

The Federal Spotlight

Narrow Agency Definitions of Hatch Act Cited

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Some federal departments and agencies are interpreting the Hatch Act so narrowly that they are encroaching on employees' rights to participate in religious and charitable activities.

This has been disclosed during current hearings before the Senate Civil Service Committee on modifying and liberalizing the act, which limits political activities of government workers.

Robert J. Neyhart, a Labor Department career official, cited the department's admo-

nition to its employees about participation in religious and charitable activities.

The department in its official handbook and under the section "political activities," informs its employees:

"You may accept appointment to such positions as school committee member, member of a board of education, or member of a board of a public library or a religious or charitable institution if your administration or office decides the holding of these offices will not conflict or interfere with the discharge of your federal duties. However,

you may not participate in a partisan political election to such offices."

Neyhart pointed out that the net effect of this statement is to discourage employes from religious and charitable activities.

In the first place, he noted, the paragraph had no business being placed in the "political activities" section of the handbook.

By doing this, the Labor Department instilled in the minds of its employes the fear that charitable and religious activities somehow could be a violation of the statute, he noted.

Labor generally is among the most liberal of departments on Hatch Act interpretations. So one can only wonder what even more restrictive orders on rights of employes as citizens and members of their communities and churches are imposed by other agencies.

Neyhart, who formerly was president of American Federation of Government Employes and National Federation of Federal Employes locals, had other examples to give the Senate committee on too strict interpretation and emphasis on the Hatch Act that intimi-

dates federal and postal employes.

The Federal Personnel Manual, the official government personnel policy document, states that federal employes have the right to vote. But in the next sentence and in the same paragraph it goes on to warn employes of possible criminal penalties should the vote right be abused.

It reads: "An employe has the right to vote as he pleases, and to express this right free from interference, solicitation, or dictation by any fellow employe or superior officer. Federal officers and employes

penalties for abusing voting rights.

Neyhart urged drastic changes so that the law can be interpreted in a more positive way, to encourage employes to vote, and if they want to, contribute to political parties, express their opinions freely, etc.

Another witness, James Rademacher, president of the National Association of Letter Carriers, gave testimony which echoed Neyhart's.

Rademacher said the Hatch Act has a "chilling effect" on letter carriers and their families.

are, of course, like other citizens, subject to the various criminal statutes prohibiting such corrupt practices as purchase or sale of votes, intimidation or coercion of voters, and promise in return for political action of benefits made possible by acts of Congress. Some criminal statutes which have particular applicability to federal officers and employes are described in subchapter 5."

Neyhart argued that the effect of all this is to discourage government employes from voting by frightening them in regard to possible criminal

He said some letter carriers even have been afraid to vote because they do not understand it.

Other government union leaders also joined in asking for substantial changes. They were extremely critical of the negative way the act is interpreted by the Civil Service Commission and the various government departments and agencies.

They feel that not only must the law be rewritten to stress positive rather than negative aspects, but that more freedom of political activity should be written into the statutes on behalf of government workers.