



April 2, 2025

The Honorable Arthur J. Corvese, Chairman
House Labor Committee
State House
Providence, RI 02903

Re: H.5506, An Act Relating to Labor and Labor Relations – Labor Relations Act – Employees’ Free Speech in Workplace

Dear Chairman Corvese,

The undersigned members of the Rhode Island Business Coalition oppose the passage of H.5506, An Act Relating to Labor and Labor Relations – Labor Relations Act – Employees’ Free Speech in Workplace.

This bill appears to attempt to protect the free speech rights of employees in the workplace, but it also limits the first amendment rights of employers. H.5506 would prohibit employers from requiring non-managerial employees to attend a meeting to learn about legislative proposals or regulatory matters as well as meetings to provide information concerning labor organization efforts. If enacted, this legislation would severely limit an employer’s ability to educate employees about legislation, including legislation that would materially impact the business’ operations or the employee’s day-to-day job responsibilities.

The original federal Wagner Act of 1935 provided no affirmative protections for employer free speech as many believed it was covered under the First Amendment protections. In 1946, the National Labor Relations Board interpreted the lack of specific language to rule against a company, Clarke Bros., when it organized two mandatory meetings for all plant employees to provide information about a unionization effort. About a year later, Congress responded by passing the Taft-Hartley Act of 1947. The new act included language to clarify an employer’s right to free speech:

“c) Expression of views without threat of reprisal or force or promise of benefit. The expressing of any views, argument, or opinion, or the dissemination thereof, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under any of the provisions of this subchapter, if such expression contains no threat of reprisal or force or promise of benefit.”

We believe this change in federal law makes it very clear that employers have a right to free speech in the workplace and it provides employees with an opportunity to understand all sides of an issue, proposed law, organizing effort, or any other issue that may have an impact on the company and ultimately an employee’s workplace.

Connecticut passed a similar law to H.5506 that is now being challenged in the US District Court of Connecticut on the grounds that it violates the National Labor Relations Act, the First Amendment free

[The Rhode Island Business Coalition represents 50 industries and 6,280 businesses that employ 231,200 people throughout Rhode Island.](#)

speech rights of the US Constitution and the 14th Amendment Equal Protection Clause. Connecticut filed a motion to dismiss the lawsuit claiming that it regulated employer conduct in the workplace, not speech, but that motion was denied and the case is moving forward.

A November 2024 decision by the National Labor Relations Board in a ruling against Amazon.com Services LLC stated that an employer violates the National Labor Relations Act by “requiring employees under threat of discipline or discharge to attend meetings in which the employer expresses its views on unionization”.

In its ruling, the Board did make clear the following:

“that an employer may lawfully hold meetings with workers to express its views on unionization so long as workers are provided reasonable advance notice of: the subject of any such meeting, that attendance is voluntary with no adverse consequences for failure to attend, and that no attendance records of the meeting will be kept.”

The decision is limited to unionization efforts, which is one element of the proposed legislation. Communication between employers and employees is vital to the well-being of every business. To limit the ability of an employer to communicate information does a disservice to the business as well as to the employees.

For these reasons, we request that you take no further action on this legislation.

Sincerely,

Associated Builders and Contractors – Rhode Island
East Greenwich Chamber of Commerce
National Federation of Independent Business
Propane Gas Association of New England
Rhode Island Business Group on Health
Rhode Island Hospitality Association
Rhode Island Lumber and Building Materials Dealers Association
Rhode Island Manufacturers Association
Rhode Island Marine Trade Association
Rhode Island Staffing Association
Small Business Economic Summit Regulations Committee
Small Business Economic Summit Tax and Budget Committee

cc. House Labor Committee members