S-0014.1

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**SENATE BILL 5111**

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**State of Washington 67th Legislature 2021 Regular Session**

**By** Senators Ericksen and Holy

AN ACT Relating to protecting the independence of public employees on matters of public concern; adding a new section to chapter 4.24 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds that public employees should not be compelled by their employers or unions to speak, or engage in activities that are tantamount to speech, on matters of public concern that are unrelated to an employee's duties.

NEW SECTION. **Sec.**  A new section is added to chapter 4.24 RCW to read as follows:

(1) A public employer or employee organization may not, directly or indirectly, compel, require, or pressure a public employee to engage in any speech, or similar activity, that relates to a matter of public concern.

(2) Subsection (1) of this section does not apply to any speech or activity that is related to the public employee's duties in his or her position of employment.

(3) A public employee shall have a cause of action against the public employer or employee organization for a violation of subsection (1) of this section that relates to the public employee. A public employee may maintain an action under this subsection even if the employee has not been disciplined, penalized, or terminated.

(4) For the purposes of this section:

(a) "Employee organization" has the same meaning as provided under RCW 4.24.495.

(b) "Public employer" has the same meaning as provided under RCW 4.24.495.

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