



February 2, 2026
Chairman Arthur J. Corvese
Members of the House Labor Committee

Re: H7121 – Workplace Psychological Safety Act

On behalf of The Beacon Mutual Insurance Company, please accept this letter in opposition to H7121. For the reasons outlined below, we oppose this legislation.

Passage of H7121 would erode the Workers' Compensation "Exclusive Remedy Doctrine" whereby employees relinquish the right to sue their employer in exchange for specified and guaranteed benefits in the workers' compensation system. Pursuant to the Workers' Compensation Act, employees waive their common law rights, unless they provide their employer with written notice that the employee is retaining their right to sue. In exchange for benefits afforded to them under the Act, the employee foregoes any rights at common law that they may have had against the employer. In return, the employer is prohibited from raising affirmative defenses in relation to the work injury.

Employees alleging mental injury claims sustained in the workplace are entitled to seek workers' compensation benefits for their injury and any loss of earning capacity. If passed, H7121 would introduce the issue of fault into the system, lead to a delay and confusion in the distribution of benefits if the employees sue their employer under the proposed legislation and impact the integrity and jurisdiction of the Workers' Compensation Court. Further, employees who have an active workers' compensation claim for a mental injury and then sue their employer under H7121 would receive a "double recovery" in the form of workers' compensation benefits and economic, compensatory and punitive damages. This double recovery would lead to increased premiums and create a potential conflict between the carrier and policyholder.

The legislation provides that employees may file a complaint with the Rhode Island Department of Labor. The process indicates that the Department shall assign the matter to an "inspector" who is tasked with investigating and then may issue fines and/or penalties for potential violations. The bill does not outline the process for any evidentiary hearing. Further, the employer may raise affirmative defenses but the bill requires the employer to first demonstrate that it implemented all monitoring and preventive measures outlined in the bill or, in the alternative, that it acted with just cause. Introducing such legal tenets such as just cause and progressive discipline, while commonplace in collective bargaining agreements, are a rarity in Rhode Island's "at will" employment environments. In short, this will greatly impact employers and undercut state and federal legislation that currently protect employees from discrimination and retaliation.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kevin O. Flood".

Kevin O. Flood, Esq.
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Cc: Speaker Joseph Shekarchi