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## Testimony of

Christopher Carlozzi, State Director, National Federation of Independent Business  
In Opposition to House Bill No. 5305  
Relating to Labor and Labor Relations – Extreme Temperature Employee Protection  
Before the House Committee on Labor  
February 12, 2025

Chairman Corvese and Members of the House Committee on Labor:

My name is Christopher Carlozzi. I am the Rhode Island State Director of the National Federation of Independent Business (NFIB). A non-profit, non-partisan organization, NFIB is the nations and Rhode Island’s largest small business advocacy group. In Rhode Island, NFIB represents hundreds of small and independent business owners involved in all types of industry, including manufacturing, retail, wholesale, service, and agriculture. The average NFIB member has five employees and annual gross revenues of about \$450,000. In short, NFIB represents the small Main Street business owners from across the state. On behalf of those small and independent business employers in Rhode Island, I urge you to oppose House Bill No. 5305, regarding work requirements in various temperatures.

This bill unfairly assumes small businesses are not already working with their employees in hot and cold temperatures. House Bill No. 5305 mandates additional paid breaks and imposes other requirements on small businesses, including those businesses with workers in vehicles, warehouses, and performing outdoor duties. The proposal also demands additional quarterly training for supervisors and managers overseeing workers performing in hot and cold temperatures. Additionally, workers are required to attend quarterly state-created tutorials during the workday. It is worth nothing that this legislation has a comparatively low threshold for the definition of cold temperature at 32 degrees, as the average temperature in Providence for January and February is 29 degrees. The bill mandates employers provide items like jackets, hats, cooling vests, and even sunscreen for their workers, adding to the already high cost of doing business in Rhode Island.

House Bill No. 5305 unfairly exposes small businesses to potential lawsuits from workers who feel the employer failed to adhere to the many provisions of this new mandate. For small business owners, the cost of a lawsuit ranks second only to the cost of health insurance as a non-governmental impediment to business growth and opportunity. Small business owners are just one frivolous lawsuit away from being forced to close the doors forever. And, even if the small business owner prevails in the lawsuit, he or she loses due to the cost of attorneys’ fees, the impact on insurance premiums, and time spent away from the business to mount an effective defense. The threat of excessive costs of defending a lawsuit often forces small business owners to pay a settlement.

This proposal is excessive since businesses in Rhode Island are already subjected to both state and federal laws to keep workers safe in a wide range of conditions. Would this new mandate also apply to state and municipal employees? Would those collecting trash on the streets of Providence in July require cooling vests? Would lifeguards at municipal pools during the summer be provided with sunscreen? Would a parking attendant in Cranston be provided city issued gloves on a cold day in January? Some June evenings the temperature rises at State House during June hearings when the building reaches sweltering, hot temperatures, will staff have access to cooling stations?

I strongly urge you to reject House Bill No. 5305 which seems excessive and could result in small businesses facing legal action. Business owners already work with their employees to keep them safe and must follow existing state and federal safety laws. Thank you.