



Department of Corrections

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The Honorable Arthur Corvese
House Committee on Labor
82 Smith Street
Providence, RI 02903

February 12, 2025

Re: H5073 – Relating to State Affairs and Government -- Peace Officer Maximum Workday and Overtime Compensation

Dear Chairperson Corvese:

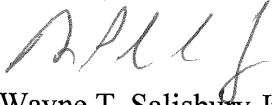
This evening the House Labor Committee will consider House Bill #5073. This bill would establish a maximum hourly workday for all peace officers as defined in § 12-7-21 and would establish a violation rate of pay of double time and a half. Furthermore, it would establish parameters for staffing of correctional officers by capping predetermined work schedules at 8 hours for correctional officers and 10 hours for correctional officer stewards and capping required overtime at the same number of hours for the same positions. The Rhode Island Department of Corrections (RIDOC) prioritizes the safety, health and wellbeing of its correctional officers and is grateful for the chance to determine how to best deploy staff safely.

Presently, the Department cannot require correctional officers to work more than two consecutive 8-hour shifts. Under the terms of the current collective bargaining agreement, officers may volunteer to work an additional two shifts, for a total of 32 hours straight, if circumstances arise that create such an opportunity to do so. RIDOC has engaged in good faith negotiations during multiple prior collective bargaining agreements to eliminate the opportunity for officers to work four consecutive shifts, often referred to as “quads.” While this legislation is certainly a solution to matters relating to quads, it appears to also have unintended consequences. If passed this bill would yield a fiscal impact of up to \$26.3 million.

Staffing remains a primary challenge in correctional systems and law enforcement agencies across the country. Overtime is often used by law enforcement agencies to address sickness, vacations, injury, family medical leave (FMLA), and other circumstances that impact employee attendance and staffing shortages during any given time period. The requirement that “overtime is required only as a last resort and is not used to fill vacancies resulting from chronic short staffing” is contrary to longstanding practice that ensures all posts vital to the safe and constitutional operations of the Adult Correctional Institutions (ACI) are staffed as needed. Similarly, the requirement that the employer “has exhausted reasonable efforts to obtain staffing,” does not clearly outline what efforts may be deemed reasonable.

The Department remains committed to working with all interested parties, the Rhode Island Brotherhood of Corrections (RIBCO), the General Assembly, and the advocacy community to ensure that the ACI operates in a manner that prioritizes the health and wellbeing of correctional staff, and thereby the incarcerated population, and does not compromise safety and security. Thank you for the opportunity to comment on this legislation.

Sincerely,



Wayne T. Salisbury Jr.
Director

cc: Honorable Members of the House Labor Committee
The Honorable Representatives Azzinaro, O'Brien, Solomon, Slater, Noret, Finkelman, Read, Kennedy, and Hull
Nicole McCarty, Esq., Chief Legal Counsel to the Speaker of the House