



General Assembly

January Session, 2005

Raised Bill No. 6226

LCO No. 2769

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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, 2005*) (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 no later than ninety days
39 after the date of the alleged violation in the superior court for the
40 judicial district where the violation is alleged to have occurred or
41 where the employer has its principal office. The court may award a
42 prevailing employee all appropriate relief, including rehiring or
43 reinstatement of the employee to the employee's former position, back
44 pay and reestablishment of any employee benefits to which the
45 employee would otherwise have been eligible if such violation had not
46 occurred. The court shall award a prevailing employee treble damages,
47 together 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 and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	New section

Statement of Purpose:

To prohibit an employer from coercing employees into attending or participating in communications by the employer about the employer's views on 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.]