## HB0396S01 compared with HB0396

{deleted text} shows text that was in HB0396 but was deleted in HB0396S01.

inserted text shows text that was not in HB0396 but was inserted into HB0396S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Brady Brammer proposes the following substitute bill:

#### WORKPLACE DISCRIMINATION AMENDMENTS

2024 GENERAL SESSION STATE OF UTAH

**Chief Sponsor: ⊕Brady Brammer** 

Senate Sponsor: \( \) Michael S. Kennedy

#### **LONG TITLE**

#### **General Description:**

This bill addresses religious expression in the workplace.

## **Highlighted Provisions:**

This bill:

- prohibits an employer from compelling an employee to communicate or otherwise act in a manner that the employee believes would burden or offend the employee's sincerely held religious {, moral, or conscientious} beliefs; and
- <u>provides a process for an employer to accommodate an employee's religious</u>
  liberties.

## **Money Appropriated in this Bill:**

None

## **Other Special Clauses:**

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None

**Utah Code Sections Affected:** 

AMENDS:

**34A-5-112**, as enacted by Laws of Utah 2015, Chapter 13

*Be it enacted by the Legislature of the state of Utah:* 

Section 1. Section **34A-5-112** is amended to read:

34A-5-112. Religious liberty protections -- Expressing beliefs and commitments in workplace -- Prohibition on employment actions against certain employee speech.

- (1) As used in this section, "religiously objectionable expression" means expression, action, or inaction that burdens or offends a sincerely held religious {, moral, or conscientious} belief, including dress and grooming requirements, speech, scheduling, prayer, and abstention, including abstentions relating to healthcare.
- [(1)] (2) An employee may express the employee's religious or moral beliefs and commitments in the workplace in a reasonable, non-disruptive, and non-harassing way on equal terms with similar types of expression of beliefs or commitments allowed by the employer in the workplace, unless the expression is in direct conflict with the essential business-related interests of the employer.
- [(2)] (3) An employer may not discharge, demote, terminate, or refuse to hire any person, or retaliate against, harass, or discriminate in matters of compensation or in terms, privileges, and conditions of employment against any person otherwise qualified, for lawful expression or expressive activity outside of the workplace regarding the person's religious, political, or personal convictions, including convictions about marriage, family, or sexuality, unless the expression or expressive activity is in direct conflict with the essential business-related interests of the employer.
- (4) An employer may not compel an employee to engage in religiously objectionable expression that the employee reasonably believes would burden or offend the employee's sincerely held religious {, moral, or conscientious} beliefs, unless accommodating the employee would cause an undue burden to the employer by substantially interfering with the employer's:
- (a) core mission or the employer's ability to conduct business in an effective or financially reasonable manner; or

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- (b) ability to provide training and safety instruction for the job.
- (5) To receive an accommodation under this section, an employee shall:
- (a) request that the employer comply with the provisions of this section by granting the employee an accommodation; and
- (b) after making a request as described in Subsection (5)(a), provide an employer with a reasonable opportunity to accommodate the employee.
- (6) This section does not require an employer to grant an employee a scheduling accommodation if the employer has fewer than 15 employees.

Section 2. Effective date.

This bill takes effect on May 1, 2024.