

WORKPLACE DISCRIMINATION AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brady Brammer

Senate Sponsor: _____

LONG TITLE

General Description:

This bill addresses religious expression in the workplace.

Highlighted Provisions:

This bill:

▶ prohibits an employer from compelling an employee to communicate or otherwise act in a manner that the employee believes would burden or offend the employee's religious ~~Ĥ→~~ [~~-, moral, or conscientious~~] ~~←Ĥ~~ beliefs.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

34A-5-112, as enacted by Laws of Utah 2015, Chapter 13

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **34A-5-112** is amended to read:

34A-5-112. Religious liberty protections -- Expressing beliefs and commitments in workplace -- Prohibition on employment actions against certain employee speech.

(1) As used in this section, "religiously objectionable expression" means expression,

H.B. 396



28 action, or inaction that burdens or offends a religious ~~H~~→ [~~-, moral, or conscientious~~] ←~~H~~ belief,
 28a including
 29 dress and grooming requirements, speech, scheduling, prayer, and abstention, including
 30 abstentions relating to healthcare.

31 ~~[(+)]~~ (2) An employee may express the employee's religious or moral beliefs and
 32 commitments in the workplace in a reasonable, non-disruptive, and non-harassing way on
 33 equal terms with similar types of expression of beliefs or commitments allowed by the
 34 employer in the workplace, unless the expression is in direct conflict with the essential
 35 business-related interests of the employer.

36 ~~[(2)]~~ (3) An employer may not discharge, demote, terminate, or refuse to hire any
 37 person, or retaliate against, harass, or discriminate in matters of compensation or in terms,
 38 privileges, and conditions of employment against any person otherwise qualified, for lawful
 39 expression or expressive activity outside of the workplace regarding the person's religious,
 40 political, or personal convictions, including convictions about marriage, family, or sexuality,
 41 unless the expression or expressive activity is in direct conflict with the essential
 42 business-related interests of the employer.

43 (4) An employer may not compel an employee to engage in religiously objectionable
 44 expression that the employee reasonably believes would burden or offend the employee's
 45 religious ~~H~~→ [~~-, moral, or conscientious~~] ←~~H~~ beliefs, unless accommodating the employee would
 45a cause an
 46 undue burden to the employer by substantially interfering with the employer's:

- 47 (a) core mission or the employer's ability to conduct business in an effective or
 48 financially reasonable manner; or
 49 (b) ability to provide training and safety instruction for the job.

50 **Section 2. Effective date.**

51 This bill takes effect on May 1, 2024.