

Publications

Prep For, But Don't Ban Politics Talk

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Crain's Cleveland Business

Tom Crookes, a partner in the Vorys Akron office and a member of the labor and employment group, authored an article for *Crain's Cleveland Business* titled "Prep For, But Don't Ban Politics Talk." The article focused on the 2016 presidential election and the increased likelihood of conversations regarding political topics in the workplace.

The article states:

"While many business etiquette advisers will say that such discussions are a big 'no-no' on the clock, political discussions at the office, for a number of reasons, cannot be completely banned across the board, thanks to many provisions of the National Labor Relations Act, which protects various types of discussions among employees.

A blanket policy against political discussions, particularly ones focused on wage/hour debates and other topics covered by the NLRA, could be construed as 'protected, concerted activity' by the National Labor Relations Board, the federal agency that oversees enforcement of these regulations.

Enacting a policy that says, 'Thou shalt not talk about political issues in the workplace,' puts your company at risk for NLRB scrutiny. In fact, if someone complains, and the NLRB launches an investigation, it ultimately might view your policy as too broad and determine that it's unlawful.

So, rather than banning discussion entirely, businesses instead should carefully review and strengthen their harassment policies and educate workers about them."

To read the entire article, visit the *Crain's Cleveland Business* website.