

Publications

Keeping Things Civil & Legal When Talking Politics at Work

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Columbus CEO

Mike Griffaton, of counsel in the Vorys Columbus office and a member of the labor and employment group, authored an article for *Columbus CEO* titled "Keeping Things Civil & Legal When Talking Politics at Work." The article focused on the 2016 presidential election and the related discussions that may take place in the workplace.

The article states:

"When former House Speaker John Boehner referred to Ted Cruz as 'Lucifer in the flesh,' he wasn't inviting reasoned discourse over presidential qualifications. His comment is one of the milder remarks in an election season filled with political memes, vitriol and inflammatory rhetoric about Muslims, immigrants, 'playing the woman card' and even which bathroom to use. Such comments—intertwined as they are with issues of race/ethnicity, religion and gender—generate passionate debate. Thanks to the intersection of 24/7 news and social media and employees' proclivity for checking social media at work, it's not surprising when such discussions enter the workplace. And while an informed electorate is good for democracy, it can be bad for business when passionate debate turns contentious.

An outright ban on political speech at work is impractical, but employers still have considerable discretion in how to maintain civility in the workplace. Ohio law does not specifically protect employees' political speech or activities, whether at work or off-duty. Nor does federal law protect against discrimination, retaliation or harassment because of political activities or affiliation. The First Amendment only applies to government action, not to that of private employers. Despite this, there are risks to terminating employees for engaging in political speech."

To read the entire article, visit the *Columbus CEO* [website](#).