

THE FREE SPEECH MYTH: DEFAMATION RISKS IN WORKPLACE SPEECH

Event

May 20, 2026

12:00 pm - 1:00 pm EDT

Employers and employees alike often assume that “free speech” governs what can be said in the workplace. But the First Amendment to the United States Constitution offers limited protection in private employment settings. And everyday workplace communications can create real legal exposure. This program explores how defamation claims arise in the workplace in five common situations: workplace investigations, “for cause” terminations, reference checks, social media issues, and employee departures. Designed for both legal and HR professionals, the session provides a practical framework for navigating sensitive communications, avoiding overstatement, and reducing risk in moments where words matter most.

Key Takeaways:

- Breakdown of First Amendment protections and the legal definition of a defamation claim and defenses (including privilege).
- Practical framework for managing high-risk workplace scenarios where words spoken can trigger defamation claims.
- Concrete strategies to reduce legal exposure: stick to documented facts, avoid overstatement, and know when to seek legal review.

If you have any questions, please contact [Arika Hansen](#).

Related People



James F. Glunt

Partner

412.822.6621



Deniz Uzel Reilly

Partner

610.230.6102

Educational Credits:

HRCI and SHRM

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CLE

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Ivy Waisbord

Associate

610.230.6108

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