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Election Season Survival Guide:
Strategies for Maintaining a
Respectful Work Environment
Presented by: Kristyn Berger, President

Who Am I?



Kristyn Berger, President

17+ years of HR experience

Founded Berger HR Solutions in 2016. We are a human resources consulting firm with national reach. Our team provides employers of all sizes with human resources and organization development solutions resulting in improved employee and organizational performance while minimizing employment risk.

Election Season

The problem:

- The election brings heightened emotions, which can create stress and conflict among employees

The solution:

- Establish clear boundaries and parameters that promote a respectful and supportive environment



Lead by Example & Policy

- **Set parameters** with clear boundaries
- **Show respect and professionalism** and encourage the same from your employees, regardless of political views
- **Prohibit political fundraising and coercion** within the office
- **Set proactive policies** that address potential conflicts before they arise and ensure they are applied consistently

●● Pre-Election Do's

- **Do encourage informed discussions** that address diverse viewpoints in a respectful manner
- **Do offer support services**, such as an Employee Assistance Program (EAP), to help employees manage stress and anxiety
- **Do show consistency** with the policies at your workplace, ensuring they're fair for all sides



●● Pre-Election Don'ts:

- **Don't allow company resources to support political activities**
- **Don't allow political messaging**, as it could create tension or conflict among employees
- **Don't tolerate harassment or bullying** related to political views
 - But DO communicate the consequences of violating this policy



The Legal Misconceptions

1. **Employees Have a Constitutional Right to Talk "Politics" at Work**

- Wrong— Most states allow policies limiting the discussion of politics at work.

2. **Employees Must Always be Allowed to Display and Distribute Political Materials and "Campaign" in the Workplace**

- Wrong— Employers generally have the right to adopt and enforce non-discriminatory rules prohibiting non-work-related activities in their workplaces, including "purely political" activities.
- However, an employer cannot lawfully prohibit workplace conversations about protected political subjects, even during working times, unless it similarly prohibits all other non-work-related communications.

What Employers Should Do to Abide By the Law

1. Prepare a strong “no political activity” policy
2. Ensure compliance with the NLRB’s rules
3. Discourage supervisors from having political discussions
4. Prepare to address disruptive behaviors
5. Remind employees of policies regularly
6. Enforce your policies even-handedly

Local Considerations - Maryland

- During the 90 days prior to an election, employers are forbidden from exhibiting in the workplace any threat intended to influence the political opinions or actions of employees.
- Various counties (including Prince George's and Howard) prohibit discrimination based on political affiliation.
- Maryland employers must provide up to two hours of paid time off to vote, *if an employee does not otherwise have two continuous hours of off-duty time while polls are open*. May require proof.

Local Considerations – District of Columbia

- Employers are prohibited from discriminating against employees as to their compensation, terms, conditions or privileges of employment because of their political activities or affiliations.
- DC Employers must provide up to two hours of paid time off to vote. Must post notice in a conspicuous place at all sites in D.C.

●● Post-Election Considerations

- **Prevent favoritism or bias** by applying the same pre-election policies and support to your employees
- **Encourage open, respectful communication** that allows employees to express their feelings
- **Offer support services** if the election outcome causes significant stress or concern for your employees



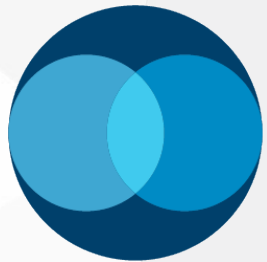
Closing Thoughts

The election seasons requires a delicate balance of:

- **Respect**
- **Consistency**
- **Clear communication**

With proactive policies and a supportive environment, you can ensure the workplace remains a positive space for all employees, regardless of their political beliefs.

Questions?



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