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Recent Cases Highlight the Hatch Act's Prohibition on Federal Employees From Partisan Displays In the Workplace

FOR IMMEDIATE RELEASE

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WASHINGTON, D.C./September 19, 2016 –

The U.S. Office of Special Counsel (OSC) has recently resolved cases involving federal employees who have posted displays in their workplace expressing support for or opposition to partisan election candidates. The Hatch Act prohibits federal employees from engaging in partisan political activity *while on duty or in the workplace*. The following cases are instructive:

A U.S. Postal Service employee in Colorado displayed a "Make America Great Again" – the slogan of Donald Trump's presidential campaign – behind the desk at the post office. OSC contacted the postmaster of that facility and advised that the Hatch Act prohibited display of the sign. OSC confirmed that the sign was immediately removed from the post office.

A Federal Aviation Administration employee displayed a Hillary Clinton bobblehead doll at work. OSC contacted the employee and advised that, because Hillary Clinton is currently a presidential candidate, the Hatch Act prohibits the display of the doll at work and that the employee needed to remove it until after the election. OSC confirmed that the bobblehead doll has been removed from the workplace.

A U.S. Customs and Border Protection employee posted a derogatory picture of presidential candidate Hillary Clinton in an area of a federal workplace accessible to the public. OSC contacted the agency about the picture, and a senior manager immediately removed it. This case is still open pending further investigation of additional allegations.

The Hatch Act ensures that federal executive branch programs are administered in a nonpartisan fashion and therefore prohibits federal employees from engaging in partisan activity while on duty or in the workplace. There are a few narrow exceptions. For example, federal employees are allowed to have one bumper sticker per candidate on a car parked in an agency parking lot, so long as the car does not appear to be a campaign-mobile. To learn more, click [here](#). Federal employees are also allowed to display historical memorabilia involving individuals who are not currently up for election. To learn more, click [here](#). For a summary of permitted and prohibited activities for most federal employees, this one-page [factsheet](#) is helpful.

"In the last few months of the presidential election season, these cases are reminders to all federal employees to refrain from engaging in partisan political activity in the workplace," said Special Counsel Carolyn Lerner. "We want federal employees to be involved in the political process, but they must wait until they're off the clock and out of the office to express support or opposition to partisan candidates or political groups."

The U.S. Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency. Our basic authorities come from four federal statutes: The Civil Service Reform Act, the Whistleblower Protection Act, the Hatch Act, and the Uniformed Services Employment & Reemployment Rights Act (USERRA). OSC's primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing, and to serve as a safe channel for allegations of wrongdoing. For more information, please visit our website at www.osc.gov.