

employees concerning labor relations should not be treated differently from discussions concerning any other matter. However, such discussions should not be permitted to interfere with agency operations.

(b) Restriction on Solicitation

Solicitation rights may be restricted where necessary to maintain operations and/or discipline, or where special circumstances exist based on the nature of the employee's work requirements. The agency should be prepared to justify any such restrictions upon challenge in an unfair labor practice proceeding. Where employee emotions are at a high pitch based upon prior labor relations incidents or a similar situation, the potential for disciplinary problems may provide a basis for restricting solicitation.

Because paid time of employees is for government work, an agency must prohibit solicitation during the working time of employees, whether the employee is the person soliciting or is the one solicited. However, it may not prohibit solicitation during break periods or lunchtime, even though employees may be paid during these times.²

Any restrictions regarding solicitation for or against a labor organization must be uniformly enforced against all employees. No distinction may be drawn between those employees who support and those who oppose labor organizations or any particular union. Management should not become involved in espousing or supporting either viewpoint, but should maintain a neutral position.

(5) Right to Wear Insignia

Employees have the right on agency premises to wear insignia supporting or opposing a labor organization. The fact that the labor organization is or is not a recognized union does not restrict this right.

The right to wear insignia may be limited in particular circumstances, as where regulations govern the wearing of uniforms by employees, or where the agency can clearly show that a restriction is necessary for reasons of health, safety, discipline or the special nature of the agency's operations.³

Restrictions may apply in hospital operating rooms, in special assembly areas where cleanliness is paramount, in machine

² Oklahoma City Air Logistics Center (AFLC), Tinker Air Force Base, Oklahoma, and American Federation of Government Employees, AFL-CIO, Local 916, 6 FLRA No. 32. See also Department of the Air Force, Air Force Plant Representative Office, Detachment 27, Fort Worth, Texas, 5 FLRA No. 62.

³ United States Army Support Command Fort Shafter, Hawaii and Service Employees International Union, Local 556, AFL-CIO, 3 FLRA No. 121.