

THE CITY OF WARWICK  
STATE OF RHODE ISLAND

RESOLUTION OF THE CITY COUNCIL

NO..... DATE.....

APPROVED.....MAYOR

RESOLUTION TO THE GENERAL ASSEMBLY IN RELATION TO THE  
COMPUTATION OF MUNICIPAL EMPLOYEE OVERTIME

Resolved that,

WHEREAS, the right to form and maintain a union or labor organization to collectively bargain for compensation, terms, and conditions of employment is essential to protect rights of workers in the State of Rhode Island and the City of Warwick; and,

WHEREAS, the State of Rhode Island may set standards by statute and regulation to ensure that all municipalities meet certain standards relative to public safety and protecting the safety of municipal employees; and,

WHEREAS, the State of Rhode Island may set standards by statute and regulation to ensure that all workers and workers in particular industries are guaranteed certain working conditions to protect their safety; and,

WHEREAS, the State of Rhode Island may set standards by statute and regulation to ensure that all workers and workers in particular industries are guaranteed a minimum wage; and,

WHEREAS, R.I. Gen. Laws § 28-12-4.1(c) provides, in relevant part, that "For the purposes of this section, 'hours worked' shall include paid leave, "relative to one occupation held by municipal employees but silent as to other occupations held by municipal employees;" and,

WHEREAS, the computation of overtime relative to the issue of inclusion of "paid leave" towards the computation of the total number of "hours worked" relates to compensation rather than public safety; and,

WHEREAS, such sentence was added to § 28-12-4.1(c) in the year 2019 through P.L. 2019, ch. 19, § 1; P.L. 2019, ch. 20, § 1; and,

WHEREAS, the computation of overtime for municipal employees relative to the issue of inclusion of "paid leave" towards the total number of "hours worked" has historically been a matter subject to the contracts negotiated through the collective bargaining process or otherwise subject to agreement between municipalities and employees; and,

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**WHEREAS**, the City of Warwick rather than the State of Rhode Island pays virtually all of the wages and salaries of its municipal employees; and,

**WHEREAS**, the City of Warwick meets or exceeds such standards set by the State of Rhode Island relative to employee compensation and safety; and,

**WHEREAS**, the City of Warwick and the labor organizations representing employees of the City of Warwick routinely negotiate contracts through the process of collective bargaining to the satisfaction of both parties and ratified by the Warwick City Council pursuant to Section 2-18 of the Warwick Code of Ordinances; and,

**WHEREAS**, the computation of overtime relative to the issue of the inclusion of "paid leave" towards the computation of the total number of "hours worked" for municipal employees is more properly reserved for the collective bargaining process between the parties.

**NOW, THEREFORE, BE IT RESOLVED**, the Warwick City Council hereby respectfully requests the General Assembly enact legislation to strike the sentence "For the purposes of this section, 'hours worked' shall include paid leave." from § 28-12-4.1(c) as previously enacted as part of P.L. 2019, ch. 19, § 1; P.L. 2019, ch. 20, § 1.

This Resolution shall take effect upon passage.

SPONSORED BY: COUNCILMAN RIX  
COUNCILMAN LADOUCEUR  
COUNCILMAN GEBHART  
  
COMMITTEE: INTERGOVERNMENTAL