continue to confront for the foreseeable future. Please keep these challenging circumstances at the front of mind as you consider this and other legislation this year.

Unlike our neighboring states who have long since abolished their respective Blue Laws requiring premium pay on Sundays and holidays, this legislation seeks to double-down on a policy that already makes Rhode Island an outlier. The bill appears designed to make it virtually impossible for any business to obtain an exemption from the Department of Labor and Training from this onerous requirement. In order to qualify for an exemption, an employer would have to pay their employees 200% of the minimum wage. The bill also includes another seven criteria which employers must satisfy to qualify for an exemption. The combination of these eight criteria would ensure that virtually no employer could ever qualify for an exemption – including those employers who are already exempt under current law.

If this bill were to pass, many retailers and restaurants would have to seriously consider closing on Sundays (or significantly scaling back their hours of operations). This outcome would be bad for employees, who would work fewer hours and have smaller paychecks as a result, and bad for consumers who would have fewer options on Sundays and holidays.

Thank you for taking these concerns into consideration. We respectfully ask you to oppose this legislation. Please do not hesitate to reach out with any questions or concerns.

Regards,

/s/

Guido Petrosinelli
Chairman
Rhode Island Franchisee Association