

In The News

Lillian Moon Shares Best Practices for Employers Handling Political Activity in the Workplace

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Lillian Moon was featured in the *Orlando Business Journal* in an article titled, “Political Protests: How Your Biz Can Respect Workers’ Rights While Keeping the Workplace Civil.” The article examined the nexus between workplace policies and employees’ rights to political advocacy. Moon shared best practices for private-sector employers who encounter political speech and activity in the workplace.

“While employees have a constitutional right to freedom of speech and assembly, these rights are in place to protect individuals against government interference rather than political expression in a private workplace. Thus, unless an individual works for the federal or state government, there is no constitutionally protected right to free speech or assembly, per se, at work. Regardless, when faced with an employee’s request to participate in a political protest, employers should treat the request with respect and follow their regular time-off policies. Management should refrain from political discussions or imposing their personal viewpoints on their subordinates. Above all, respect and professionalism must prevail in the workplace. Generally, there is no action an employee can take against an employer who will not allow the employee to leave work to attend a march or other political event. Where a legal risk could arise, however, is where an employee makes politically

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based comments about workplace conditions and an employer takes disciplinary action against the employee. Such comments could be deemed concerted activity under the National Labor Relations Act, which prohibits retaliation against an employee for engaging in such activity,” Moon told *Orlando Business Journal*.

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