



Christian L. DiPentima
President & Chief Executive Officer

May 02, 2022

The Honorable Edward M. Lamont
Governor, State of Connecticut 210
Capitol Avenue
Hartford, CT 06106

Dear Governor Lamont:

On behalf of CBIA member companies and the many undersigned businesses and organizations below, I urge you to veto SB 163: *AN ACT PROTECTING EMPLOYEE FREEDOM OF SPEECH AND CONSCIENCE*.

SB 163 is an unnecessary and unconstitutional restriction on employers' free speech rights that will have negative unintended consequences. The act allows employees to leave a meeting anytime they subjectively feel the employer is discussing "political matters" or "religious matters" during a meeting. Given the breadth of these defined terms, the bill negatively impacts an employer's ability to engage in normal workplace discussions.

For example, employees could refuse to attend workplace meetings because they are offensive to one's personal political or religious views. This could impact discussions and training about diversity, equity and inclusion, LGBTQ issues, vaccination policy, or maintaining workplace safety. These include conversations your administration asked the business community to engage in during the COVID-19 pandemic. The act also allows employees to refuse to attend meetings because they concern pending legislation or regulations—this directly impacts the public hearing and comment process and the fundamental right to representative government.

Beyond the political concerns, we ask you to veto this legislation as it is preempted by the federal National Labor Relations Act. Then-Attorney General George Jepsen provided analysis in both 2011 and 2018 that concluded the bill was preempted by federal law. While Attorney General William Tong reached a different conclusion—despite the bill sharing identical language with the versions reviewed by his predecessor—he cited no legal precedent or case law to justify that finding. Nearly identical laws were overturned in three other states following litigation brought by employer organizations. Oregon is the only state with a so-called captive audience law on the books, and it is not being enforced due to its conflict with federal law. Your veto will prevent Connecticut from being embroiled in a costly legal battle over protections already granted employees under federal law.

SB 163 has far reaching implications on both an employer's ability to convey critical information to employees, and contributes to the reputation that Connecticut is not open for business.

For these reasons, we strongly urge you to veto SB 163. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris L. DiPentima", written in a cursive style.

Christian L. DiPentima

Acme Wire Products Co., Inc., Mystic
Aldrich Construction Company, Inc., Manchester
Alinabal, Inc., Milford
ALTEK, Torrington
Array Technologies, Inc., Glastonbury
Associated Builders & Contractors of Connecticut, Inc.
Bauer, Inc., Bristol
Bridgeport Regional Business Council
Cambridge Specialty Co., Berlin
CBIA
Central Connecticut Chamber of Commerce
Centrix, Inc., Shelton
Connecticut Food Association
Connecticut Heating & Cooling Contractors Association
Connecticut River Valley Chamber of Commerce
Connecticut School Transportation Association
Connecticut Spring & Stamping, Farmington
Connecticut Tourism Coalition
Curtis Packaging, Sandy Hook
East Coast Lington Equipment, Inc., Winsted
Eastern Connecticut Veterans Community Center, Willimantic
Edward Segal Inc., Thomaston
Fascia's Chocolates, Waterbury
FuelCell Energy, Inc., Danbury
Fuss & O'Neill, Manchester
Greater New Britain Chamber of Commerce
Greater New Haven Chamber of Commerce
HABCO Industries, Glastonbury
Kamco Supply of New England, East Hartford
Kenyon International Inc., Clinton
Magnatech LLC, East Granby
Marion Manufacturing Company, Cheshire
Microboard Processing, Seymour
Middlesex County Chamber of Commerce
Motor Transport Association of Connecticut
Naugatuck Chamber of Commerce
National Federation of Independent Business (NFIB)
OKAY Industries, New Britain

PDQ Inc., Rocky Hill
Quinnipiac Chamber of Commerce
Sirois Tool Co., Berlin
Stevens Company, Inc., Thomaston
The Independent Electrical Contractors of New England
The Siemon Company, Watertown
The Travelers Companies, Inc., Hartford
Tiger Enterprises, Inc., Plantsville
Tolland County Chamber of Commerce
Ulbrich Stainless Steels & Special Metals, Inc., North Haven
United Parcel Service, Hartford
Waterbury Regional Chamber
Watertown-Oakville Chamber
Wethersfield Chamber of Commerce
Winchester Products, Inc., Winsted
Windham Aarts-Northeastern Connecticut Arts Collaborative
Windham Region Chamber of Commerce
Windham Region Chamber of Commerce Foundation
Workers' Compensation Trust, Wallingford