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**SENATE BILL 5111**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Senators Ericksen and Holy

Prefiled 01/07/21. Read first time 01/11/21. Referred to Committee on State Government & Elections.

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

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

5 NEW SECTION. **Sec. 1.** The legislature finds that public  
6 employees should not be compelled by their employers or unions to  
7 speak, or engage in activities that are tantamount to speech, on  
8 matters of public concern that are unrelated to an employee's duties.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 4.24 RCW  
10 to read as follows:

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

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

18 (3) A public employee shall have a cause of action against the  
19 public employer or employee organization for a violation of  
20 subsection (1) of this section that relates to the public employee. A

1 public employee may maintain an action under this subsection even if  
2 the employee has not been disciplined, penalized, or terminated.

3 (4) For the purposes of this section:

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

6 (b) "Public employer" has the same meaning as provided under RCW  
7 4.24.495.

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