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May 17, 2024

The Honorable Colorado General Assembly
The 74th General Assembly
Second Regular Session
State Capitol
200 E. Colfax Ave.
Denver, CO 80203

Dear Honorable Members of the Colorado House of Representatives,

Today I vetoed House Bill 24-1260 (Prohibition Against Employee Discipline) at 4:18 PM.

HB 24-1260 stipulates that, with certain exceptions, an employer shall not subject or threaten to subject an employee to discipline, discharge, or an adverse employment action on account of the employee's refusal to attend or participate in an employer-sponsored meeting concerning religious or political matters or for declining to listen to speech or view religious or political communications from the employer or the agent, representative, or designee of the employer.

While I understand and agree with many of the sponsors' commendable goals, and look forward to helping achieve them, I have significant concerns with the legislation's broad and uncertain implications for employers and employees, as well as legal concerns.

The bill's definitions of "political matters" and "religious matters" are so broad that they are unworkable and would result in unintended consequences for employers and employees alike. While the bill does include certain limited exceptions, I am concerned that even the exceptions will cause confusion and are insufficient in addressing employers' day-to-day operational needs. Moreover, the breadth of the definitions could chill free speech.

These broad definitions and narrow exemptions would put employers in the impossible position of determining when any form of speech or communication is legally protected political or religious speech. For example, employers might wish to discuss current regulations or legislation with their workers to foster conversation among a team about the impact of such legislation on the business, economy, or industry, and the exemption for information "necessary to their job duties" is unworkable. Similarly, under the legislation, "political matters" encompasses "the decision to join or support. . . any nonprofit organization established for charitable or community welfare purposes." Coloradoans across the state benefit from community and social engagement often spurred from exposure by an employer. Discouraging or chilling employers from holding meetings meant to shine light on volunteer opportunities that bolster our community is not in line with the Colorado for All that my administration is focused on creating. In short, the remedy here is much broader than the problem itself.

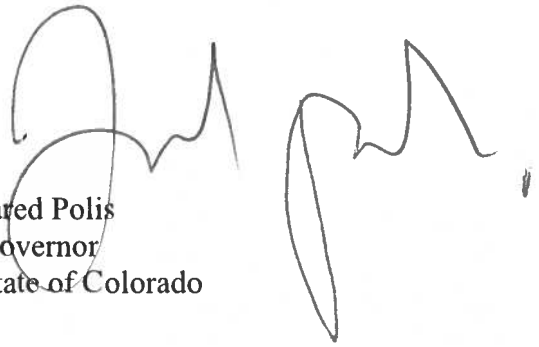
I believe that no employee should be forced to attend a meeting that focuses on the negative aspects of

union participation, and would have supported legislation narrowed to that extent. While our Office consistently requested that sponsors narrow the scope of this legislation to focus on a more manageable and neutral definition of coercive captive audience meetings, these amendments were rejected. A narrower definition would be less ambiguous for both employers and employees, and I would sign such legislation.

Further, Colorado workers and unions continue to maintain protections under the National Labor Relations Act and a wide host of Colorado specific labor laws. I would welcome codifying federal labor protection in this area to ensure Colorado workers continue to be covered despite any changes in the federal landscape.

Unfortunately, as presented to me in its final form, this legislation is too broad and too ambiguous to apply uniformly and fairly, leading to unintended consequences. For the above reasons, HB 24-1260 is disapproved and vetoed.

Sincerely,



Jared Polis
Governor
State of Colorado

cc: Jena Griswold, Colorado Secretary of State