

ASSEMBLY, No. 4429

STATE OF NEW JERSEY 221st LEGISLATURE

INTRODUCED MAY 20, 2024

Sponsored by:

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Assemblyman WAYNE P. DEANGELO

District 14 (Mercer and Middlesex)

Assemblyman CHRISTIAN E. BARRANCO

District 25 (Morris and Passaic)

Co-Sponsored by:

**Assemblymen Guardian, Calabrese, Conaway, Assemblywoman Lopez,
Assemblyman Miller and Assemblywoman Speight**

SYNOPSIS

Expands prohibitions on employers concerning requirements for employees to attend or listen to communications related to political matters.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/28/2024)

1 AN ACT concerning prohibition of certain employer communications
2 and supplementing and amending P.L.2006, c.53.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. (New section) The Legislature finds and declares that
8 freedom of speech is a foundational ideal that is core to this nation's
9 identity. While an employer is free to exercise a right to speech, the
10 law needs to ensure current protections of the right of the workforce
11 to perform the duties of their jobs instead of listening to an
12 employer's speech on political matters.

13

14 2. Section 1 of P.L.2006, c.53 (C.34:19-9) is amended to read as
15 follows:

16 1. For the purposes of **[this act]** P.L.2006, c.53 (C.34:19-9 et
17 seq.):

18 "Employer" means a person engaged in business who has
19 employees, including the State and any political subdivision or other
20 instrumentality of the State.

21 "Employee" means any person engaged in service to an employer
22 for wages, salary or other compensation.

23 "Political matters" **[include political party affiliation and**
24 **decisions to join or not join or participate in any lawful political,**
25 **social, or community organization or activity]** means matters which
26 relate to elections for political office; political party; legislation;
27 regulation; and the decision to join or support any political party or
28 political, civic, community, fraternal, or labor organization or
29 association.

30 (cf: P.L.2006, c.53, s.1)

31

32 3. Section 5 of P.L.2006, c.53 (C.34:19-13) is amended to read
33 as follows:

34 5. Any aggrieved employee may enforce the provisions of **[this**
35 **act]** P.L.2006, c.53 (C.34:19-9 et seq.) by means of a civil action
36 brought no later than ninety days after the date of the alleged
37 violation in **[a court of competent jurisdiction]** Superior Court. The
38 court shall award a prevailing employee all appropriate relief,
39 including any of the following which are applicable to the violation:

40 a. **[A]** Injunctive relief, including but not limited to a
41 restraining order against any continuing violation;

42 b. The reinstatement of the employee to the employee's former
43 position or an equivalent position and the reestablishment of any
44 employee benefits and seniority rights;

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 c. The payment of any lost wages, benefits or other
2 remuneration; **[and]**

3 d. The payment of reasonable attorneys' fees and costs of the
4 action; and

5 e. Other appropriate relief as considered necessary by the court.

6 In addition, the court may award the prevailing employee punitive
7 damages not greater than treble damages, or an assessment of a civil
8 fine of not more than \$1,000 for a first violation of **[the act]**
9 P.L.2006, c.53 (C.34:19-9 et seq.) and not more than \$5,000 for each
10 subsequent violation, which shall be paid to the State Treasurer for
11 deposit in the General Fund.

12 (cf: P.L.2006, c.53, s.5)

13

14 4. (New section) An employer subject to P.L. , c. (C.)
15 (pending before the Legislature as this bill) shall post a notice of
16 employee rights under P.L. , c. (C.) (pending before the
17 Legislature as this bill) in a conspicuous place reserved for
18 employment-related notices and in a place commonly frequented by
19 employees.

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21 5. This act shall take effect on the 90th day after enactment.

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STATEMENT

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26 This bill prohibits employers from requiring employees to attend
27 employer-sponsored meetings or participate in any communications
28 related to political matters with employers or their agents or
29 representatives.

30 Under current law, employers are prohibited only from requiring
31 employees to attend employee sponsored meetings or participate in
32 any communications with an employer or their agents or
33 representatives, the purpose of which is to communicate the
34 employers' opinion about religious or political matters. This bill
35 incorporates labor organizations and activities in the definition of
36 political matters.

37 Employers are required to post notice of employee rights under
38 the bill in a conspicuous place reserved for employment-related
39 notices and in a place commonly frequented by employees.