

WASHINGTON

Washington State Enacts Employee Free Choice Act

Provided to you by **Employco USA, Inc.**

On March 28, 2024, Washington state enacted the [Employee Free Choice Act](#) to protect workers from retaliation for refusing to attend meetings or listen to their employer's speech on religious or political matters, including speech regarding labor unions. The law takes effect on **June 6, 2024**.

Important Information

June 6, 2024

The Employee Free Choice Act takes effect.

Overview of the New Law

Prohibitions

The new law prohibits employers from disciplining, discharging or otherwise penalizing an employee for:

"Political matters" means matters regarding elections, political parties, proposals to change legislation or regulations, and the decision to join or support a labor organization.

- Refusing to attend or participate in employer-sponsored meetings where the primary purpose is to communicate the employer's religious or political opinions;
- Refusing to listen to speech or view communications (including electronic communications) where the primary purpose is to communicate the employer's religious or political opinions; and
- Making a good faith report of a suspected violation of the new law.

"Religious matters" means matters regarding religious affiliation and practice, and the decision to join or support a religious organization.

Exceptions

The law does **not** prohibit employers from:

- Communicating information that the employer is legally required to communicate;
- Offering voluntary meetings, forums or communications about religious or political matters;
- Communicating information or requiring attendance at meetings necessary for the employee to perform their job duties; or
- Requiring attendance at any training to reduce and prevent workplace harassment or discrimination.

Required Notice

Employers must post a notice of employee rights under the new law in a place that is normally reserved for employment-related notices and commonly frequented by employees.

Washington state employers may not penalize employees who refuse to listen to their employer's religious or political speech.

Penalties for Noncompliance

Employees alleging violations of the new law may bring a civil action within 90 days of the alleged violation to seek injunctive relief, reinstatement, back pay, reestablishment of any employee benefits and any other appropriate relief as determined by the court.

Next Steps for Employers

In preparation for the new law, employers may consider reviewing formal and informal meeting and communication practices to ensure compliance with the new law. Employers may also consider training supervisors on their obligations and restrictions with respect to political and religious speech. Finally, employers should prepare a notice of employee rights.