

2011 -- S 0415

=====  
LC01636  
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

-----  
A N A C T

RELATING TO LABOR AND LABOR RELATIONS - LABOR RELATIONS ACT

Introduced By: Senators Shibley, Kettle, Ottiano, and Maher

Date Introduced: March 10, 2011

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 28-7-45 of the General Laws in Chapter 28-7 entitled "Labor  
2 Relations Act" is hereby amended to read as follows:  
3           **28-7-45. Employees exempt from chapter.** -- (a) The provisions of this chapter shall not  
4 apply: (1) to the employees of any employer who concedes to and agrees with the board that the  
5 employees are subject to and protected by the provisions of the National Labor Management  
6 Relations Act, 29 U.S.C. section 141 et seq., or the federal Railway Labor Act, 45 U.S.C. section  
7 151 et seq.; (2) except as provided in Chapter 11 of title 36 as to employees of the state; (3)  
8 except as provided in chapter 9.4 of this title as to employees of any political or civil subdivision  
9 or other agency thereof; (4) except "firefighters" as defined in chapter 9.1 of this title and "police  
10 officers" as defined in chapter 9.2 of this title; or (5) except "school teachers" as defined in  
11 chapter 9.3 of this title; provided, that in the case of firefighters, police officers, [school teachers](#)  
12 [as defined in chapter 9.3 of this title](#), and health care provider employees, including those of  
13 hospitals, nursing homes, ambulatory care centers, and orphanages, the provisions of this chapter  
14 shall apply, but nothing contained in this chapter shall be deemed in any manner to grant to any  
15 firefighters, police officers, [school teachers as defined in chapter 9.3 of this title](#), or health care  
16 provider employees, including those of hospitals, nursing homes, ambulatory care centers, and  
17 orphanages, the right to engage in any strike. Any strike by any firefighters, police officers,  
18 [school teachers as defined in chapter 9.3 of this title](#), or health care provider employees, including  
19 those of hospitals, nursing homes, ambulatory care centers, and orphanages, shall be illegal.

1           (b) When an impasse is reached by an employer and a union representing health care  
2 provider employees, including those of hospitals, nursing homes, ambulatory care centers, and  
3 orphanages, the mediation services of the department of labor and training shall be utilized for  
4 mediation and fact finding. If the issues remain unresolved, then the parties shall proceed to  
5 arbitration in accordance with the rules of the American Arbitration Association.

6           SECTION 2. This act shall take effect upon passage.

=====  
LC01636  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO LABOR AND LABOR RELATIONS - LABOR RELATIONS ACT

\*\*\*

- 1 This act would limit the ability of public school teachers to engage in labor strikes.
- 2 This act would take effect upon passage.

=====  
LC01636  
=====