

● **RHODE ISLAND MINIMUM WAGE ACT**

STATUTORY CITATION: 28 R.I. Gen. Laws §§ 28-12-1 – 28-12-25

GENERAL SUMMARY: The Rhode Island Minimum Wage Act entitles most employees in the state to a wage no lower than \$9.60 an hour, and requires all employers subject to any provision of the Act to keep a record of the wage rates, hours, earnings and related payroll data on each of their employees and to post a summary of the law at the workplace.

PROVISIONS APPLICABLE TO AGRICULTURE: Like employees in most other industries, farmworkers in Rhode Island are generally entitled to receive at least \$9.60 for every hour of work.

SPECIAL NOTES OR ADVISORIES

RETALIATION — A person may not discharge, discipline or discriminate in any manner against an employee because the employee has filed a complaint, participated in a proceeding, or exercised any other right afforded by these provisions.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Labor Standards Program, Workforce Regulation and Safety Division, Rhode Island Department of Labor and Training, Cranston, Rhode Island 02920 (401-462-8550).* This agency is responsible for enforcement of the Minimum Wage Act and has authority to investigate any claim submitted by a worker aggrieved by an alleged violation. As such, the Department has authority to enter any workplace, inspect payroll and other employment records, and question employees for the purpose of determining compliance. At a worker's request, the Department may take an assignment of the worker's wage claim in trust and bring legal action to collect it.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None.*

PRIVATE CIVIL ACTION — As an alternative to filing a wage claim with the state labor department, a person who has not received the minimum wage may take action against the employer involved in civil court, using a private attorney or public legal service provider. In addition to recovering the amount of the unpaid wages, the worker may be entitled to compensatory damages and liquidated damages up to *two times* the amount of unpaid wages, plus attorney fees and court costs. Court action to recover unpaid wages is barred unless it is filed within 3 years after the date the wages were due.