
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2540 Session of
2024

INTRODUCED BY KHAN, D. MILLER, DAWKINS, SIEGEL, GREEN, POWELL,
FRANKEL, MATZIE, HADDOCK, FIEDLER, HANBIDGE, HILL-EVANS,
GIRAL, WAXMAN, KENYATTA, VENKAT, PIELLI, SANCHEZ, T. DAVIS,
SCHLOSSBERG, PARKER, CERRATO, KRAJEWSKI, CEPEDA-FREYTIZ,
OTTEN, D. WILLIAMS, CIRESI, DALEY, ROZZI, KAZEEM, RABB AND
DELLOSO, AUGUST 21, 2024

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, AUGUST 21, 2024

AN ACT

1 Prohibiting the penalization of employees for nonparticipation
2 in religious or political matters; providing for notice
3 requirements; and imposing penalties.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Scope of act.

7 This act relates to employee participation in meetings
8 relating to political matters or religious matters at their
9 place of employment.

10 Section 2. Definitions.

11 The following words and phrases when used in this act shall
12 have the meanings given to them in this section unless the
13 context clearly indicates otherwise:

14 "Department." The Department of Labor and Industry of the
15 Commonwealth.

16 "Employee." An individual employed by an employer.

1 "Employer." Any person, corporation, partnership, limited
2 liability company, limited liability partnership, business
3 trust, affiliate, unincorporated joint venture or other business
4 entity, including an agent, representative or designee, that
5 employs an employee.

6 "Interested party." An organization that monitors or is
7 attentive to compliance with State laws relating to public or
8 worker safety, wage and hour requirements or other labor issues.

9 "Political matter." A matter regarding an election for
10 political office, a political party, a proposal to amend State
11 law, a proposal to amend a regulation or a decision to join or
12 support a political party or a political, civic, community,
13 fraternal or labor organization.

14 "Religious matter." A matter regarding a religious belief,
15 affiliation or practice or a decision to join or support a
16 religious organization or association.

17 "Voluntary." Any of the following:

18 (1) Not incentivized by a positive change in an
19 employment condition, including a form of compensation or any
20 other benefit of employment.

21 (2) Not taken under threat of a negative change in an
22 employment condition for nonattendance, including a negative
23 performance evaluation, an adverse change in a form of
24 compensation or an adverse change in any other benefit of
25 employment.

26 Section 3. Prohibition on penalizing employees for
27 nonparticipation in religious or political matters.

28 An employer or an agent, representative or designee of the
29 employer may not discharge, discipline or penalize, threaten to
30 discharge, discipline or penalize, or take any adverse

1 employment action against an employee:

2 (1) because the employee declines to attend or
3 participate in an employer-sponsored meeting or declines to
4 receive or listen to a communication from the employer or an
5 agent, representative or designee of the employer if the
6 purpose of the meeting or communication is to transmit the
7 opinion of the employer about a religious matter or political
8 matter;

9 (2) as a means of inducing the employee to attend or
10 participate in a meeting or receive or listen to
11 communications specified under paragraph (1); or

12 (3) because the employee, including a person acting on
13 behalf of the employee, makes a good faith report, orally or
14 in writing, of a violation or suspected violation of this
15 section.

16 Section 4. Civil penalties.

17 (a) Authorization.--An employee aggrieved by a violation of
18 section 3 may bring an action against an employer in a court of
19 competent jurisdiction to enforce compliance with section 3 no
20 later than one year after the date of the alleged violation. An
21 employee may bring an action under this section on behalf of the
22 employee or multiple other employees similarly situated as the
23 employee.

24 (b) Damages.--A court may award an employee prevailing in an
25 action under subsection (a) appropriate relief, including
26 injunctive relief, reinstatement of a former employment position
27 or an equivalent position, back pay, reestablishment of employee
28 benefits, including seniority, to which the employee would
29 otherwise have been eligible if the violation had not occurred
30 or any other appropriate relief as deemed necessary by the court

1 to make the employee whole. A court shall award an employee
2 prevailing in an action under this section reasonable attorney
3 fees and costs. Remedies provided for in this act are not
4 exclusive and shall be in addition to any other remedies
5 provided for in law.

6 Section 5. Administrative penalties.

7 The department shall investigate an alleged violation of
8 section 3 in a complaint received from an employee or interested
9 party. The department shall develop a complaint form for the
10 purposes of this section and post the form on the department's
11 publicly accessible Internet website.

12 Section 6. Notice requirements.

13 Within 30 days after the effective date of this section, an
14 employer shall post and maintain a notice of the rights of
15 employees under this act where notices for employees are
16 customarily posted by the employer.

17 Section 7. Construction.

18 Nothing in this act shall be construed to:

19 (1) prohibit a communication of information that the
20 employer is required by Federal or State law to communicate;

21 (2) limit the right of an employer or an agent,
22 representative or designee of an employer to conduct meetings
23 involving a religious matter or political matter if
24 attendance is voluntary or to engage in a communication if
25 the receipt or listening of the communication is voluntary;

26 (3) limit the right of an employer or an agent,
27 representative or designee of an employer to communicate
28 information to an employee that is necessary for the employee
29 to perform the employee's required job duties;

30 (4) prohibit a requirement limited to the employer's

1 managerial and supervisory employees;

2 (5) prohibit an institution of higher education or an
3 agent, representative or designee of an institution from
4 conducting a meeting or participating in a communication with
5 an employee of the institution of higher education concerning
6 any coursework, symposia, research, publication or academic
7 program at the institution of higher education; or

8 (6) prohibit a Commonwealth or municipal agency, the
9 General Assembly, a governing body of a municipality, a
10 county executive or any other State or local governing entity
11 from requiring an employee of the Commonwealth or municipal
12 agency, General Assembly, governing body of a municipality,
13 county executive or other State or local governing entity to
14 attend an employer-sponsored meeting or participate in a
15 communication with the employer for the purpose of
16 communicating the employer's proposals to change public
17 policy.

18 Section 8. Effective date.

19 This act shall take effect in 90 days.