

Debra Katz & Matthew LaGarde Discuss Political Coercion in the Workplace in New Article

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Katz, Marshall & Banks partner [Debra Katz](#) and associate [Matthew LaGarde](#) published an article in *Law360* on October 17, 2016 entitled, "[OPINION: Employee Political Coercion Protections are Weak](#)." In the article, they discuss the state of law surrounding protections for employees in issues involving politics in the workplace. Their research revealed that employees outside of the public sector have very few laws protecting them from political coercion. "...[P]rivate employees have no federal protections against political affiliation discrimination." What does that mean for private sector employees? In many states, "...a private employer could legally terminate an employee because that employee supported a particular candidate."

"A small minority of states have passed laws prohibiting at least some forms of workplace discrimination on the basis of political activities." While several states have some sort of political affiliation protection for private sector employees, few have laws actively restricting employers from coercing their employees to engage in political activity. In addition, "...while federal law does purport to bar coercive political activities by employers, it does not provide employees with a private right of action." In the wake of *Citizens United v. Federal Election Commission*, "the restrictions on coercive political activities by employers have been considerably weakened," allowing employers to expend employee time on political causes the employers supports. For a more detailed breakdown of Ms. Katz and Mr. LaGarde's findings, click [here](#).