



General Assembly

Substitute Bill No. 163

February Session, 2022



AN ACT PROTECTING EMPLOYEE FREEDOM OF SPEECH AND CONSCIENCE.

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

1 Section 1. Section 31-51q of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2022*):

3 [Any] (a) As used in this section:

4 (1) "Political matters" means matters relating to elections for political
5 office, political parties, proposals to change legislation, proposals to
6 change regulation and the decision to join or support any political party
7 or political, civic, community, fraternal or labor organization;

8 (2) "Religious matters" means matters relating to religious affiliation
9 and practice and the decision to join or support any religious
10 organization or association; and

11 (3) "Rights guaranteed by the first amendment to the United States
12 Constitution or section 3, 4 or 14 of article first of the Constitution of the
13 state" includes, but is not limited to, the right of freedom of speech,
14 freedom of religion and freedom of association, and shall include the
15 right not to be required to listen to speech.

16 (b) Except as provided in subsections (c) and (d) of this section, any

17 employer, including the state and any instrumentality or political
18 subdivision thereof, who subjects or threatens to subject any employee
19 to discipline or discharge on account of (1) the exercise by such
20 employee of rights guaranteed by the first amendment to the United
21 States Constitution or section 3, 4 or 14 of article first of the Constitution
22 of the state, provided such activity does not substantially or materially
23 interfere with the employee's bona fide job performance or the working
24 relationship between the employee and the employer, or (2) such
25 employee's refusal to (A) attend an employer-sponsored meeting with
26 the employer or its agent, representative or designee, the primary
27 purpose of which is to communicate the employer's opinion concerning
28 religious or political matters, or (B) listen to speech or view
29 communications, the primary purpose of which is to communicate the
30 employer's opinion concerning religious or political matters, shall be
31 liable to such employee for [damages caused by such discipline or
32 discharge, including punitive damages, and for reasonable attorney's
33 fees as part of the costs of any such action for damages] the full amount
34 of gross loss of wages or compensation, with costs and such reasonable
35 attorney's fees as may be allowed by the court. If the court determines
36 that such action for damages was brought without substantial
37 justification, the court may award costs and reasonable attorney's fees
38 to the employer.

39 (c) Nothing in this section shall prohibit: (1) An employer or its agent,
40 representative or designee from communicating to its employees any
41 information that the employer is required by law to communicate, but
42 only to the extent of such legal requirement; (2) an employer or its agent,
43 representative or designee from communicating to its employees any
44 information that is necessary for such employees to perform their job
45 duties; (3) an institution of higher education, or any agent,
46 representative or designee of such institution, from meeting with or
47 participating in any communications with its employees that are part of
48 coursework, any symposia or an academic program at such institution;
49 (4) casual conversations between employees or between an employee
50 and an agent, representative or designee of an employer, provided

51 participation in such conversations is not required; or (5) a requirement
52 limited to the employer's managerial and supervisory employees.

53 (d) The provisions of this section shall not apply to a religious
54 corporation, entity, association, educational institution or society that is
55 exempt from the requirements of Title VII of the Civil Rights Act of 1964
56 pursuant to 42 USC 2000e-1(a) or is exempt from sections 4a-60a, 46a-
57 81a and 46a-81o pursuant to section 46a-81p, with respect to speech on
58 religious matters to employees who perform work connected with the
59 activities undertaken by such religious corporation, entity, association,
60 educational institution or society.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2022	31-51q

JUD *Joint Favorable Subst.*