

## WASHINGTON "CAPTIVE AUDIENCE" LAW



A private or public employer may not subject or threaten to subject any employee to discipline or discharge, or otherwise penalize or take any adverse employment action against an employee:

- on account of the employee's refusal to attend or participate in an employer-sponsored meeting, or listen to speech or view communications, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters;
- as a means of requiring an employee to attend a meeting or participate in communications, the primary purpose of which is to communicate the employer's opinion concerning religious or political matters; or
- because the employee, or a person acting on behalf of the employee, makes a good faith report, orally or in writing, of a violation or a suspected violation of the law.

"Political matters" means matters relating to elections for political office, political parties, proposals to change legislation, proposals to change regulations, and the decision to join or support any political party or political, civic, community, fraternal, or labor association or organization.

"Religious matters" means matters relating to religious affiliation and practice, and the decision to join or support any religious organization or association.

### Civil Action

An aggrieved employee may bring a civil action within 90 days of the alleged violation. The court may award a prevailing employee all appropriate relief, including injunctive relief, reinstatement, back pay and reestablishment of benefits, and any other appropriate relief considered necessary by the court.

### Notices

An employer must post a notice of employee rights described in the law in a place normally reserved for employment-related notices and in a place commonly frequented by employees.

### Exceptions

The law does not apply to any religious entity exempt from the requirements of Title VII of the Civil Rights Act of 1964, with respect to speech on religious matters to employees who perform work connected with the activities undertaken by the religious entity.

The law does not:

- prohibit an employer from communicating to its employees any information that the employer is required by law to communicate, but only to the extent of the legal requirement;
- limit the rights of an employer to offer meetings, forums, or other communications about religious or political matters for which attendance or participation is strictly voluntary;
- limit the rights of an employer or its agent, representative, or designee from communicating to its employees any information, or requiring employee attendance at a meeting or other event, that is necessary for the employees to perform their lawfully required job duties; or
- prohibit an employer or its agent, representative, or designee from requiring its employees to attend any training intended to reduce and prevent workplace harassment or discrimination.