



FP Snapshot for Manufacturers: What Can You Do About Employee Speech in the Modern Manufacturing Workplace?

Insights

10.30.25

Welcome to this edition of the FP Snapshot for Manufacturers, where we take a quick snapshot look at a recent significant workplace law development with an emphasis on how it impacts employers in the manufacturing sector. This edition is devoted to helping employers lawfully and effectively deal with employee speech in these ever-tumultuous times. The concepts discussed below have a particular impact on manufacturing employers, so read on to find out what you need to do to remain compliant.

Snapshot Look at Employee Speech in the Manufacturing Environment

Manufacturers face real challenges when it comes to managing employee speech, whether in the form of an off-duty social media post, a lively political debate in the workplace, a manager's comments to staff about a controversial subject, or something in between. These situations can raise difficult questions about what kind of employee speech is protected, when speech becomes disruptive enough to take action, and how employers can make correct and lawful decisions. This issue is critically important to manufacturers given the large, diverse teams working across multiple shifts – where communication, workplace culture, and morale have a direct and significant impact on operational success.

For a deeper dive into the situation, you can read our full Insight [here](#).

What Do Manufacturers Need to Know?

Successful manufacturers work hard to build respectful, productive environments, but maintaining that balance is not always easy, especially as social and political conversations find their way into the workplace. Best laid plans can be complicated by manufacturing workforces that span generations, cultures, heritages, and other socioeconomic factors.

- **Off-Duty Social Media Posts**

When an employee's online activity crosses into work life, it can present challenges for employers. Posts about wages, safety, or working conditions – all hugely important issues to most manufacturing workforces – may be legally protected. In some instances, in fact, they could be backed by the influence of resurgent labor unions. On the other hand, online speech that targets

coworkers or damages the company's reputation may warrant discipline or involvement by law enforcement officials. A consistently enforced social media policy that focuses on the impact of behavior (and not personal opinions) is imperative. You should also be mindful of any applicable state laws which may offer protections to employees for off-duty political activity.

- **Workplace Political or Social Debates**

Political or social discussions can sometimes get heated and distract from production goals. This is especially true in the manufacturing setting, where shift overlap and scheduled breaktimes present opportunities for workers to engage in political and social discussion. You should set expectations for professionalism during work hours, but consistency is critical, and expectations must be applied equally. Coach your supervisors to step in early, from a position of neutrality, and steer conversations back to work. This will help maintain a respectful tone and focused team. Managing emotions and eliminating distractions is essential in manufacturing settings where workplace safety is such a pressing concern.

- **Managers' Political Statements to Staff**

Managers' words carry weight, and employees often see management's views as being reflective of the company's stance. Even casual political remarks can create discomfort or the appearance of bias, and risk inviting tension and unease into environments where cohesion is key to both safety and productivity. Managers must keep their contributions to workplace discussions focused on work, safety, and performance, leaving personal opinions out of all staff conversations.

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Anthony Isola
Partner
415.490.9018
[Email](#)



Samantha J. Monsees
Partner
816.842.8770
[Email](#)

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