



General Assembly

January Session, 2019

Committee Bill No. 440

LCO No. 5741



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***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 Section 31-51q of the general statutes is repealed and the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, 2019*):

3 (a) As used in this section:

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

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.

11 (b) Any employer, including the state and any instrumentality or
12 political subdivision thereof, who subjects or threatens to subject any
13 employee to discipline or discharge on account of (1) the exercise by
14 such employee of rights guaranteed by the first amendment to the

15 United States Constitution or section 3, 4 or 14 of article first of the
16 Constitution of the state, provided such activity does not substantially
17 or materially interfere with the employee's bona fide job performance
18 or the working relationship between the employee and the employer,
19 or (2) such employee's refusal to (A) attend an employer-sponsored
20 meeting with the employer or its agent, representative or designee, the
21 primary purpose of which is to communicate the employer's opinion
22 concerning religious or political matters, or (B) listen to speech or view
23 communications, the primary purpose of which is to communicate the
24 employer's opinion concerning religious or political matters, shall be
25 liable to such employee for damages caused by such discipline or
26 discharge, including punitive damages, and for reasonable attorney's
27 fees as part of the costs of any such action for damages. If the court
28 determines that such action for damages was brought without
29 substantial justification, the court may award costs and reasonable
30 attorney's fees to the employer.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2019	31-51q

Statement of Purpose:

To prohibit 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.

[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.]

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SEN. LESSER, 9th Dist.; SEN. WINFIELD, 10th Dist.
SEN. COHEN, 12th Dist.; SEN. ABRAMS, 13th Dist.
SEN. OSTEN, 19th Dist.; SEN. MOORE, 22nd Dist.
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REP. CURREY, 11th Dist.

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