

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DIVISION OF WORKFORCE REGULATION AND SAFETY  
LEGAL NOTICE OF PROMULGATION OF RULES

The Division of Workforce Regulation and Safety, under the authority granted by Chapter 23-33 of Title 28 of the General Laws of Rhode Island, 1956, as amended, granted the Division of Professional Regulations the power to adopt, amend, modify and reject general and special rule and regulations under Chapter 35 of Title 42 of the General Laws of Rhode Island, as amended, proposes:

The amendment of existing Rules as follows:

AMENDMENT TO RULES AND REGULATIONS RELATING TO  
WORK ON HOLIDAYS AND SUNDAYS

Rule 7.

Commercial fueling operators at Rhode Island Airport Corporation airports providing operation, quality assurance and maintenance services for the storage, receipt and distribution of aviation fuels and other related airline industry fuels and fluids, such as Glycol de-icing fluids, shall be exempt from paying employees Sunday and holiday premium pay. Exempt employees must provide oversight of daily fueling procedures, performance of quality checks, fuel related record keeping, direct receipt and testing of fuels, fuel inventory functions, environmental functions or dispersal services for commercial aviation fuel or related fuels and fluids or provide mandatory maintenance in line with Federal Aviation Administration (FAA) or Rhode Island Airport Authority protocols concerning aviation industry fuels and fluids or related fuels and fluids.

Copies of the aforementioned proposed amendments to the Rules are available for public inspection at the Rhode Island Department of Labor and Training, Division of Workforce Regulation and Safety, 70-2, 1511 Pontiac Avenue, Cranston, RI 02920 between the hours of 9:00 a.m. and 3:00 p.m., Monday through Friday.

In the development of the proposed amendments, consideration was given to (1) alternative approaches; (2) overlap and supplication with other statutory

regulatory provisions; and (3) significant economic impact on small business as defined in Chapter 35 of Title 42 of the General Laws, which may result from the proposed amendments. Based on available information, no significant impact was identified nor are there any alternative approaches, duplications or overlaps with other state regulations.

Written comments regarding the proposed amendments are welcomed and will be accepted within twenty (20) days of the date of publication of this notice. Please address all comments or inquiries to Ron D'Ambruoso, Acting Assistant Director, Workforce Regulation and Safety, 1511 Pontiac Avenue, Cranston, RI 02920.

In accordance with Rhode Island General Laws , Section 42-35-3, an oral hearing on these proposed amendments will be granted if requested by twenty-five (25) persons or a governmental subdivision or agency, or by an association having not less than twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of the date of this publication of notice. If a hearing is properly requested, it shall be held on April 21, 2010 at 1:30 pm. at the Department of Labor and Training, Division of Workforce Regulation and Safety, Bldg 70-2, and 1511 Pontiac Avenue, Cranston, RI 02920.

Signed this 19th day of March 2010

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Sandra M. Powell, Director