

Hatch Act Violations

Politics & Work: A Dangerous Combination

Most federal employees care deeply about the well being of the government they serve. As such, many involve themselves in partisan elections to support certain candidates to lead the government. While participation in elections is important to democracy, federal employees in the executive branch and employees of the D.C. government need to be especially careful about how they participate in political campaigns. Under the Hatch Act (5 U.S.C. § 7321-7326), a federal employee's career could be put at risk if they engage in any prohibited political activities. It is not uncommon for federal employees to get as passionate about political elections as they are about their work. Amid all the excitement, a federal employee's slip in good judgment could result in an egregious Hatch Act violation. By forwarding an e-mail that includes a solicitation for funds for a partisan campaign or by encouraging co-workers to attend a political fundraiser, federal employees could end up facing removal or suspension.

Hatch Act Investigations & Enforcement

The Office of Special Counsel (OSC) is responsible for investigating Hatch Act violations and enforcing the law. Tully Rinckey PLLC's Hatch Act attorneys in Washington, D.C. can aggressively represent federal employees before the Merit Systems Protection Board (MSPB) against adverse actions sought by the OSC. It is crucial that federal employees questioned about potential prohibited political activities are aware of their rights and they should immediately contact a federal employment lawyer upon learning they are under investigation for suspicion of a Hatch Act violation. Tully Rinckey PLLC's Hatch Act attorneys in Washington, D.C. can defend federal employees' rights during OSC investigations and MSPB proceedings. To schedule a meeting with one of Tully Rinckey PLLC's Hatch Act attorneys, call 703-525-4700 or e-mail info@fedattorney.com

.Prohibited Political Activities

Prohibited activities in political campaigns or management for most executive branch employees generally include: Affecting or influencing election results through the use of their official authority or influence;

Knowingly receiving, accepting or soliciting political contributions, with some exceptions;

Running for office in a partisan election; and

Knowingly asking others to participate in political activities or discouraging them to do so.

Executive branch employees should generally refrain from engaging in political activities:

While on duty;

In any federal government office or building;

While in uniform or wearing official insignia;

While using any federal government-owned or -leased vehicle.

Hatch Act Violation Penalties

The Hatch Act is a very heavy-handed law. It calls for the removal of federal employees who engage in the above-noted prohibited political activities. The MSPB

, however, can grant a more lenient penalty of at least 30 days suspension without pay if the board unanimously decides removal is too severe. Tully Rinckey PLLC's Hatch Act attorneys in Washington, D.C. can help federal employees to dismiss OSC charges or to reduce the penalties associated with such charges. To schedule a meeting with one of Tully Rinckey PLLC's Hatch Act attorneys, call 703-525-4700 or e-mail info@fedattorney.com

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