



Substitute Senate Bill No. 163

Public Act No. 22-24

AN ACT PROTECTING EMPLOYEE FREEDOM OF SPEECH AND CONSCIENCE.

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

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 Section 31-51q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2022*):

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

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

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

(b) Except as provided in subsections (c) and (d) of this section, any employer, including the state and any instrumentality or political subdivision thereof, who subjects or threatens to subject any employee to discipline or discharge on account of (1) the exercise by such employee of rights guaranteed by the first amendment to the United States Constitution or section 3, 4 or 14 of article first of the Constitution

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of the state, provided such activity does not substantially or materially interfere with the employee's bona fide job performance or the working relationship between the employee and the employer, or (2) such employee's refusal to (A) attend an employer-sponsored meeting with the employer or its agent, representative or designee, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters, or (B) listen to speech or view communications, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters, shall be liable to such employee for [damages caused by such discipline or discharge, including punitive damages, and for reasonable attorney's fees as part of the costs of any such action for damages] the full amount of gross loss of wages or compensation, with costs and such reasonable attorney's fees as may be allowed by the court. If the court determines that such action for damages was brought without substantial justification, the court may award costs and reasonable attorney's fees to the employer.

(c) Nothing in this section shall prohibit: (1) An employer or its agent, representative or designee from communicating to its employees any information that the employer is required by law to communicate, but only to the extent of such legal requirement; (2) an employer or its agent, representative or designee from communicating to its employees any information that is necessary for such employees to perform their job duties; (3) an institution of higher education, or any agent, representative or designee of such institution, from meeting with or participating in any communications with its employees that are part of coursework, any symposia or an academic program at such institution; (4) casual conversations between employees or between an employee and an agent, representative or designee of an employer, provided participation in such conversations is not required; or (5) a requirement limited to the employer's managerial and supervisory employees.

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