



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB2446

Introduced 1/18/2006, by Sen. Gary Forby

SYNOPSIS AS INTRODUCED:

New Act

Creates the Employer Meeting and Communication Act. Prohibits an employer or an employer's agent, representative, or designee from requiring employees to attend an employer-sponsored meeting or participate in communications to communicate the employer's opinion about religious or political matters; also prohibits discharging, disciplining, penalizing, or threatening an employee as a means of requiring an employee to attend such a meeting or participate in such communications or because the employee or a person acting on the employee's behalf makes a good faith report of a violation of the Act. Defines "political matters" to include political party affiliation or the decision to join or not join any lawful political, social, or community group or activity or any labor organization. Authorizes civil actions by employees to enforce the Act and sets forth relief that may be awarded. Contains provisions regarding construction of the Act. Provides that the Act does not prohibit specified meetings or communications by an employer that is a religious or political organization. Effective immediately.

LRB094 16122 WGH 51361 b

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Employer Meeting and Communication Act.

6 Section 5. Definitions. As used in this Act:

7 "Employer" means a person engaged in business who has
8 employees, including the State and any political subdivision of
9 the State.

10 "Employee" means a person engaged in service to an employer
11 in a business of the employer.

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

17 "Political matters" includes political party affiliation
18 or the decision to join or not join any lawful political,
19 social, or community group or activity or any labor
20 organization.

21 Section 10. Certain mandatory meetings and communications
22 prohibited.

23 (a) No employer or employer's agent, representative, or
24 designee may require its employees to attend an
25 employer-sponsored meeting or participate in any
26 communications with the employer or its agents or
27 representatives, the purpose of which is to communicate the
28 employer's opinion about religious or political matters.

29 (b) No employer or employer's agent, representative, or
30 designee may discharge, discipline, or otherwise penalize or
31 threaten to discharge, discipline, or otherwise penalize an

1 employee:

2 (1) as a means of requiring the employee to attend a
3 meeting or participate in communications described in
4 subsection (a); or

5 (2) because the employee, or a person acting on behalf
6 of the employee, makes a good faith report, verbally or in
7 writing, of a violation or a suspected violation of this
8 Act, except that this prohibition does not apply if the
9 employee knows that the report is false.

10 Section 15. Enforcement. Any aggrieved employee may
11 enforce the provisions of this Act by means of a civil action
12 brought no later than 90 days after the date of the alleged
13 violation in the county in which the violation is alleged to
14 have occurred or in which the employer has its principal
15 office. The court may award a prevailing employee all
16 appropriate relief, including rehiring or reinstatement of the
17 employee to the employee's former position, back pay, and
18 reestablishment of any employee benefits to which the employee
19 would otherwise have been eligible if the violation had not
20 occurred. The court shall award a prevailing employee treble
21 damages, together with reasonable attorney's fees and costs.

22 Section 20. Construction. Nothing in this Act shall be
23 construed to limit an employee's right to bring a common law
24 action against an employer for wrongful termination or to
25 diminish or impair the rights of a person under any collective
26 bargaining agreement.

27 Section 25. Exceptions. Nothing in this Act prohibits:

28 (1) a religious organization from requiring its
29 employees to attend an employer-sponsored meeting or to
30 participate in any communications with the employer or its
31 agents or representatives, the primary purpose of which is
32 to communicate the employer's religious beliefs, practices
33 or tenets; or

1 (2) a political organization from requiring its
2 employees to attend an employer-sponsored meeting or to
3 participate in any communications with the employer or its
4 agents or representatives, the primary purpose of which is
5 to communicate the employer's political tenets or
6 purposes.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.