

# Resolution

From: International Union of Operating Engineers, Local 793  
Date: September 23, 2016  
Subject: **SOCIAL MEDIA POLICY**

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Whereas: “Social Media” includes websites and applications that enable users to create and share content or to otherwise participate in social discourse or networking, including, but not limited to, Facebook, Twitter, My Space, Instagram, YouTube, Snapchat, etc.;

Whereas: Social Media has become commonplace tools for communication among members and between members and the public;

Whereas: It is in the best interest of the Union to have a Social Media Policy in place to protect members’ privacy, discourage cyberbullying, ensure members respect prohibitions against hate and discrimination set out in applicable legislation, and prevent members from representing their personal views as the views or opinions of the IUOE or Local 793.

Therefore, be it resolved: That the International Union of Operating Engineers, Local 793 adopt a Social Media Policy as follows:

## **1 POLICY**

1.01 This Policy is designed to establish rules for all members of the International Union of Operating Engineers (“IUOE”), Local 793 governing the appropriate use of Social Media consistent with their responsibilities pursuant to the Oath of Obligation, Local 793 By-Laws, the Constitution of the IUOE, and applicable legislation.

## **2 DEFINITIONS**

2.01 “Social Media” includes websites and applications that enable users to create and share content or to otherwise participate in social discourse or networking, including, but not limited to, Facebook, Twitter, My Space, Instagram, YouTube, Snapchat, etc.

## **3 PURPOSE**

3.01 The purpose of this Policy is to ensure that:

- messages of hate and cyberbullying by or against members are discouraged and prevented;
- members respect prohibitions against hate and discrimination set out in Ontario’s *Human Rights Code*, the *Criminal Code*, the *Charter of Rights and Freedoms* and any other applicable legislation;
- members’ privacy rights are protected;
- members are prohibited on Social Media from representing their personal views as the views or opinions of the IUOE or Local 793;
- the reputation and interests of the IUOE and Local 793 are respected and protected in accordance with the Oath of Obligation and other obligations set out in the IUOE Constitution, Local 793’s By-laws, and applicable policies;

- members are provided rules describing their personal responsibilities regarding confidentiality, privacy and acceptable use of referencing Local 793 or posting any content on Social Media; and
- members understand that all electronic messages and documents may be subject to the same laws, regulations, policies and other requirements, including Local 793's By-laws and the IUOE Constitution, as information communicated in other written, communicated or transmitted forms and formats.

3.02 This Policy seeks to uphold the responsibilities provided for in the Oath of Obligation set out in Local 793's By-laws, including the promise for members to do all in their power to advance the interests of the organization, to keep inviolate its secrets and inner workings and to never wrong a brother/sister engineer if it is in the members' power to prevent it.

3.03 This Policy, among other things, enforces Article XVI, Section 1 of the IUOE Constitution, which seeks to prevent members of the IUOE from publishing or circulating literature of a defamatory nature in violation of their responsibility towards the IUOE or its subordinate bodies.

#### **4 SCOPE**

4.01 This Policy applies to all Local 793 members who choose to use Social Media as a form of communication for any purpose.

#### **5 RESPONSIBILITY**

5.01 All members of Local 793 have a responsibility to be conscious of how they may reference Local 793 in Social Media, and how the public may view any opinions expressed as being the views or opinions of Local 793.

5.02 All members have a responsibility to comply with all Local 793 By-laws, including the responsibility to advance the interests of Local 793, to maintain the confidentiality of all documents or inner workings that are reasonably considered the confidential material of Local 793, and to never engage in slander or libel against Local 793, its employees or its members.

5.03 All members have a responsibility to report any violations of this Policy to the contact listed at the bottom of this Policy.

#### **6 PROVISIONS FOR SOCIAL MEDIA USAGE**

6.01 BUSINESS USE: As with any resource provided by Local 793, all electronic resources provided to members by Local 793 are to be dedicated to legitimate Local 793 business activities. The use of electronic resources imposes certain responsibilities and obligations on all users and is subject to Local 793's policies and procedures, and all applicable provincial and federal laws.

6.02 PROHIBITED USE: Members may NOT:

- disclose or post any of Local 793's confidential or proprietary information;
- post inflammatory, unfounded, derogatory or disparaging comments or remarks against Local 793, its employees, members or affiliates;
- engage in inflammatory or otherwise uncivil discussions or interactions regarding issues or services related to or provided by Local 793;

- post comments that are hateful, discriminatory, or of a harassing nature or are otherwise in violation of the *Criminal Code*, *Ontario Human Rights Code*, or any other applicable legislation;
- engage in name calling or behaviour that will reflect negatively on the IUOE or Local 793;
- post comments or material that is defamatory or in violation of any applicable law, including intellectual property laws;
- post harmful or offensive comments or materials that target members or employees of Local 793;
- post material that in any way violates the member's obligations under Local 793's By-laws; or
- unless otherwise authorized in accordance with this Policy:
  - videotape or record any IUOE or Local 793 officer, agent, representative, steward, employee;
  - post any form of communication on Social Media which may be viewed by the public as being the views or opinions of Local 793 and not exclusively of the member themselves; and
  - post Local 793 proprietary materials, including copyrighted materials.

6.03 Notwithstanding any of the foregoing, this policy is not intended to prevent members from posting on Social Media any videos, photos, or other recordings of official IUOE or Local 793 social events, so long as such posting is done in good faith and is otherwise done in accordance with this Policy.

6.04 Despite any disclaimers, Social Media communications can result in members of the public forming opinions about Local 793 or its affiliates, its employees, and the services it provides. Respect the privacy rights of Local 793 members and employees by seeking their permission before writing or displaying internal company happenings that might be considered to be a breach of their privacy or confidentiality.

6.05 Any authorization required under this Policy for posting material on Social Media must be obtained from the Social Media Administrator and the Business Manager or his designate prior to posting any such material on Social Media. Such authorization may be withheld by either the Social Media Administrator or the Business Manager or his designate at their sole discretion.

## **7 VIOLATIONS**

7.01 If any material posted on a Social Media page administered by Local 793 is in violation of any of the terms of this Policy, the Executive Board, or an agent authorized to administer the Social Media page, will immediately remove the material from the Social Media page.

7.02 If a member posts or causes to be posted any material on any Social Media page or account or allows any material to be posted on his personal Social Media page or account which is deemed, in the sole discretion of the Executive Board of Local 793, to be in violation of any of the terms of this Policy, the Executive Board, or an agent authorized to act on behalf of the Executive Board, shall notify the member and shall identify the material deemed to be in violation of this Policy. Upon receiving notice of a violation of this Policy, the member shall promptly remove or cause to be removed all material identified to be in violation of this Policy.

- 7.03 If any member does not promptly remove any material posted on Social Media in violation of this Policy in accordance with Section 7.02, the member may, at the discretion of the Executive Board, be subject to charges and a trial held at the Membership meeting of the District in which the offence occurs, or at the General Membership meeting held in District No. 1, in accordance with Article XIII of Local 793's By-laws which may result in the member being subject to disciplinary action, up to and including expulsion from membership.
- 7.04 Unless given authorization in accordance with Section 6.05, or unless otherwise permitted by Section 6.03, a member who videotapes or otherwise records any IUOE or Local 793 officer, agent, representative, steward, or employee, and subsequently posts the recording on Social Media will, at the discretion of the Executive Board, be subject to charges and a trial held at the Membership meeting of the District in which the offence occurs, or at the General Membership meeting held in District No. 1, in accordance with Article XIII of Local 793's By-laws, which may lead to immediate expulsion of the member from Local 793. This provision does not apply to videotaping, photographing or otherwise recording the member's own jobsite or equipment, provided that such videotaping, photographing or recording is not in violation of any confidentiality obligations imposed by the employer of the jobsite.
- 7.05 Notwithstanding any of the foregoing, IUOE or Local 793 officers, agents, representatives, or members, authorized by the Executive Board may videotape, photograph, or otherwise record officers, members, employees, agents or representatives for the purposes of organizing, investigating grievances, jurisdictional disputes etc. In order to post any material videotaped or recorded in accordance with this Section 7.05 on Social Media, authorization must be first obtained in accordance with Section 6.05 of this Policy.

## **8 SOCIAL MEDIA POLICY CONTACT**

- 8.01 If you have any questions about this Policy, or if you would like to report a possible violation of this Policy, please contact the office of the Business Manager at [executive@iuoelocal793.org](mailto:executive@iuoelocal793.org).



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Mike Gallagher, Business Manager