

# INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS



**OFFICIAL CIRCULAR NO. 837**  
**Print and Electronic Publications**  
**ISSUED: September 22, 2009**

9000 Machinists Place, Upper Marlboro, MD 20772

## **TO THE MEMBERSHIP EVERYWHERE, GREETINGS:**

➔ **PURPOSE** To update and bring into compliance Official Circular 807 and previous circulars concerning local, district, council and conference print and electronic publications.

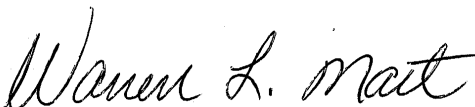
➔ **INFORMATION/INSTRUCTIONS** For many years, the IAM has recognized that a printed newsletter is the only communications tool with the potential for reaching every dues-paying member. As a result, the IAM continues to promote the regular publication of a newsletter by every district lodge in the United States and Canada. The publication of local lodge newsletters is also strongly encouraged, if approved by the Executive Board of the local lodge. It is also essential that we take advantage of increasingly sophisticated digital technology. The Internet and other forms of digital media offer ways to communicate that reach farther, faster and more interactively than print, and increasing numbers of our members regularly turn to on-line sources for information and discussion. In our commitment to remaining on the forefront of member communications and education, the following guidelines and policies must be observed to ensure the effective and proper use of these essential communication tools.

1. The content of any publication – print or electronic – that bears the seal of the International Association of Machinists and Aerospace Workers is the responsibility of the Executive Board of the local, district, council or conference for which it is published. Just as the editors and web stewards of Grand Lodge publications must adhere to the rules and restrictions placed on them by the IAM's Constitution and policies, editors for districts, locals, councils or conferences are responsible for ensuring that their publications and websites conform not only to Grand Lodge policy, but also to the bylaws and other policies of their local organization.
2. Our Union has learned through unfortunate experience that publication control is difficult if not impossible when the writing, editing, and/or production of print or electronic publications is contracted out to promoters, advertising agencies or public relations firms. For that reason, districts, locals, councils and conferences should keep these critical duties "in-house" and maintain full supervision over all editorial and website functions.

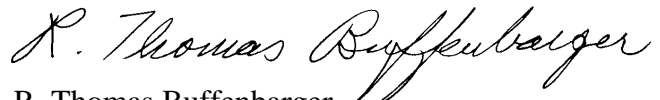
3. Local, district, council or conference publications and websites should not support or oppose the candidacy of any member in an internal IAM election. While this does not mean that a publication or website cannot report to the membership on the activities of the lodge's officers and committees, great care must be taken to ensure that these reports cannot be read to favor one candidate over another in a union election.
4. The editor, editorial committee or web steward of a local, district, council or conference publication should be appointed by the officers or Executive Board. The position of editor or web steward should not be an elected position.
5. The development of an official website by a lodge is strongly encouraged, as well as issue-specific websites and other uses of digital media as appropriate to our message. Any local, district, council or conference official website or other digital media use should adhere to the same policies as written publications in terms of selection of a person responsible for editing and managing the information. Additionally, all Internet use and digital media should adhere to the Grand Lodge Policy Letter on Creating and Maintaining IAM Websites and Other Internet Use, dated September 22, 2009. (Copy attached.)

In sum, it is the policy of the IAM that to the extent it is financially possible, every local, district, council, and conference should regularly provide a written account of its activities to its members through the publication of a newsletter and a website. These communication tools should be managed through the appointment of a dues-paying member of the IAM, and they should be as free as possible from any outside influences, like paid advertising. It is strongly recommended that if an affiliate has the financial resources, it should hire a paid, part-time or full-time editor, editorial technician or web steward from its membership rolls. But, in all cases, that person, whether paid or voluntary, must come under the supervision and direction of the Executive Board of the organization.

Fraternally yours,



Warren L. Mart  
GENERAL SECRETARY-TREASURER



R. Thomas Buffenbarger  
INTERNATIONAL PRESIDENT

Attachment

GL 1 Update and Re-Issuance of IAM  
Policy on Creating and Maintaining  
IAM Websites and Other Internet Use

October 8, 2009

Subj: Guidelines

MEMORANDUM TO ALL DISTRICT AND LOCAL LODGES

These guidelines update and re-issue Grand Lodge policy for District Lodges, Local Lodges and State Councils that create and maintain a website on the Internet. A new feature of these guidelines is establishing requirements and best practices for other forms of Internet communication by lodges, their officers and employees. Putting material on the Internet can raise legal issues of copyright, trademark, restrictions on political advocacy, the proper use of Union resources, and defamation. Beyond these legal requirements, our Union must also stay on the leading edge of effective Internet communications, including new capabilities for interactivity. In order to conform to the highest standards associated with the Machinists name, the following rules and best practices are mandatory.

These guidelines replace the ones originally issued on July 31, 1997, and updated on November 6, 2000 and June 1, 2002.

The structure of these guidelines has also changed:

- Part I covers the creation and maintenance of IAM websites.
- Part II covers the creation and maintenance of IAM content on Internet platforms controlled by others.
- Part III covers personal Internet use as part of the official responsibilities of IAM officers, employees or other personnel.
- Part IV covers other IAM-related personal Internet use.
- Part V covers the legal topics that *all* IAM Internet users must read and understand.
- Part VI covers Internet security.

If you have any questions, contact Chris Corson in the GL Legal Department (301-967-4510) or Donna Georgallas in the GL Communications Department (301-967-4520).

## **I. CREATING A WEBSITE**

When an IAM District, Local Lodge, or State Council creates a website, it is an official activity of the lodge or council. As an official activity, the lodge or council bears the responsibility for it, even though the site may be maintained by an individual member, officer, or employee.

- A. The decision to have a website should be made in a manner appropriate for official decisions of the lodge or council. In particular, it should address who is to be responsible for the site and how any costs are to be handled.
- B. Each lodge or council may have only one official site. As a limited exception to this rule, lodges or councils can create separate official websites for specific issues, such as an organizing drive or to provide information and support to the membership during a strike. Such single-purpose sites should be of limited duration appropriate to the purpose. All official sites should be reported to Donna Georgallas in the GL Communications Department ([dgeorgallas@iamaw.org](mailto:dgeorgallas@iamaw.org)).
- C. Official websites may be created using platforms offered by the GL Communication Department, such as IAM “microsites”, or a lodge or council may contract with a private website host. If private hosting is used, the lodge or council must maintain 100% control over the appearance and content of the site in order to insure that the IAM’s message remains purely ours. Thus, using a host that puts its own banner or advertising on hosted sites is prohibited. Furthermore, the web hosting contract must provide that the lodge or council owns or has the right to claim the URL, that the lodge or council retains ownership of its content, and that the host will promptly transfer all content back to the lodge or council upon request and/or termination of the business relationship.
- D. All aspects of a lodge and council website should be “on message” for promoting the IAM’s mission and work in a positive manner. What follows are important rules and best practices about website content.
  1. Use of the logo. Only official websites of lodges or councils are authorized to use the IAM logo and other IAM trademarks or service marks. Other websites are prohibited from doing so, in order that there may be no possibility for confusion about what sites carry official IAM information. For this reason, IAM marks cannot be used on the sites of lodge officers, employees or members.
  2. Selection of content. Lodges and councils are encouraged to make full use of the Internet to communicate on a wide range of subjects with our members

and with others, such as organizing targets. Lodge news, events, important issues, official information, meeting dates, alerts, health and safety information, retiree information, etc. are all valuable content. Bear in mind, however, that this information will also be available to the rest of the world, including people and entities who are opposed to us. *Therefore, internally sensitive or divisive information is not appropriate content on an official website.*

3. Freshness of information. Official websites must be kept current. Stale information on a website makes the lodge or council look out of touch and gives a visitor no incentive to return. The passage of time may also make stale information inaccurate or even defamatory (see below). Therefore, sites must be reviewed on a regular basis to update information and to ensure that these guidelines are continuing to be met.
4. Use of content from Grand Lodge websites. Official lodge and council sites are free to use content from Grand Lodge websites, by copying, linking, inserting a “feed”, framing, etc. The IAM’s copyright (see below) is waived for such uses. Be careful, however, not to take material out of context in such a manner that its meaning is changed or lost.
5. Rules for interactive functions. Blogs, discussion forums, and other interactive functionalities that allow website visitors to comment on content may be incorporated in official websites only as stated herein.
  - a. *Internet interactivity.* The ability to have an on-line dialog about important issues is a potentially powerful communications tool. In the right situations, interactivity can provide a positive forum for dealing with subjects that are likely to involve strong opinions or even controversy, such as important company issues, strike updates and organizing drives. We can explain our point of view, and members can give us their comments and tell us their real concerns. Then we can respond in meaningful ways. The goal is dialog that honors and educates all sides.
  - b. *Active management is required. Constructive dialog requires responsible management. If a discussion function like a website blog or discussion forum can be set up such that visitor comments cannot appear without first being reviewed and let through by a monitor, then these guidelines require it. The lodge or council is also responsible for designating one or more persons as monitors, and such persons must receive training from the GL Communications Department and GL Legal Department before they actually perform that function. Prior review of comments is not currently possible for*

*real-time discussion functions like Twitter and uStream. For that reason, such functions should only be used on an official website if the lodge or council has tasked one or more trained monitors with reviewing comments in real time and taking whatever actions are needed to remove inappropriate comments promptly and, if necessary, to exclude offending persons.*

- c. *Purpose of active management.* The purpose of managing a blog, discussion forum or other interactive function is not to restrict contrary views. Rather, it is to provide a forum for potentially controversial issues on an official site while not letting the discussion turn into a free-for-all. Thus, comments should be selected for letting through, based on whether they help frame the issues and represent the varying viewpoints. A lodge or council gains credibility if it acknowledges negative comments in the context of a balanced debate, which also gives the lodge or council the opportunity to respond to actual concerns that people have. Readers see that the lodge or council treats important issues seriously and contrary opinions with respect. On the other hand, comments should be excluded (or removed in the case of a real-time discussion function) if they are repetitive, indulge in personal attacks, use profanity or obscenity, or are not helpful in achieving the overall goal of civil discussion. If debate turns out not to be useful, the blog or discussion forum on that issue can be taken down.
  - d. *Interactive functions not a substitute for other communications.* The lodge or council should also make clear that these interactive functions on specific issues should not be used by members to substitute for other forms of communication, such as responding to lodge or council correspondence on a different subject. Therefore, the following message should appear on the website near such functions: “This function should not be used for responses or other communications on other subjects. Such other communications should be made in the manner appropriate for them.”
6. Use of forwarding tools. Lodges and councils may also incorporate forwarding tools, which allow visitors to push website content to other users or onto other platforms. Examples are the ability of a visitor to email a story to someone else or put a story on his or her Facebook page or “tweet” some portion of it by Twitter. Such functionality should, of course, be targeted to the content that the lodge or council most wants to broadcast.
  7. Use of a “Members Only” section. A lodge or council may create a section on an official website that is restricted to certain groups, such as stewards, a

negotiating committee, or the lodge membership. Such sections may be appropriate for internal or sensitive information. Lodges and councils must understand, however, that they cannot grant access to some members of a given group and deny it to others. For example, if a lodge wants to have a section of its website just for members, it must provide access instructions to all members on an equal basis. Accordingly, lodges and councils should understand that a members-only section may not prove to be entirely confidential.

8. Political content vs. restrictions on “express advocacy”. A lodge or council may include political content on an official website in order to explain legislative issues or initiatives, report the positions of elected representatives on such issues, encourage members to contact their elected representatives and in general to promote legislative action on worker-friendly subjects. There are many good sources of such content, including the IAM Legislative Department and the AFL-CIO. Union involvement in election campaigns, however, is a different matter. Federal laws prohibit unions from engaging in campaign-related “express advocacy” to persons other than their members. Accordingly, express advocacy in Federal elections is not permitted on lodge or council websites, because they are available to the world. (State and local election laws vary from state to state and need to be considered before engaging in express advocacy on behalf of state or local candidates.) General rules follow, and the GL Legal Department is available for advice.
  - a. Websites cannot expressly advocate the election or defeat of specific candidates. Typical express advocacy phrases are: vote for, vote against, elect, support, cast your ballot for, defeat, reject, X for congress, etc. Express advocacy is also any communication that, under the circumstances, could only be interpreted by a reasonable person as intending the same effect.
  - b. It is permissible to inform website users about the positions that elected representatives take on issues, including their voting records. It is also permissible to encourage visitors to contact their representatives. However, website content cannot be coordinated with candidates or political parties.
  - c. It is not permissible to reproduce or republish, in whole or in part, campaign materials prepared by or for a political candidate or party.
  - d. Links to the official sites of elected representatives or to non-partisan sources of political news or information are fine.

- e. Do not use the website to solicit funds for MNPL or any political candidate or party.
  - f. If a lodge puts its newsletter on its website, political endorsements and all other forms of express advocacy must be edited out of the on-line version.
  - g. As a limited exception to this prohibition on express advocacy, it is permissible to put such content on an official lodge or council website as long as the funds used to support that portion of the site come from voluntary political contributions instead of dues or fees. To take advantage of this exception, a lodge or council must keep financial and other records that clearly show how the allocable cost of that portion of the site was determined as well as the permissible source of the funds. That portion of the site should also state: "Paid for by . . .", naming the PAC.
9. No links to personal sites. Lodges and councils may not include links to the personal websites of officers or other members. Such linking could suggest that the Union endorses the content of those sites, and linking could create confusion as to what website carries official information. Furthermore, during union election campaigns, officials and members have the right to put campaign material on their personal websites, and linking from an official union site would arguably violate the prohibition in Federal law on using union resources to support a candidate.
10. No paid advertising. *Commercial advertising is prohibited.* Furthermore, IAM websites may not sell or provide advertising space, endorse companies or products, or link to commercial enterprises. Nor may IAM lodges or councils sell links for the purpose of advertising or "search engine optimization". On the other hand, the IAM encourages the practice of providing links to friendly organizations. Such a list of links to other unions and labor-friendly groups appears on the Grand Lodge's site ([www.goiam.org](http://www.goiam.org)) under "Media Library" and then "Internet Resources."

## **II. PLACING OFFICIAL IAM CONTENT ON INTERNET PLATFORMS CONTROLLED BY OTHERS**

The previous section dealt with official websites where the features and functionalities are subject to the full control of the lodge or council, either because the IAM owns the server or has a contract with the website hosting provider. Recent years have seen a dramatic rise in social networking sites that operate on an entirely different model. Such sites are freestanding Internet platforms to which users bring content in order for that content to be networked in the manner built into such sites by their designers. As these guidelines are being written, Facebook, YouTube and Twitter are popular examples of such technology. Others will surely emerge. Such sites offer a significant potential for spreading our message faster and wider than can be achieved with a largely passive website. But because a lodge or council will have less (or no) ability to control the ultimate fate of its content once it has been put on a networking site, appropriate planning and care are required.

- A. A lodge or council may decide to use social networking sites to communicate official content. One example would be a lodge or council Facebook page with its associated potential for networking the content placed there. Another would be a video uploaded to YouTube to bring visual impact and immediacy to an organizing drive or company dispute.
- B. Such uses will be official activities of a lodge or council and should be subject to appropriate decision-making. The lodge or council should set clear goals for such uses and identify who is to carry them out. As official activities, the lodge or council will remain responsible for them.
- C. As official activities, the lodge or council may use the IAM logo and other IAM trademarks and service marks.
- D. Different social networking sites have different purposes. A lodge or council should select or adapt the content that it posts in order to take maximum advantage of what such sites offer.
- E. Unlike content put on IAM websites, which can be taken off a server that the IAM controls, content placed on social networking sites cannot be called back. Once the networking site has done its job, our message has passed out of our control and will reside (potentially forever) on other servers. Therefore, the lodge or council should choose such content accordingly.
- F. To the extent possible, the guidelines set out in Part I on Creating Websites should be followed. For example, express advocacy that is not permitted on a website is also not permitted on a Facebook page. The rules on monitoring interactive functions must also be followed. Inappropriate material that someone may put on a Facebook page wall must be removed.

- G. It is very important to keep material on social networking sites fresh. Stale information will not attract attention or circulation. A lodge or council's subsequent postings will start out at a disadvantage.

### **III. MAINTAINING AN INTERNET PRESENCE THROUGH INDIVIDUAL IAM OFFICERS OR EMPLOYEES AS PART OF THEIR DUTIES**

A lodge or council may also decide to maintain an Internet presence through the personal activities of some of its officers or employees, including stewards. For example, a communication representative could maintain a Facebook page as part of his or her duties. Organizers could use Twitter to keep a potential new unit updated on the latest developments. This use of networking technology enables a lodge or council to communicate more personally, less formally, and more directly.

- A. Since this activity is within the scope of duties or employment of an officer or employee, it is attributable to the lodge or council, which is ultimately responsible for it. Therefore, a lodge or council should be careful in its decision on who to authorize for this activity, and that decision should be made in an appropriate manner.
- B. Such personal Internet activity by an officer or employee may not incorporate the IAM logo or any other IAM trademark or service mark. Even though such activity is done on the lodge's or council's behalf, IAM marks should only be used on official sites that the lodge or council maintains institutionally. The goal is to avoid confusion on where the official content of a lodge or council should be found.
- C. Officers and employees who establish such an Internet presence on networking sites must remember that they are acting on behalf of the lodge or council. While the point of such sites is to promote personal and interactive communication, the uses discussed in this Part are still business. A personal tone is appropriate, but overly personal content is not. Any good representative should blend professionalism with a personal touch, and that is the appropriate tone for this activity.
- D. The uses of networking technology discussed in this Part must be kept separate from other uses of such technology by officers and employees in their private lives. For example, a communications representative who maintains a Facebook page as part of his or her duties may also want to be on Facebook outside of work. If so, it should be done with a separate Facebook page.
- E. Content should be updated often. Networking sites only work for current and interesting material.

- F. Officers and employees should keep in mind that content on networking sites passes out of their control. Content on Twitter and Facebook, for example, is maintained on websites over which the IAM has no control. In addition, such content is searchable via Google and other web search engines. Therefore, communications should be made carefully, not carelessly.

#### **IV. OTHER IAM-RELATED PERSONAL USE OF THE INTERNET**

All of the preceding discussion has been about IAM Internet use engaged in by a lodge or council or within the scope of an officer's or employee's duties or employment. This Part addresses Internet use by IAM officers, employees and members as personal activities.

The IAM recognizes the right of officers, employees and members to have their personal opinions about our Union. We also recognize that the Internet is an increasingly popular and powerful forum for expressing personal opinion. We trust that many such expressions about the IAM will be positive and in line with the mission of our Union and the good that we try to bring to people who work for a living. Criticisms and contrary opinions are also expected and have their important place in a democratic society. All sides benefit if the result can be an airing of all viewpoints in a constructive debate. In order to foster such debate, these guidelines offer the following legal principles and suggestions.

- A. *Personal Internet use of any kind may not incorporate or use the IAM logo or any other IAM trademark or service mark.* This prohibition covers the websites or Internet usage of incumbent officers, persons running for IAM office, members in any capacity, and anyone else. Any use of an IAM mark except as specifically authorized in foregoing sections of these guidelines risks dilution under applicable Federal law and is unlawful.
- B. Personal sites should not bill themselves as "unofficial" sites of a lodge or council. Such sites are personal activities, not unofficial lodge or council activities.
- C. Officers and employees of lodges or councils should remember that their statements on the Internet, like their statements on the job, reflect on the IAM as well as on themselves. Thus, officers and employees should maintain a professional and responsible tone. Also be advised that certain statements could be inconsistent with holding IAM office or employment under applicable Federal and state law.
- D. The general laws on copyright, trademark, and defamation apply equally to personal Internet use.

## V. LEGAL PRINCIPLES AS THEY APPLY TO INTERNET USE

A. **Copyright law.** Copyright law applies to expressions of ideas that are put in fixed form, such as books, articles, cartoons, photographs, etc. This includes information stored in computer memory, so copyright law applies to anything put on the Internet or found on the Internet.

1. The general rule of copyright is that copyrighted material may not be reproduced or altered by anyone other than the copyright holder or someone licensed by the copyright holder. This is different than plagiarism, which is avoided by giving proper credit to the original source. The rule of copyright is that copyrighted material simply cannot be reproduced.
2. Copyright arises automatically as soon as expression is put in fixed form. This applies to content that a lodge or council places on an IAM site, and it applies to material that appears on the sites of others. While the copyright symbol “©” is a useful reminder of copyright protection, its use is not necessary for full copyright protection to exist. Therefore, one should assume that copyright protection applies to any fixed expression unless there is information indicating that it does not.
3. The following works are not protected by copyright:
  - a. Works that the copyright laws never applied to in the first place, such as anything issued by the U.S. Government or anything published before copyright laws were passed.
  - b. Works as to which the copyright holder has indicated that copyright protection will not be claimed – *i.e.* dedicated to the public domain.
  - c. Works as to which copyright protection has expired. These rules have changed over time, but the general rule is that copyright expires 70 years after the death of the work’s author.
4. The copyright rule’s outright ban on the reproduction or alteration copyrighted material is subject to a very important exception called the “fair use” doctrine. It is fair use that allows excerpts of copyrighted material to be used without permission in the course of news reporting, research, commentary, criticism, and other aspects of public discussion in a free society. The IAM’s advocacy on labor issues and for working people falls well within the fair use doctrine as long as copyrighted material is excerpted and properly credited.

B. **Trademark law.** Trademark law protects the IAM logo and other symbols that represent our Union and embody the quality of our services. Our marks include

phrases like “Fighting Machinists” and symbols associated with specific departments and activities. Trademark law similarly protects marks that have come to represent individual District or Local Lodges, such as an IAM logo with wings or a newly created symbol. The protection afforded by trademark law is that no one may use or alter a recognized trademark or service mark in any way that could cause confusion about who the real holder of the mark is and what the holder stands for. That is why these guidelines strictly limit the use of the IAM logo and other IAM trademarks and service marks to official sites of lodges and councils. Any other use of an IAM mark could cause confusion about where someone should look for the official message of the lodge or council.

- C. **Defamation, invasion of privacy and portraying someone in a false light.** There are limits on what someone can write or say about someone else when doing so causes harm. These rules have a heightened application to improper statements on the Internet, due to the Internet’s capacity for spreading such statements more widely and magnifying their damage. These types of liability can be avoided by acting carefully and following a few common-sense rules.
1. Content that may be critical of or embarrassing to another person or company should be checked carefully for accuracy. Sources should be verified, and a reasonable effort must be made to ensure that statements are true and fair. When in doubt, leave it out.
  2. Remain professional, and resist the temptation to respond to unfairness with unfairness.
  3. Avoid personal attacks or exposing a person’s private life or family.
  4. Remember that outdated information on a website may become unfair, untrue, and even defamatory over time. Website content should be periodically reviewed, and stale information removed.
  5. Any material that a lodge or council prints or reprints from another source becomes a new statement by that lodge or council for purposes of assessing potential liability. Content should not be reproduced if these guidelines would prohibit a lodge or council from creating it in the first place.

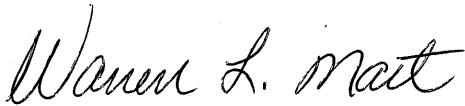
## VI. INTERNET SECURITY ISSUES

All lodges, councils, officers, and employees are cautioned about prudent Internet practices. As our world becomes increasingly dependent on the Internet for communications, commerce and information, the risks posed by computer viruses and other invasive dangers to computer systems become more and more acute. Lodges and councils are urged to adopt policies governing the use

and security of their computer equipment. The GL Information Systems Department is available for advice on these subjects.

*If you become aware of a website or other Internet activity that may contain material that violates the trademark, copyright, or defamation laws in a way that could harm the IAM, you may wish to contact the Grand Lodge Legal Department.*

Fraternally,



Warren L. Mart  
GENERAL SECRETARY-TREASURER



R. Thomas Buffenbarger  
INTERNATIONAL PRESIDENT

cc: Executive Council