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March 4, 2026

The Honorable John Burke
Senate Committee on Labor & Gaming
State House
Providence, RI 02903

Dear Chairman Burke and Members of the Committee:

The Northern Rhode Island Chamber of Commerce (NRICC) represents businesses in Burrillville, Central Falls, Cumberland, Foster, Glocester, Johnston, Lincoln, North Providence, North Smithfield, Pawtucket, Scituate, Smithfield, and Woonsocket. On behalf of our members, we respectfully oppose S.2502, *An Act Relating to Labor and Labor Relations — Workplace Psychological Safety Act*.

We appreciate and share the goal of fostering respectful, professional, and productive workplaces. However, S.2502 would create significant legal uncertainty and operational burdens for employers, particularly small and mid-sized businesses, while exposing them to substantial litigation risk.

Although the bill attempts to define “workplace bullying,” many of the terms remain inherently subjective. Phrases such as “degrading,” “consistent ignoring,” “excessive monitoring,” “persistent hypercriticism,” and “impossible deadlines” can mean very different things depending on perspective. Routine performance management, corrective supervision, restructuring of responsibilities, or increased oversight following performance issues could easily be characterized as unlawful conduct under this framework. Employers must retain the ability to manage, evaluate, and direct their workforce without fear that standard supervisory actions will trigger litigation.

The compliance obligations imposed by S.2502 are also expansive. Employers with fifteen or more employees would be required to:

- Implement varying response timelines based on perceived urgency
- Conduct formal fact-finding investigations
- Issue written findings
- Undertake disciplinary processes
- Maintain detailed complaint records
- Develop and distribute anti-bullying policies
- Provide training to all employees, including independent contractors



These mandates would require substantial administrative resources and, in many cases, outside legal counsel. For small employers operating with limited human resources infrastructure, this effectively creates a quasi-regulatory enforcement system within each workplace.

Most concerning is the bill's private right of action. Employees and independent contractors could sue both the employer and individual employees. If a claim is deemed to meet the statutory definition, the complainant would be entitled to economic, compensatory, and punitive damages or \$5,000—whichever is greater—plus attorney's fees, expert witness fees, and costs. Conversely, even if the claim is unsuccessful, the employee bears no responsibility for the employer's legal fees. This one-sided fee structure incentivizes litigation and encourages claims to be resolved in court rather than through internal processes.

Rhode Island employers are already subject to extensive state and federal laws addressing harassment, discrimination, retaliation, and hostile work environments. S.2502 would layer an additional, highly subjective cause of action on top of existing protections, creating confusion and significant exposure without clear standards.

While we commend the sponsor's efforts to refine the language in this version of the bill, the core concerns remain. S.2502 would chill legitimate workplace management, increase legal costs, and place employers in the position of conducting continuous investigations to mitigate risk.

For these reasons, the Northern Rhode Island Chamber of Commerce respectfully urges the Committee to hold S.2502 for further study.

Respectfully,

A handwritten signature in blue ink that reads "Monika Zuluaga".

Monika P. Zuluaga
President & CEO