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**ADVISORY ON RIGHTS OF CANDIDATES TO DISTRIBUTE  
CAMPAIGN LITERATURE TO MEMBERS USING IBT  
INTERNATIONAL UNION AND LOCAL UNION EMAIL LISTS**

**January 7, 2011**

Under the *Rules for the 2010-2011 IBT International Union Delegate and Officer Election* (“2011 Rules”), accredited candidates are entitled to communicate with members through electronic mail. See 2011 Rules, Article VII, § 7(a)(4). This Advisory addresses, for the 2010-2011 election cycle only, the availability and use of email address lists of the International Union and local unions to distribute campaign material to members. Acceptance and usage of email and so-called social networking systems continues to evolve at a rapid pace. Policy for future elections will need to be made in light of developments in technology and practice.

**OES Survey Information About Email** As part of the delegate election planning process, the Office of the Election Supervisor (“OES”) required local unions, system federations and general committees of adjustment<sup>1</sup> to supply information about the existence and use of email lists for communications with members. The survey information indicates that local unions, considered as a group, generally do not use email lists for communications with their general membership, and existing lists have only a fraction of the membership. Overall, about 25% of the local unions indicate they have some sort of email list.<sup>2</sup> Among the roughly 25% of local unions that provided lists, only 22% of the lists have a number of email addresses on them potentially to include 10% or more of the local union’s membership.

There does not appear to be a uniform approach among the International Union or the local unions to compiling email addresses of members and a frequently-used compilation method – inviting website visitors to sign up for access or “alerts” – is not categorically limited to IBT members.<sup>3</sup> In summary, IBT union-email databases are not, at this point, useful to accomplish broad or systematic communication with the membership at large.

**Access Principles** Although of limited use, email lists are within the scope of the IBT International Union Delegate and Officer Election. Candidates for delegate, alternate delegate or International office may ascertain the existence of compiled email addresses at the International or local union level, and may request access to them on the same terms as govern the use for postal mail addresses. See 2011 Rules, Article VII, § 7(a)(4).

*1. Covered Lists.* As a general rule, email lists covered by the 2011 Rules and this Advisory consist of:  
a) email addresses used by the IBT or a local union to communicate with all or a portion of the body’s membership; or

<sup>1</sup> “Local union” will be used to refer to these three types of subordinate bodies that elect delegates to the IBT International Convention.

<sup>2</sup> The percentage varies throughout the IBT. Twenty-six percent of legacy IBT local unions disclosed an email list in the delegate election planning process. Forty-five percent of IBT Rail Conference entities disclosed a list; only 7% of Graphic Communications Conference entities disclose a list.

<sup>3</sup> The IBT has compiled a list of email addresses by inviting visitors to [www.Teamsters.Org](http://www.Teamsters.Org) to sign up for “alerts.” Email addresses are not kept with individual member records in the IBT’s membership database.

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CAMPAIGN LITERATURE TO MEMBERS VIA EMAIL**

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b) email addresses obtained because the union asked for them, collected them, or were given them. It is not the intent of the *2011 Rules* to require any local union to create a list of email addresses that does not otherwise exist.

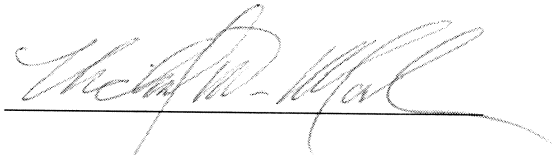
Email addresses compiled by a union officer or agent in the course of official communication with members are a union asset and may not be used by the individual for campaign purposes unless the addresses are made available on equal terms to any requesting candidate. Email addresses compiled by a candidate as part of campaign activity and not in the course of conducting union business are not subject to this *Advisory*.

2. *Terms of Access.* Except as specifically modified in this *Advisory*, all rules relating to candidate requests for union distribution of campaign literature by postal mail apply analogously to email. As provided in Article VII, § 7(g) of the *2011 Rules*, the IBT and each local union, shall have a procedure for complying with a candidate request to distribute literature by email. The procedure shall provide the following information, at a minimum:

- a. Whether the union has a covered list.
- b. The number of addresses on the covered list and the number of current active members in the union.
- c. A brief description of how the list was created.
- d. Any information correlating email addresses on the list to IBT members (for example, relating the email address to a member's name and known postal address)..
- e. Whether the list reflects a specific characterization or purpose (for example, a list of union stewards or agents; a list of members at a particular employer or work site).

The union should not provide a covered list to a candidate seeking to distribute literature by email; a candidate may inspect, but not possess or copy, the list. The union may perform the distribution itself, or it may arrange for a third-party email distribution service. **If the union elects to use a third-party vendor, the vendor must sign an affidavit promising to hold the list as confidential material (OES Official Form 36, available at [www.ibtvote.org](http://www.ibtvote.org)), and use it only for purposes allowed by the *2011 Rules*.** The recipient of a distributed email should not be able to view, or to access, any other email addresses on the distribution list. Each piece of the distributed email should include the statement: "This email is distributed by [name of campaign], which is solely responsible for its content. The message has not been reviewed or endorsed by the IBT [or Local {XXXX}]."

Dated: January 7, 2011



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