



General Assembly

January Session, 2007

Committee Bill No. 602

LCO No. 5260

05260SB00602LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

AN ACT CONCERNING EMPLOYER-SPONSORED MEETINGS.

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

1 Section 1. (NEW) (*Effective October 1, 2007*) (a) As used in this
2 section:

3 (1) "Employer" means a health care entity that receives more than
4 one hundred million dollars in state funds, including funds paid under
5 the state Medicaid program;

6 (2) "Employee" means any person engaged in service to an
7 employer;

8 (3) "Political matters" means relative to, involving or characteristic
9 of the activities or affairs engaged in by government, political parties
10 or politicians, including political party affiliation or the decision to join
11 or not join any lawful, political, social or community group or activity
12 or any labor organization; and

13 (4) "Religious matters" means relative to, involving or characteristic
14 of systems of faith and worship, including the beliefs, practices, tenets
15 and rules of conduct of such systems.

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

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

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

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	New section

Statement of Purpose:

To preserve the fundamental dignity of workers by prohibiting an employer from coercing employees into attending or participating in communications by the employer about the employer's views on politics or religion.

[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.]

Co-Sponsors: SEN. LOONEY, 11th Dist.

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