

THE HATCH ACT

Social Media Use Refresher

June 2021

Social media is everywhere in today's world and accessible to most employees, even while at work. So it is important for federal employees to understand how their use of social media can run afoul of the Hatch Act.

In general, all federal employees may use social media and comply with the Hatch Act if they remember the following three prohibitions:

1. On Duty or in the Workplace Prohibition: Employees may not engage in political activity while on duty or at work. Political activity refers to activity directed toward the success or failure of a political party or partisan political group (collectively referred to as "partisan groups"), or candidate for partisan political office (candidate).
2. 24/7 Prohibition: Employees may not knowingly solicit, accept, or receive a political contribution for a partisan group or candidate.
3. 24/7 Prohibition: Employees may not use their official authority or influence to affect the outcome of an election.

Further restricted employees are subject to an additional restriction and may not engage in political activity that is on behalf of or in concert with a partisan group or candidate.

Examples of prohibited activity on a personal social media account

While on duty or at work, all employees may not:

- post or share a message about a candidate or a partisan group;
- tweet or retweet content supporting or opposing a candidate or partisan group; or
- invite others to a campaign rally or other partisan political event.

Even when off duty and away from work, all employees may not:

- tweet, like, or otherwise share a message that asks others to donate to a partisan group or candidate;
- share an invitation to a campaign or political party fundraiser; or
- use their official title or position to endorse a candidate.

In addition, further restricted employees may never:

- share or link to the account of a partisan group or campaign; or
- retweet a message from a partisan political group or candidate

Examples of prohibited activity on an official social media account or one that is being used for official purposes

Employees using such accounts may not:

- tweet or retweet a post about a partisan group or candidate; or
- follow or link to a candidate's campaign website or the account of any candidate or partisan group.

Reminders

- These restrictions apply regardless of whether an employee is using government equipment or a personal device or whether the employee's social media account is private, public, or uses an alias.
- Employees are "on duty" when in a pay status, other than paid leave or another excused or authorized absence. For advice about teleworking employees, please see this [advisory opinion](#).
- Agencies may have other rules or policies that govern an employee's use of personal or official social media accounts.
- More comprehensive social media guidance can be found on OSC's [website](#).

Contact OSC's
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