



March 1, 2021

Rhode Island General Assembly  
House Labor Committee

**Testimony of Brian Moran**

Director of Government Affairs, New England Convenience Store & Energy Marketers Association

**RE: HB 5720 – AN ACT RELATING TO LABOR AND LABOR RELATIONS -- RHODE ISLAND PARENTAL AND FAMILY MEDICAL LEAVE ACT**

Dear Chairwoman Williams, First Vice Chair Messier, Second Vice Chair Alzate, and Members of the Committee:

The New England Convenience Store & Energy Marketers Association (NECSEMA) represents Rhode Island's nearly 500 convenience stores that employ approximately 7,200 people.

As proposed, HB 5720 would enable employees to request over a two-year period up to 26 weeks of unpaid family or medical leave.

**NECSEMA is opposed to HB 5720.** We appreciate the thoughtful intentions behind this bill but are unable to support doubling the allowable leave it would provide without additional employer safeguards. First, our members hold their employees as one of their organization's greatest assets, and they graciously help an employee who is facing a medical or family emergency, or the birth or adoption of a child, requiring them an extended leave to get well, help in the care of a family member, or bond with their child.

However, under existing language, an employer may request information from the employee justifying the leave, but an employee is not obligated to provide documentation to the employer. In most instances this is not a concern as most of employees are forthcoming. This element is critical in determining whether an employee's request for leave is justifiable. Knowing the circumstances of a request is important to ensure the leave is justified and has an irrefutable bearing on when employee may be able to return to work and perform work related duties.

A second concern, for the good of all employees, is that an employer must have clarity on the duration of an employee's absence and in the interim allow an employer to determine whether they can assign duties or shifts to others, or if not, whether they need to hire additional staff. An employee must provide the employer an estimated date when they can resume work related duties.

We appreciate that during the initial part of any leave there may be a level of uncertainty concerning medical diagnoses, treatment efficacy, rehabilitation, or other care arrangements. However, we are concerned that open communications between an employee and their employer must continue, beyond the initial request for justification, and suggest that justification by employees be an iterative and ongoing process as part of their leave. We fear this communication concern may erode and be exacerbated by the doubling of the allowable leave period.

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Page 2

Thank you for your thoughtful consideration of our position opposing HB 5720.

Respectfully submitted,

A handwritten signature in blue ink that reads "Brian P. Moran". The signature is written in a cursive style with a horizontal line at the end.

Brian P. Moran  
Director of Government Affairs  
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