
SENATE BILL 5417

State of Washington

68th Legislature

2023 Regular Session

By Senators Keiser, Conway, Hasegawa, Hunt, Saldaña, Stanford, Valdez, and C. Wilson

Read first time 01/17/23. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to protecting the rights of workers exercising
2 their right to refrain from attending meetings or listening to their
3 employer's speech on political or religious matters; adding new
4 sections to chapter 49.44 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 49.44
7 RCW to read as follows:

8 (1) The legislature recognizes that freedom of speech is a
9 foundational ideal that is core to this nation's identity, and it is
10 this freedom that enables working Washingtonians to have democratic
11 representation in the workplace.

12 (2) The legislature recognizes that currently workers who wish to
13 exercise their right to collectively bargain may be subject to
14 mandatory, closed door meetings in their workplace during working
15 hours in which the workers may be subjected to harassment or implied
16 threats for their desire to exercise their right to collectively
17 bargain.

18 (3) The legislature intends that workers be protected from
19 retaliation by certain employers when the worker chooses to perform
20 their job duties instead of listening to the employer's speech on
21 political or religious matters.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.44
2 RCW to read as follows:

3 (1) Except as provided in subsections (2) and (3) of this
4 section, any employer, including the state and any instrumentality or
5 political subdivision thereof, may not subject or threaten to subject
6 any employee to discipline or discharge on account of such employee's
7 refusal to:

8 (a) Attend an employer-sponsored meeting with the employer or its
9 agent, representative, or designee, the primary purpose of which is
10 to communicate the employer's opinion concerning religious or
11 political matters; or

12 (b) Listen to speech or view communications, including electronic
13 communications, the primary purpose of which is to communicate the
14 employer's opinion concerning religious or political matters.

15 (2) Nothing in this section shall prohibit:

16 (a) An employer or its agent, representative, or designee from
17 communicating to its employees any information that the employer is
18 required by law to communicate, but only to the extent of such legal
19 requirement;

20 (b) An employer or its agent, representative, or designee from
21 communicating to its employees any information that is necessary for
22 such employees to perform their job duties;

23 (c) An institution of higher education, or any agent,
24 representative, or designee of such institution, from meeting with or
25 participating in any communications with its employees that are part
26 of coursework, any symposia, or an academic program at such
27 institution;

28 (d) Casual conversations between employees or between an employee
29 and an agent, representative, or designee of an employer, provided
30 participation in such conversations is not required; or

31 (e) A requirement limited to the employer's managerial and
32 supervisory employees.

33 (3) The provisions of this section do not apply to a religious
34 corporation, entity, association, educational institution, or society
35 that is exempt from the requirements of Title VII of the civil rights
36 act of 1964 pursuant to 42 U.S.C. Sec. 2000e-1(a), with respect to
37 speech on religious matters to employees who perform work connected
38 with the activities undertaken by such religious corporation, entity,
39 association, educational institution, or society.

1 (4) An employer who violates this section is liable in a civil
2 cause of action for damages caused by such discipline or discharge,
3 including punitive damages, the full amount of gross loss of wages or
4 compensation, and reasonable attorneys' fees and costs.

5 (5) The definitions in this subsection apply throughout this
6 section unless the context clearly requires otherwise.

7 (a) "Political matters" means matters relating to elections for
8 political office, political parties, proposals to change legislation,
9 proposals to change regulation, and the decision to join or support
10 any political party or political, civic, community, fraternal, or
11 labor organization.

12 (b) "Religious matters" means matters relating to religious
13 affiliation and practice, and the decision to join or support any
14 religious organization or association.

15 NEW SECTION. **Sec. 3.** This act may be known and cited as the
16 employee free choice act.

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