



STATE OF RHODE ISLAND

Department of Labor and Training

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Daniel J. McKee
Governor
Matthew D. Weldon
Director

March 5, 2025

The Honorable Arthur J. Corvese
Chair, House Committee on Labor
State House
Providence, RI 02903

Dear Chair Corvese:

I write today in regard to 2025 H 5304 An act relating to Labor and Labor Relations-The Commuter Transportation Benefits Act.

The Department notes the importance of the matters raised in this legislation and thanks the sponsor for addressing them. We believe that mechanisms such as pre-tax fringe benefit programs are effective vehicles for increasing employee compensation and offer our support for the concepts this bill brings forward.

Under the legislation, the Department is tasked with functions including supporting a public awareness campaign, applying penalties to non-compliant employers, and entertaining petitions from employers for exemption from the bill's provisions. While the Department stands ready to build out a robust public awareness campaign, there are certain complications associated with the other duties assigned to the Department that we would briefly note here and would welcome the opportunity to discuss further with the sponsor and other interested parties.

First, while the legislation authorizes the Department to promulgate rules and regulations, we believe that it would be more efficient to expand on the enforcement provision within the bill itself to align with all principles of due civil process and, more generally, with the Department's existing investigatory and enforcement procedures. Second, we would note that our current labor standards investigation team does not presently have the resources to absorb this additional enforcement function and the Department would have to assess the full budgetary implications of taking on this work.

Finally, and most pressingly for the Department, we would respectfully recommend that the provision authorizing the Department to receive and make determinations on petitions from employers for exemption from the statutory requirements of this legislation be removed, or, in the alternative, that the General Assembly be the body that makes these determinations. Past experience has demonstrated that we are most able to effectively and efficiently enforce measures such as these when we do not have a concurrent duty to determine which entities are exempt from the requirements contained therein.

As noted above, we would very much welcome the opportunity to work with the sponsor to ensure this important legislation moves forward in the most effective form possible.

If you have any questions, please do not hesitate to contact me our Legislative Affairs Lead Keith Murray at keith.murray@dlt.ri.gov or (401) 462-8021.

Sincerely,

Matthew D. Weldon
Director

CC: Honorable Members of the House Committee on Labor
Nicole McCarty, Esq., Chief Legal Counsel to the Speaker of the House