



February 14, 2024

The Honorable Arthur J. Corvese  
Chair  
House Committee on Labor

RE: H 7458 “An Act Relating to Labor and Labor Relations – Fair Employment Practices

Dear Chairman Corvese and Committee Members:

On behalf of the more than 6,000 members of the Rhode Island Association of REALTORS® (RIAR), I thank you for providing our organization with the opportunity to comment on H 7458. This legislation would expand the definition of employee in the Fair Employment Practice Act to include volunteers and unpaid interns.

In contrast with most other workers who are classified as independent contractors, real estate licensees have an industry specific exemption from workers’ compensation. When the Rhode Island General Assembly enacted § 28-29-7.1 nearly 30 years ago, it recognized the unique nature of the real estate profession. Moreover, real estate salespersons that are compensated solely from a commission are exempt from employment in accordance with Rhode Island’s Employment Security Law § 28-42-8.

RIAR is concerned that the proposed legislation conflicts with other labor laws in Rhode Island. While H 7458 does not attempt to remove Rhode Island’s real estate industry specific exemptions, we are concerned that passage of this law, as written, could jeopardize an agent’s independent contractor status.

RIAR respectfully requests the House Labor Committee to add an amendment to H 7458 that would exempt real estate licensees from the proposed definition change. Additionally, RIAR requests the House Labor Committee to conduct an analysis to understand the impacts of any change in the definition of an employee with other areas of Rhode Island’s labor laws.

Thank you for your consideration.

Respectfully,

Philip B. Tedesco, RCE, CAE, CIPS  
Chief Executive Officer