

The Honorable Robert E. Craven  
Chair, House Judiciary Committee  
Rhode Island House of Representative  
Providence, RI 02903



*Subject: House Bill 7054*

Dear Chairman Craven:

On behalf of the member companies of The Rhode Island Chapter of Associated General Contractors (RIAGC), I write to support House Bill 7054 regarding payment of wages, with amendments.

Wage violations and non-payment of wages are unlawful and immoral, and RIAGC has strongly supported efforts by the RI Department of Labor and Training (DLT) and the Attorney General (AG) to combat and investigate labor violations that impact workers. RIAGC continues to advocate for additional investigators to improve site checks and ensure that complaints are investigated promptly and adjudicated to hold unscrupulous companies accountable.

RIAGC believes it is important to address some key concerns and model this bill after similar legislation introduced in Massachusetts. We are appreciative that the advocates of this bill have welcomed suggested changes and we are working together to ensure this legislation targets the correct audience - the unscrupulous individuals who unlawfully steal wages. These amendments include:

- Establishing a required notice period, defining a path of resolution for employers in joint liability disputes, and restricting liability to a 120-day lookback period.
- Specifying protections from liability, including certified payroll and sign-in procedures, giving employers clear guidelines to follow.
- Joint & several liability would not apply if the contractor makes a payment in full of the wages claimed within the notice period or if a settlement offer is reached within the same period.
- Clarify that general contractors are not responsible for an offenders' employees, and such individuals do not become "employees" of the general contractor so that other benefits, workers compensation, payroll taxes, etc. become the responsibility of the general contractor.
- General contractors would not have to pay the penalty portions of any judgement against an offending party.
- The attorney general would establish a publicly available online database of enforcement actions brought pursuant to this section, including the names of the parties, the date filed, the disposition, and any other information that the attorney general shall by regulation prescribe.
- Non-payment of wage complaints would be allowed to be submitted online and via email to the Department of Labor and the Attorney General's offices, on par with other states, for more timely investigation and resolution.

RIAGC appreciates the efforts to collaboratively find common ground on this issue. In addition to being a highly regulated industry among health, safety, and labor agencies, it is also a unique industry that involves multiple, dependent stakeholders and linkages among labor, contractors, suppliers, and owners. Thank you for your time and we appreciate your consideration.

Sincerely,

Kerrie Bennett  
Executive Director