



Mineral



Question of the Week

September 25, 2024

Question

We usually don't mind employees chit-chatting while they work, but some recent politics-related conversations have gotten rather loud and heated. Can we tell employees not to discuss politics at work?

ANSWER

You can limit political speech and associated conduct that are not work-related—provided you don't infringe on protected Section 7 rights or applicable state laws. Section 7 of the National Labor Relations Act gives non-supervisory employees the right to talk about the terms and conditions of their employment and the right to unionize. While this law protects some political activities, it doesn't give employees the right to discuss politics during work hours unless they have an impact on the terms and conditions of their employment.

That said, we recommend focusing on the effects these discussions might be having on job performance rather than on the specific topic of conversation. If an employee spends too much time engaged in chit-chat, regardless of the topic, they're probably not performing their best. If nothing else, they're distracting others.

You're also certainly welcome to tell employees that all conversations should be held with indoor voices and that non-work-related topics should be reserved for break areas where they won't be distracting those who need to focus.

This Q&A does not constitute legal advice and does not address state or local law.