

57 entity against an employee:

58 (i) a dismissal;

59 (ii) a reduction of compensation;

60 (iii) a failure to increase compensation by an amount that the employee is otherwise  
61 entitled to or was promised;

62 (iv) a failure to promote if the employee would otherwise be promoted; or

63 (v) a threat to take an action described in Subsections (1)(e)(i) through (iv).

64 (f) "Task" means a specific job, duty, or function.

65 (g) "Undue hardship" means ~~H→~~ , given the overall context of the governmental entity's

65a **business or operations:**

65b (i) ~~←H~~ a substantial increase in costs to a governmental entity's

66 budget, ~~H→~~ that would result from an employee being relieved from performing a certain

66a task; ~~←H~~ or

66b ~~H→~~ (ii) ~~←H~~ a substantial disruption of a governmental entity's operations, that would result from

67 an employee being relieved from performing a certain task.

68 (2) (a) Except as provided in Subsection (2)(b), a governmental entity may not deny an  
69 employee's ~~H→~~ reasonable ~~←H~~ request to be relieved from performing a certain task if:

70 (i) performing the task would conflict with the employee's sincerely held religious  
71 beliefs or conscience;

72 (ii) the employee's asserted religious beliefs or conscience described in Subsection  
73 (2)(a)(i) is not asserted for an improper purpose;

74 (iii) the employee has complied with the requirements of Subsection (3); and

75 (iv) relieving the employee from the task would not impose an undue hardship on the  
76 governmental entity.

77 (b) A governmental entity is not required to grant an employee's request under  
78 Subsection (2)(a) if:

79 (i) the request is to be relieved from performing a task that is part of training or safety  
80 instructions directly related to the employee's employment;

81 (ii) granting the request would result in a deficit in the amount of work for which the  
82 employee is compensated;

83 (iii) granting the request would create a conflict with an existing legal obligation and  
84 the governmental entity cannot avoid the conflict if the governmental entity grants the  
85 employee's request under Subsection (3); or

86 (iv) the employee is a first responder and the request by the employee under Subsection  
87 (2)(a) is to be relieved from performing a task that involves protecting the safety of the public.

150 from the specific task if the task is still to be performed; or

151 (B) ordering the governmental entity to reinstate or rehire the employee if the employee  
152 resigned, was demoted, or was terminated as a direct result of the governmental entity's  
153 violation of Subsection (2); and

154 (ii) awarding the employee back pay, reasonable attorney fees, and court costs.

155 (7) (a) Unless required by another provision of the Utah Code and subject to  
156 Subsections (7)(b) and (c), a governmental entity may not make public comments about an  
157 employee's request to be relieved from performing a certain task or about the dispute between  
158 the governmental entity and employee after:

159 (i) the employee has submitted the employee's request described in Subsection (3) and  
160 the employee has not yet brought the employee's right of action in court and before the time for  
161 the employee to bring a right of action has expired under Subsection (6);

162 (ii) the employee has brought a right of action in court under Subsection (6) ~~H~~→ and  
162a during the pendency of court proceedings related to the asserted right of action ←~~H~~ ; or

163 (iii) the employee successfully establishes the employee's right of action under  
164 Subsection (6).

165 (b) A governmental entity that receives request under Subsection (3) may only publicly  
166 comment that the governmental entity does not comment on an ongoing personnel matter.

167 (c) A court shall impose a fine on a governmental entity of at least \$5,000 for each  
168 violation of Subsection (7)(a).

169 (8) A governmental entity may not take retaliatory action against an employee for  
170 submitting a request under Subsection (3).

171 (9) Nothing in this section:

172 (a) limits the employee's right to bring any other claim the employee may have against  
173 the governmental entity; or

174 (b) prevents a governmental entity from implementing a policy required by state or  
175 federal law.

176 **Section 2. Effective date.**

177 This bill takes effect on May 1, 2024.