

SENATE BILL NO. 109

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY SENATOR TOBIN

Introduced: 3/20/23

Referred: Labor & Commerce, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to employee rights; and providing for an effective date."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
4 to read:

5 SHORT TITLE. This Act may be known as the Employee Free Speech Act.

6 * **Sec. 2.** AS 23.10 is amended by adding a new section to article 7 to read:

7 **Sec. 23.10.450. Employee right to avoid speech.** (a) An employer, either
8 personally or through an agent or representative, may not take or threaten to take an
9 adverse employment action against an employee because the employee refuses to

10 (1) attend an employer-sponsored meeting, the primary purpose of
11 which is to communicate the employer's opinion about religious or political matters; or

12 (2) listen to communications, the primary purpose of which is to
13 communicate the employer's opinion about religious or political matters.

14 (b) An employer who violates (a) of this section is liable for the employee's
15 lost wages.

1 (c) This section does not prohibit

2 (1) an employer or its agent or representative from communicating to
3 its employees information

4 (A) the employer is required by law to communicate;

5 (B) necessary for an employee to perform the employee's job
6 duties;

7 (2) an institution of higher education or its agent or representative from
8 communicating to its employees coursework, symposia, or an academic program;

9 (3) a requirement that an employer's executive personnel listen to
10 communications about the employer's business;

11 (4) a religious organization from requiring its employees to attend an
12 employer-sponsored meeting or participate in any communication with the employer
13 or the employer's agent, representative, or designee for the primary purpose of
14 communicating the employer's religious beliefs, practices, or tenets.

15 (d) In this section,

16 (1) "political matters" means matters relating to elections for political
17 office, political parties, proposed legislation or regulations, and the decision to join or
18 support a political party or political, civic, communal, fraternal, or labor organization;

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

21 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).