

Labor and Public Employees Committee

JOINT FAVORABLE REPORT

Bill No.: SB-318

Title: AN ACT CONCERNING CAPTIVE AUDIENCE MEETINGS.

Vote Date: 3/22/2022

Vote Action: Joint Favorable

PH Date: 3/8/2022

File No.: 266

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SPONSORS OF BILL: SPONSORS OF BILL:

Labor and Public Employees Committee

Sen. Bob Duff, 25th Dist.

Sen. Martin M. Looney, 11th Dist.

Rep. Michael A. Winkler, 56th Dist.

Rep. Robyn A. Porter, 94th Dist.

Rep. Anne M. Hughes, 135th Dist.

Rep. Anthony L. Nolan, 39th Dist.

Rep. David Michel, 146th Dist.

Rep. Travis Simms, 140th Dist.

Rep. Joshua M. Hall, 7th Dist.

REASONS FOR BILL:

This bill prohibits an employer from coercing employees into attending or participating in meetings sponsored by the employer concerning the employer's views on political or religious matters.

RESPONSE FROM ADMINISTRATION/AGENCY:

Connecticut Commission on Human Rights and Opportunities; supports this bill stating that Connecticut antidiscrimination law protects employees from discrimination on the basis of religion, and from retaliation for opposing religious discrimination. The goal of such protections is to eliminate religious discrimination in the workplace. It is stated that being compelled to attend a meeting at which an employer espouses its opinion on religious matters is a particular kind of discrimination. It sends a signal to employees who don't share the same views that they may need to hide their own beliefs or other aspects of their identity, at the risk of suffering the ire of their employer.

NATURE AND SOURCES OF SUPPORT:

AFSCME, Executive Director, Jody Barr; supports this bill stating that the decision to join a union free on intimidation or coercion should be a basic right afforded to workers. It is stated that this bill will help workers have an even playing field for organizing and determining if they would like to be in a union or not.

Local Union 777, Member, Cameron Chaplin; supports this bill stating that this bill simply ensures employees of any company or government entity that the employer shall not in any way intimidate or compel them to attend a meeting that is not directly related to their duties that they perform for the employer. It is stated that everyone should be able to decide for themselves whether they want to listen to someone that is bias in one way or another.

Connecticut Education Association, President, Kate Dias; supports this bill stating that business owners suppress employees' free speech, including workers' rights to associate in unions. It is stated that this has affected perceptions of race, gender identity, sexual orientation, ethnicity, and diverse religious views and affiliations, resulting in bias, intimidation, and bigotry. It is stated that many employees fear being known by their employer as having positions contrary to those of their bosses, and they feel threatened when management places them in a position that pits their job against their political or religious views. It is stated that this bill is a critically important step toward ensuring that employees' freedoms and rights will be recognized and treated equally.

Connecticut Communist Party USA, Chair, Joelle Fishman; supports this bill stating that the Captive Audience Bill is meant to guarantee basic democratic rights for a voice at work.

Connecticut Working Families, Sate Director, Sarah Ganong; supports this bill stating that 2022 has been an inspiring year of workers standing up for their rights across the country, from Starbucks to REI to teachers in Minneapolis, but even here in Connecticut today, workers who desire to form unions struggle to unite without fear or intimidation. It is stated that this bill before you today protects the fundamental right of workers to make their own choice to form or join a union and ensures that each worker can make this decision without fear or intimidation from their employer.

Connecticut AFL-CIO, President, Ed Hawthorne; supports this bill stating that this bill protects a worker's fundamental right of free speech when employers misuse their authority and require employees to listen to management's views on matters of individual conscience. It is stated that this bill simply allows an employee to leave an employer-sponsored meeting and return to work if the meeting is about religious and political matters unrelated to his or her job performance. It is stated that when faced with a union organizing drive, most employers hire union-avoidance consultants to orchestrate and implement anti-union campaigns. It is stated that this bill will protect employees from facing termination or discipline for leaving a meeting because they do not wish to listen to the employer's views on such topics.

CSEA SEIU Local 2001, President, Travis Woodward; supports this bill stating that this bill protects the fundamental right of workers to make their own choice to form or join a union and ensures that workers can make their own decisions free from fear or intimidation.

SEIU, Organizer, Stacey Zimmerman; supports this bill.

NATURE AND SOURCES OF OPPOSITION:

The following oppose this bill stating that there are many benefits of allowing employers and employees to openly discuss matters that affect each other, and CBIA members are concerned with how this proposal greatly restricts their ability to communicate critical workplace matters with their employees. It is stated that if the proposal was law during the pandemic, it would have restricted employers communicating the wide array of employment related executive orders, laws, and regulations associated with the government's management of the public health crisis. It is stated that this bill ultimately places a gag order on employers, leaving employees in the dark on matters that directly affect them, and it not only dictates how employers interact with employees, but it reflects an adversarial attitude toward Connecticut businesses.

Carpin Manufacturing Inc., Controller, Rachel Albanse

CBIA, Associate Counsel, John Blaire

Lux Bond & Green, Human Resources Director, Cathy Berey

United Parcel Service, Vice President Government Affairs, Axel Carrion

Clay Furniture Industries Inc., President, Julie Clay

Big Boy's Toys LLC, Owner, Daniel Huff

East Coast Lightning Equipment Inc., President, Mark Morgan

Stencil Ease, Owner, James E. Randolph

PTA Plastics, Executive Vice President, Michael K. Rocheleau

Schwerdtle Inc., President, Kathy Saint

InCord, CEO-President-Owner, Meredith Shay

National Federation of Independent Business; opposes this bill stating that it would restrict free speech for small employers in their workplaces and could inhibit important communications between small business owners and their employees regarding relevant political matters, including legitimate and important discussions concerning legislation and regulations, as well as issues concerning potential labor organizing activity at private businesses. It is stated that the proposed legislation could adversely impact small business owners and their employees who may discuss politics, religion or other issues with customers or vendors in a small business environment as potentially violating workers' rights. It is stated that many of the provisions in this bill are overly broad and ambiguous.

Connecticut Restaurant Association, President & CEO, Scott Dolch; opposes this bill stating that this bill seeks to limit an employer's ability to require employees to attend employer sponsored meetings concerning political or religious matters. It is stated that the definition of political matters is overly broad, and we believe would prohibit employers from requiring employees to attend meetings related to subjects such as: explaining new laws to employees which impact the restaurant industry and how they do their jobs, sharing industry charity events with employees, updating employees on regulations regarding FMLA and the list goes on.

Insurance Association of Connecticut, General Counsel, Brooke Foley; opposes this bill stating that the bill directly conflicts with federal law, and infringes upon employers in the

state, including insurers, from effectively managing their businesses. It is stated that this bill would not only would harm existing businesses but would discourage new business and relocation of businesses to our state. It is stated that this bill impinges upon effective employee management by preventing employers from requiring employees to attend meetings or read communications primarily used to communicate information that may be necessary to the employer's business operations. It is stated that this bill includes communications regarding "political matters," such as how certain legislation affects business operations. It is stated that the bill would lead to an undisciplined work environment, where an employee may decide that any particular issue is "political," for example, diversity training or mask wearing, and choose to disregard his or her employer's direction to attend necessary training or read regulations or communications, leaving the employer with no recourse for taking adverse action against that employee.

Independent Electrical Contractors, Executive Director, Allie French; opposes this bill stating that IEC takes exception to the inclusion of "fraternal or labor organizations" as included in the definition of "political matters". It is stated that this is an "overreach" and an infringement on private industry and its relationship between employer and employee, particularly as it relates to labor organizations. It is stated that fraternal or labor organizations should not be included in this proposed bill.

Associated Builders and Contractors of Connecticut, President, Christopher Fryxell; opposes this bill stating that this bill would strike at an employer's freedom to discuss issues with employees that may affect their well-being and the success of the company that employs them. It is stated that the bill's definition of political matters is overly broad, and this definition could effectively prevent employers from speaking with their employees about pending legislation or regulations that could seriously impact the business and, by extension, the employees' jobs. It is stated that according to Connecticut's former Attorney General George Jepsen, this bill is likely preempted by federal law as the state cannot govern areas of law covered by the National Labor Relations Board. It is stated that in the construction industry there are many laws and regulations that affect employee health and wellness that are often communicated during mandatory meetings, and this bill could strike at an employer's ability to effectively communicate these important topics to employees.

Connecticut, Resident, David Godbout; opposes this bill stating that it would violate the Fourth Amendment of the United States Constitution.

Greater New Haven and Quinnipiac Chamber of Commerce, President & CEO, Garret Sheehan; opposes this bill stating that this bill restricts conversations between employers and employees on several topics related to the workplace, such as legislation and regulations that are affecting businesses and their employees. It is stated that the broad definition of the term "political matters" in this bill has the potential to limit critical information between employers and employees related to the operation of the business and employer involvement in civic or community events. It is stated that the broadness of this bill will drastically affect business operations because employees could decide that critical meetings, such as diversity training, fall under political matters.

Waterbury Regional Chamber, Director of Public Policy and Economic Development, Joseph Violette; opposes this bill stating that the bill would restrict communication between business and its employees, inhibiting important communications and relevant discussions on legislative or regulatory matters. It is stated that if enacted, this legislation would adversely impact businesses and their employees who discuss topics such as politics, civics, community, religion, and more with customers or vendors.

Reported by: Alex Koshgarian, Assistant Clerk Date: 3/29/2022