



General Assembly

**Substitute Bill No. 277**

January Session, 2005

\* SB00277LABJUD031605 \*

**AN ACT CONCERNING EMPLOYER COMMUNICATIONS ABOUT  
POLITICS, RELIGION OR LABOR ORGANIZING ACTIVITIES.**

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 political party affiliation or the  
19 decision to join or not join any lawful, political, social or community  
20 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.

52 (f) Nothing in this section shall prohibit (1) a religious organization  
53 from requiring its employees to attend an employer-sponsored  
54 meeting or to participate in any communications with the employer or  
55 its agents or representatives, the primary purpose of which is to  
56 communicate the employer's religious beliefs, practices or tenets; (2) a  
57 political organization from requiring its employees to attend an  
58 employer-sponsored meeting or to participate in any communications  
59 with the employer or its agents or representatives, the primary  
60 purpose of which is to communicate the employer's political tenets or  
61 purposes; or (3) an educational institution from requiring student  
62 instructors to attend lectures on political or religious matters that are  
63 part of the regular coursework at such institution.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	New section

**LAB**

*Joint Favorable Subst. C/R*

**JUD**