

2024 -- S 2689

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION --  
GENERAL PROVISIONS

Introduced By: Senators DiMario, and F. Lombardi

Date Introduced: March 01, 2024

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 28-29-20 of the General Laws in Chapter 28-29 entitled "Workers'  
2 Compensation — General Provisions" is hereby amended to read as follows:

3           **28-29-20. Rights in lieu of other rights and remedies.**

4           (a) The right to compensation for an injury under chapters 29 — 38 of this title, and the  
5 remedy for an injury granted by those chapters, shall be in lieu of all rights and remedies as to that  
6 injury now existing, either at common law or otherwise against an employer, or its directors,  
7 officers, agents, or employees; and those rights and remedies shall not accrue to employees entitled  
8 to compensation under those chapters while they are in effect, except as otherwise provided in §§  
9 28-36-10 and 28-36-15, or as provided in subsection (b) of this section.

10           (b) An employee that sustains injury by reasons of willful misconduct by an employer,  
11 shall receive double the remedy for their injuries. For the purposes of a claim seeking the remedies  
12 set forth in subsection (c) of this section, willful misconduct by an employer involves deliberate or  
13 intentional wrongdoing with knowledge of, or wanton and reckless disregard of one's safety,  
14 knowing that injury to a person will probably result.

15           (c) If an employer does not have workers' compensation insurance in accordance with  
16 chapters 29 through 38 of this title and is not classified as an exempt employer in accordance with  
17 § 28-29-5, an employee seeking the remedies set forth in subsection (b) of this section may file  
18 actions against the employer under chapters 29 through 38 of this title and may also file claims

1 [against any other party that caused the injury within a court of competent jurisdiction.](#)

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- WORKERS' COMPENSATION --  
GENERAL PROVISIONS

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1           This act would allow an employee injured by willful misconduct of an employer to receive  
2 double the remedy for their injuries. If an employer does not have workers' compensation insurance,  
3 and is not classified as an exempt employer, the employee may file actions under this title and may  
4 file a claim against any other party that caused the injury in a court of competent jurisdiction.

5           This act would take effect upon passage.

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