ALASKA STATE COMMISSION FOR HUMAN RIGHTS

BALLOT MEASURE 1 AND CAPTIVE AUDIENCE MEETINGS

On November 5, 2024, Alaskan voters chose to adopt Ballot Measure 1, a wide-ranging Act that raises the minimum wage, requires paid sick leave, and prohibits requiring employee attendance to meetings about religious matters. This document provides an overview of how Ballot Measure 1 and Alaska Statute 18.80.220 govern the rights of employees to avoid personally objectionable religious speech.

▶ What Rights to Avoid Speech are Included in Ballot Measure 1?

Ballot Measure 1 prohibits employers or their agents from requiring employees to attend primarily religion-oriented meetings or listen to religion-oriented communications. This includes employers taking adverse actions against employees who do not attend these meetings or listen to these communications. Under Alaska Statute 18.80.220, these actions can be investigated by the Alaska State Commission for Human Rights as potentially unlawful religiously hostile work environments.

▶ What Meetings and Communications with Religious Themes are Unlawful?

Any mandatory meeting with a primarily religious orientation is unlawful under Ballot Measure 1, unless an exemption applies. Examples of unlawful practices include an obligatory meeting focused on religious proselytization or a mandatory training that teaches some form of religious doctrine (*e.g.* decrying poor work behavior as sinful or implying that women should not be in the workplace due to religious teachings).

Ballot Measure 1 also prohibits forcing employees to read or listen to communications that are primarily religiously oriented. Examples of unlawful practices include a workplace where prayers are broadcast daily to all workers over an intercom or radio, requiring potential managers to read a self-help book with an explicitly religious slant, or a human resources department that reprimands employees by praying over them.

▶ What Meetings and Communications with Religious Themes are Lawful?

Meetings that are voluntary or not primarily focused on religion are not prohibited under Ballot Measure 1. Examples of lawful practices include a voluntary prayer pancake breakfast outside of work hours, a presentation with occasional religious references (*e.g.* comparing a longshot contract bid to "David and Goliath"), or a planning meeting to discuss the sale of a company's religious product.

Communications that an employee has an opportunity to avoid or are not primarily religiously oriented are not prohibited under Ballot Measure 1. Examples of lawful practices include a coworker saying a private prayer, mandating a new hire complete a training on religious discrimination, or requiring a history professor to have read a religious text in preparation for teaching a course on the subject matter.

▶ Who is Exempted from Ballot Measure 1?

Ballot Measure 1 does not apply if an employer is a "bona fide religious organization." This includes places of worship and their religious non-profit affiliates.

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Were you the victim of discrimination? Need to file a complaint? Looking for guidance on a discrimination issue?

Contact the Alaska State Commission for Human Rights: (907) 274-4692, or (800) 478-4692, or hrc@alaska.gov, or humanrights.alaska.gov; or the U.S. Equal Employment Opportunity Commission at (800) 669-4000 or www.eeoc.gov.

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