

# Sample Policy: Solicitations

The following sample policy was excerpted from [The Book of Company Policies](#), published by HR Specialist, ©

Edit for your organization's purposes.

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"In order to avoid interruption of work and protect you from unnecessary annoyance, solicitation of or by employees is prohibited in work areas during work time. Work time does not include lunch or approved break periods. Work areas, for the purposes of solicitation, do not include lunchrooms, lounges or parking lots. Distribution of literature to or by employees is prohibited in work areas at all times.

"Nonemployees may not solicit or distribute literature to employees on Company property at any time. The only exception to this policy is in the case of Company-sponsored solicitation."

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## POLICY CONSIDERATIONS:

You have every right to control employees' activities on the job. You have the right to forbid political activities and other types of solicitation on the job, whether they involve wearing a campaign button, soliciting a charitable donation, holding a Tupperware party or selling Girl Scout cookies. But you have to walk a fine line between free-speech issues and company policy, and perhaps also between being strictly business and supporting positive community involvement.

The courts have ruled that freedom of speech applies to all branches and agencies of the government, but not to private employers. However, if a court rules that you have restricted political expression in such a way that you violate public policy, you could end up in a world of trouble. Reason: Protecting an employee's freedom of political expression is an important public policy concern, on a par with protecting workers who perform jury duty or file a workers' compensation claim. Accommodating the employee, on the other hand, could create ill will among co-workers.

To prevent political expression or solicitation from becoming disruptive, establish a policy and explain it to your employees. Make sure the policy is grounded in reasons related to the efficient conduct of business. When drafting your policy, consider the following:

- **Don't confuse business goals with personal ones.** Always have a sound business reason for banning political expression or solicitations.
- **Be evenhanded.** Don't ban support of one activity but allow another similar one. You might consider banning only truly disruptive political expression: for example, prohibiting campaign buttons, T-shirts or

signs that would interfere with business. Likewise, you'd be within your rights to prohibit an employee from plastering white supremacist posters all over his cubicle.

- **Restrict only those expressions that might affect productivity or customer relations.** If workers want to wear buttons at lunchtime or have a bumper sticker on their car parked in the company lot, leave the issue alone. Also, don't address political involvement that takes place during employees' off-hours.
- **Provide concrete guidelines for any exceptions.** Selling Girl Scout cookies or candy bars for youth sports may be acceptable, but selling fruit baskets as a private for-profit effort may not.
- **Enforce your policy consistently and fairly.** Inconsistency is difficult to defend in court, especially if the worker being disciplined is a member of a protected class.