



**ILLINOIS PASSES WORKER FREEDOM OF SPEECH ACT BANNING ANTI-UNION  
AND OTHER POLITICAL AND RELIGIOUS CAPTIVE AUDIENCE MEETINGS**

On July 31, 2024, Illinois Governor JB Pritzker signed into law the Illinois Worker Freedom of Speech Act, SB3649. The Act, which takes effect January 1, 2025, prohibits employers from holding “captive audience” meetings, a tactic widely used by companies to discourage unionization efforts among their employees. Under the Act, employers are not allowed to hold mandatory meetings if the purpose of the meeting “is to communicate the opinion of the employer about religious matters or political matters.” Information encouraging or discouraging membership or support of a labor organization is considered a political matter under the Act.

The Act prohibits an employer from disciplining, discharging, penalizing, or threatening to take those actions against any employees:

- Who decline to attend mandatory employer-sponsored meeting if the meeting’s purpose “is to communicate the opinion of the employer about religious matters or political matters,” including unionization;
- To induce employees to attend an employer-sponsored meeting on such matters; or
- Because an employee or a person acting on behalf of an employee has made a good faith report of a violation or suspected violation of the Act.

Employers are still free to hold meetings discussing these matters as long as attendance is “voluntary.” Attendance is voluntary if the employer does not incentivize attendance, for example, by offering “any form of compensation or any other benefit,” or coerce attendance through use of discipline, discharge, or penalization, or threats; or any other adverse change to an employee’s compensation or benefits.

The Act is not just limited to meetings – it prohibits employers from disciplining, discharging, penalizing, or threatening to discipline, discharge, or penalize employees who refuse to “receive” or “listen to”

communications from the employer about political matters, including unionizing. Employers have an affirmative duty to post a notice outlining the Act’s protections where employee notices are customarily posted within 30 days after the effective date of the Act, January 1, 2025.

The Act provides aggrieved employees the right to bring a civil action to enforce the law. The lawsuit, which can be filed on behalf of an individual worker as well as all similarly-situated workers, must be filed within one year of the date of the alleged violation. If the employee prevails, the court may award all appropriate relief including, but not limited to, injunctive relief, reinstatement, back pay, reestablishment of any employee benefits, and reasonable attorney's fees and costs.

Additionally, the Illinois Department of Labor (“IDOL”) is empowered to inquire into alleged violations. Unions, their members, and other workers (referred to by the Act as “interested parties”) may also complain to the IDOL on behalf of an employee. If an employer is found to have violated the law, the employer will be subject to a \$1,000 penalty for each aggrieved employee.

With the passage of this Act, Illinois joins a growing number of states that have adopted similar laws prohibiting employers from compelling their workers to sit through captive audience meetings on political or religious matters that are unrelated to the employees’ job duties. These laws provide important protections for workers who wish to organize without being force-fed anti-union propaganda from their employers.

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