

With the Democratic and Republican Conventions having just concluded and continuing interest in the presidential election, can employers control or prohibit political discussions in the workplace?”

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- In this exciting and impassioned election season, employers and HR managers face challenges as a result of political discussions in the workplace.
- As Title VII of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, gender, national origin and religion and the Age Discrimination in Employment Act prohibits discrimination on the basis of age, many conversations or off-hand comments about this year's election may create evidence to support a claim of discrimination against the employer.
- Employers may discipline or terminate employees whose actions or words create problems in the workplace, as the First Amendment generally does not protect political speech at work.
- To avoid having some of these issues disrupt their business, employers should consider appropriate written policies governing:
 - displaying or distribution political material;
 - email and blogging using company computers and phones;
 - soliciting other employees for contributions; and
 - against discrimination.

The employer should enforce their policies equally and consistently.

- For employees of the Federal Government and some employees of state and local governments, the Hatch Act prohibits engaging in political activities while on duty, in any government office, while wearing official uniform, or while driving a government vehicle. Nor may they wear political buttons while on duty.