



General Assembly

February Session, 2006

Raised Bill No. 5030

LCO No. 680

00680_____LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

AN ACT CONCERNING CAPTIVE AUDIENCE MEETINGS.

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

1 Section 1. (NEW) (*Effective October 1, 2006*) (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;

8 (3) "Labor organization" means any organization that exists for the
9 purpose, in whole or in part, of collective bargaining or of dealing with
10 employers concerning grievances, terms or conditions of employment,
11 or of other mutual aid or protection in connection with employment;

12 (4) "Politics" means the activities or affairs engaged in by
13 government or a political party;

14 (5) "Political" means relative to, involving or characteristic of politics

15 or politicians; and

16 (6) "Political matters" includes political party affiliation or the
17 decision to join or not join any lawful, political, social or community
18 group or activity or any labor organization.

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

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

36 (d) Any aggrieved employee may enforce the provisions of this
37 section by means of a civil action brought no later than ninety days
38 after the date of the alleged violation in the superior court for the
39 judicial district where the violation is alleged to have occurred or
40 where the employer has its principal office. The court may award a
41 prevailing employee all appropriate relief, including rehiring or
42 reinstatement of the employee to the employee's former position, back
43 pay and reestablishment of any employee benefits to which the
44 employee would otherwise have been eligible if such violation had not
45 occurred. The court shall award a prevailing employee treble damages,
46 together with reasonable attorneys' fees and costs.

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

51 (f) Nothing in this section shall prohibit (1) a religious organization
52 from requiring its employees to attend an employer-sponsored
53 meeting or to participate in any communications with the employer or
54 its agents or representatives, the primary purpose of which is to
55 communicate the employer's religious beliefs, practices or tenets; (2) a
56 political organization from requiring its employees to attend an
57 employer-sponsored meeting or to participate in any communications
58 with the employer or its agents or representatives, the primary
59 purpose of which is to communicate the employer's political tenets or
60 purposes; (3) an institution of higher education, or any agent,
61 representative or designee of such institution, from meeting with or
62 participating in any communications with its employees about political
63 or religious matters that are part of the regular coursework or any
64 symposia or academic program at such institution; or (4) casual
65 conversations between employees, including employees and agents of
66 employers, provided participation in such conversations is not
67 required, and they occur in the normal course of the employee's
68 business.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</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.]