

Representative Brady Brammer proposes the following substitute bill:

WORKPLACE DISCRIMINATION AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brady Brammer

Senate Sponsor: Michael S. Kennedy

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 sincerely held religious beliefs; and

▶ provides a process for an employer to accommodate an employee's religious liberties.

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:



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

27 **34A-5-112. Religious liberty protections -- Expressing beliefs and commitments**
28 **in workplace -- Prohibition on employment actions against certain employee speech.**

29 (1) As used in this section, "religiously objectionable expression" means expression,
30 action, or inaction that burdens or offends a sincerely held religious belief, including dress and
31 grooming requirements, speech, scheduling, prayer, and abstention, including abstentions
32 relating to healthcare.

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

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

45 (4) An employer may not compel an employee to engage in religiously objectionable
46 expression that the employee reasonably believes would burden or offend the employee's
47 sincerely held religious beliefs, unless accommodating the employee would cause an undue
48 burden to the employer by substantially interfering with the employer's:

49 (a) core mission or the employer's ability to conduct business in an effective or
50 financially reasonable manner; or

51 (b) ability to provide training and safety instruction for the job.

52 (5) To receive an accommodation under this section, an employee shall:

53 (a) request that the employer comply with the provisions of this section by granting the
54 employee an accommodation; and

55 (b) after making a request as described in Subsection (5)(a), provide an employer with
56 a reasonable opportunity to accommodate the employee.

57 (6) This section does not require an employer to grant an employee a scheduling
58 accommodation if the employer has fewer than 15 employees.

59 Section 2. **Effective date.**

60 This bill takes effect on May 1, 2024.