
HOUSE BILL 2383

State of Washington

60th Legislature

2007 Regular Session

By Representatives Sells, Conway, Kenney, Appleton, Green, Chase, Campbell, Dunshee, Cody, Ormsby, Wood, VanDeWege, Hasegawa, McDermott, Simpson, Hudgins, Blake, Darneille, Moeller, Hurst, Morrell, Pettigrew, Dickerson, Kirby, Hunt, B. Sullivan, Ericks, Schual-Berke and Williams

Read first time 03/14/2007. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to prohibiting employers from requiring employees
2 to participate in certain communications about political, religious, or
3 labor organizing matters; adding new sections to chapter 49.44 RCW;
4 providing an effective date; and declaring an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The definitions in this section apply
7 throughout this section and sections 2 and 3 of this act unless the
8 context clearly requires otherwise.

9 (1) "Employer" means an employer, as defined in RCW
10 49.12.005(3)(b), and includes any person acting in the interest of such
11 an employer.

12 (2) "Employee" means the same as provided in RCW 49.12.005(4).

13 (3) "Labor organization" means any organization that exists for the
14 purpose, in whole or in part, of collective bargaining or of dealing
15 with employers concerning grievances, terms or conditions of
16 employment, or of other mutual aid or protection in connection with
17 employment.

18 (4) "Political matters" includes political party affiliation or the

1 decision to join or not join a lawful, political, social, or community
2 group or activity, or a labor organization.

3 NEW SECTION. **Sec. 2.** (1)(a) It is unlawful for an employer to
4 require its employees to attend an employer-sponsored meeting or to
5 participate in any communications with the employer if the primary
6 purpose is to communicate the employer's opinion about religious or
7 political matters.

8 (b) This subsection does not:

9 (i) Apply to communications about religious or political matters
10 that the employer is required by law to communicate to employees, but
11 only to the extent of such requirement;

12 (ii) Prohibit a religious organization from requiring its employees
13 to attend an employer-sponsored meeting or to participate in any
14 communications with the employer if the primary purpose is to
15 communicate the employer's religious beliefs, practices, or tenets;

16 (iii) Prohibit a political organization from requiring its
17 employees to attend an employer-sponsored meeting or to participate in
18 any communications with the employer if the primary purpose is to
19 communicate the employer's political tenets or purposes; or

20 (iv) Prohibit an educational institution from requiring student
21 instructors to attend lectures on political or religious matters that
22 are part of the regular coursework at such institution.

23 (2) An employer may not discharge or in any manner discriminate
24 against, or threaten to discharge or discriminate against, an employee
25 because the employee, or a person acting on behalf of the employee,
26 makes a good faith report, orally or in writing, of a violation or a
27 suspected violation of this section. This subsection does not apply
28 when the employee knows that such report is false.

29 NEW SECTION. **Sec. 3.** (1) An employee aggrieved by a violation of
30 section 2 of this act may, within ninety days after the date of the
31 alleged violation, bring a civil action in the superior court for the
32 county where the violation is alleged to have occurred or where the
33 employer has its principal office. The court may award a prevailing
34 employee all appropriate relief, including rehiring or reinstatement of
35 the employee to the employee's former position with back pay and
36 without loss of seniority or benefits to which the employee would

1 otherwise have been eligible if such violation had not occurred. The
2 court shall award a prevailing employee treble damages, together with
3 reasonable attorneys' fees and costs.

4 (2) This section does not limit an employee's right to bring a
5 common law cause of action against an employer for wrongful termination
6 or diminish or impair the rights of a person under a collective
7 bargaining agreement.

8 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act are each
9 added to chapter 49.44 RCW.

10 NEW SECTION. **Sec. 5.** If any provision of this act or its
11 application to any person or circumstance is held invalid, the
12 remainder of the act or the application of the provision to other
13 persons or circumstances is not affected.

14 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and takes effect
17 July 1, 2007.

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