

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO LABOR AND LABOR RELATIONS -- LABOR RELATIONS ACT --
EMPLOYEE FREE SPEECH RIGHTS

Introduced By: Senators LaMountain, and Bissaillon

Date Introduced: March 08, 2024

Referred To: Senate Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 28-7 of the General Laws entitled "Labor Relations Act" is hereby
2 amended by adding thereto the following section:

3 **28-7-50. Employee rights of free speech in the workplace.**

4 (a) As used in this section:

5 (1) "Political matters" means matters relating to elections for political office, political
6 parties, proposals to change legislation or regulations unrelated to the employer's business or
7 business activities, and a decision whether to join or support any political party or political, civic,
8 community, fraternal or labor organization; and

9 (2) "Religious matters" means matters relating to religious affiliation and practice and the
10 decision whether to join or support any religious organization or association.

11 (b) Except as provided in subsections (c) and (d) of this section, an employer or the
12 employer's agent, representative or designee shall not discharge, discipline or otherwise penalize
13 or threaten to discharge, discipline or otherwise penalize or take any adverse employment action
14 against an employee because of the employee's refusal to:

15 (1) Attend an employer-sponsored meeting with the employer or its agent, representative
16 or designee, the primary purpose of which is to communicate the employer's opinion concerning
17 religious or political matters; or

18 (2) Listen to speech or view communications, including electronic communications, from

1 the employer or its agent, representative or designee, the primary purpose of which is to
2 communicate the employer's opinion concerning religious or political matters.

3 (c) Nothing in this section shall prohibit:

4 (1) An employer or its agent, representative or designee from communicating to its
5 employees any information that the employer is required by law to communicate, but only to the
6 extent of such legal requirement;

7 (2) An employer or its agent, representative or designee from communicating to its
8 employees any information that is necessary for such employees to perform their job duties;

9 (3) An institution of higher education, or any agent, representative or designee of such
10 institution, from meeting with or participating in any communications with its employees that are
11 part of coursework, any symposia or an academic program at such institution; or

12 (4) Casual conversations between employees or between an employee and an agent,
13 representative or designee of an employer; provided that, participation in such conversations is not
14 required.

15 (d) The provisions of this section shall not apply to a religious corporation, entity,
16 association, educational institution or society that is exempt from the requirements of Title VII of
17 the Civil Rights Act of 1964 pursuant to 42 USC 2000e-1(a) with respect to speech on religious
18 matters to employees who perform work connected with the activities undertaken by such religious
19 corporation, entity, association, educational institution or society.

20 (e) In a civil action to enforce this section, the court may award a prevailing employee all
21 appropriate relief, including injunctive relief, reinstatement to the employee's former position or an
22 equivalent position, back pay and reestablishment of any employee benefits, including seniority, to
23 which the employee would otherwise have been eligible if the violation had not occurred, and
24 damages. The court shall also award a prevailing employee reasonable attorneys' fees and costs.

25 SECTION 2. This act shall take effect upon passage.

=====
LC005637
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO LABOR AND LABOR RELATIONS -- LABOR RELATIONS ACT --
EMPLOYEE FREE SPEECH RIGHTS

1 This act would protect the rights of employees in the workplace relating to free speech,
2 assembly and religion, as well as attendance at employer-sponsored meetings regarding political or
3 religious matters. Employees so aggrieved by discipline or discharge by the employer would have
4 the right to bring a civil action against the employer seeking equitable relief and/or compensatory
5 damages including attorneys' fees and costs.

6 This act would take effect upon passage.

=====
LC005637
=====