Is it time to ban swearing in the workplace?

The recession has ratcheted up America's stress level, and employers are seeing the results spill out in their workplaces. Boorish behavior and vulgar words are on the rise--and technology is fueling the fire.

Swearing is the most obvious example. Last year, Goldman Sachs execs were publicly pummeled at a Senate hearing over naughty words used in interoffice emails. So the company sent a new directive to employees this summer: No more profanity in email.

The company has even begun using screening software to identify dirty words. Other companies do the same thing. Bloomberg scans email messages for 70 hot-button words or phrases and sends users a pop-up message warning them not to send the email.

Banning swearing isn't just a PR move. Employees who are targets of swearing by bosses—both the electronic and the "live" kind—can point to those words as evidence of a hostile work environment.

So should you establish a zero-tolerance ban on any and all swearing in the workplace? No. It's not realistic and you may set yourself up for discrimination claims if you clamp down on one employee's slip-up but not another's.

Instead, establish more general rules that say offensive language and other disrespectful conduct are not permitted, and violators will be subjected to the discipline policy.

If you set rules on swearing, don't try to list every offense for which workers could be fired. It may eliminate your at-will right to fire at your discretion. Instead, cite broad categories, such as insubordination.

Example: A few years ago, a UPS driver was fired on the spot after he broke into a profane tirade against his boss. He sued, arguing that swearing was not one of the seven reasons for immediate dismissal cited in UPS' discipline policy. The appeals court sided with the worker, saying the terms were clearly spelled out and they didn't include profanity. *(Hawaii Teamsters and Allied Workers Union, Local 996 v. UPS)*

Bad Manners

Of managers who have fired employees for office etiquette offenses, here are the top five most common reasons:

1. Bad language (38%)
2. Excessive workplace gossip (36%)
3. Drinking on the job (35%)
4. Leaving office without saying so (33%)
5. Too many personal calls (28%)

Source: TheLadders.com survey of 2,000 execs