



General Assembly

February Session, 2004

***Raised Bill No. 5490***

LCO No. 1851

\*01851\_\_\_\_\_LAB\*

Referred to Committee on Labor and Public Employees

Introduced by:  
(LAB)

***AN ACT PROHIBITING CAPTIVE AUDIENCE MEETINGS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2004*) (a) As used in this  
2 section:

3 (1) "Employer" means a person engaged in business who has  
4 employees, including the state and any political subdivision of the  
5 state;

6 (2) "Employee" means any person engaged in service to an employer  
7 in a business of the employer, and includes research assistants,  
8 research fellows, teaching assistants, teaching fellows, post-doctoral  
9 associates, post-doctoral fellows, interns and residents at independent  
10 nonprofit institutions of higher education or nonprofit general hospital  
11 facilities, the real property of which is the basis of a state grant in lieu  
12 of taxes pursuant to section 12-20a of the general statutes;

13 (3) "Labor organization" means any organization that exists for the  
14 purpose, in whole or in part, of collective bargaining or of dealing with  
15 employers concerning grievances, terms or conditions of employment,

16 or of other mutual aid or protection in connection with employment;  
17 and

18 (4) "Political matters" includes, but is not limited to, political party  
19 affiliation or the decision to join or not join any lawful, political, social  
20 or community group or activity, or any labor organization.

21 (b) No employer or an employer's agent, representative or designee  
22 may require its employees to attend an employer-sponsored meeting  
23 or participate in any communications with the employer or its agents  
24 or representatives, the primary purpose of which is to communicate  
25 the employer's opinion about religious or political matters, except that  
26 an employer or its agent, representative or designee may communicate  
27 to employees information about religious or political matters that the  
28 employer is required by law to communicate, but only to the extent of  
29 such legal requirement.

30 (c) No employer or an employer's agent, representative or designee  
31 shall discharge, discipline or otherwise penalize or threaten to  
32 discharge, discipline or otherwise penalize any employee because the  
33 employee, or a person acting on behalf of the employee, makes a good  
34 faith report, verbally or in writing, of a violation or a suspected  
35 violation of this section. The provisions of this subsection shall not be  
36 applicable when the employee knows that such report is false.

37 (d) Any aggrieved employee may enforce the provisions of this  
38 section by means of a civil action brought within ninety days of the  
39 date of the alleged violation in the superior court for the judicial  
40 district where the violation is alleged to have occurred or where the  
41 employer has its principal office. The court may award a prevailing  
42 employee all appropriate relief, including rehiring or reinstatement of  
43 the employee to the employee's former position, back pay and  
44 reestablishment of any employee benefits to which the employee  
45 would otherwise have been eligible if such violation had not occurred.  
46 The court shall award a prevailing employee treble damages, together  
47 with reasonable attorneys' fees and costs.

48 (e) Nothing in this section shall be construed to limit an employee's  
49 right to bring a common law cause of action against an employer for  
50 wrongful termination or to diminish or impair the rights of a person  
51 under any collective bargaining agreement.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>

**Statement of Purpose:**

To prohibit employers from coercing employees into attending or participating in meetings for the purpose of communicating the employers' position concerning politics, religion, or labor organizing activities.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*