

● WAGE PAYMENT LAWS

STATUTORY CITATION: 28 R.I. Gen. Laws §§ 28-14-1 – 28-14-31

GENERAL SUMMARY: Chapter 14 of the Rhode Island labor laws regulates the payment of wages, including such matters as paydays, medium of pay, pay at termination, earnings statements, and recordkeeping. The wage payment laws apply to all employment in the state, agricultural and non-agricultural alike.

SPECIFIC TERMS AND CONDITIONS

PAYDAYS — Every employer must establish a regular payday, and workers are entitled to written notice of any change in the scheduled payday at least 3 paydays in advance. Workers must generally be paid weekly (unless compensation is fixed at a bi-weekly, semi-monthly, monthly or yearly rate), and each payday normally must fall within 9 days of the end of the payroll period in which the wages were earned.

MEDIUM OF PAY — Employers are not permitted to pay wages in any medium other than (1) in lawful U.S. money, (2) by check, convertible into cash on demand and at full face value, or (3) by electronic transfer to the employee's bank account or payroll card. Employers are permitted to pay wages by means of a payroll card only if the employee is able to make at least one withdrawal from the payroll card account per pay period without charge, up to the full amount of the net wages for the pay period.

FINAL WAGES — Whenever a worker quits the job or is discharged by the employer, the worker's final wages are payable on the next regular payday.

EARNINGS STATEMENTS — On every regular payday, the employer is obligated to furnish the worker with a statement showing the hours worked during the pay period and a record of the deductions made from the worker's pay and the basis or reason for each such deduction.

RECORDKEEPING — Every employer is required to keep a true and accurate record of the hours worked and wages paid to each employee for each pay period. Payroll records must be kept on file for at least 3 years after the date to which they pertain.

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)*. Authorized representatives of the Department have the right to enter any place of employment for the purpose of inspecting required employment records and otherwise checking compliance with the wage payment laws. At any time within 3 years from the time services were rendered, a worker who does not receive all or part of the wages earned for such services may file a claim with the Department, which is authorized to take action to collect it if it appears valid and enforceable. Employers found to have violated these provisions are also subject to criminal penalties.

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 wages in accordance with these provisions 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's fees and court costs. As is the case with an administrative claim, court action to recover unpaid wages is barred unless the claim is filed within 3 years after the date the wages were due.