

OFFICE OF THE ELECTION SUPERVISOR  
*for the* INTERNATIONAL BROTHERHOOD OF TEAMSTERS  
1050 17th Street, NW, Suite 375  
Washington, DC 20036  
202-429-8683  
844-428-8683 Toll Free  
202-774-5526 Facsimile  
ElectionSupervisor@ibtvote.org  
[www.ibtvote.org](http://www.ibtvote.org)

RICHARD W. MARK  
*Election Supervisor*

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

**March 8, 2016**

Under the *Rules for the 2015-2016 IBT International Union Delegate and Officer Election* (“2016 Election Rules”), accredited candidates are entitled to communicate with members through electronic mail. See *2016 Election Rules*, Article VII, § 7(a)(4). This Advisory addresses the availability and use of email address lists of the International Union and local unions to distribute campaign material to members in the 2016 election cycle.

As part of the local union delegate and alternate delegate election planning process, each local union<sup>1</sup> was required to state whether it maintained a list of member email addresses, or whether any officer, business agent, shop steward or representative maintained such a list. The responses showed that about 43% of the local unions maintained such lists. While the percentage of local unions that have lists is higher than in the 2011 election cycle (when only about 25% of the local unions had lists), it remains the case that local unions, considered as a group, generally do not use email lists for communications with their general membership. This is reflected in the composition of the lists that were submitted, as most of the lists reflect only a small fraction of the local union membership. For example, many of the lists appear to be comprised of nothing more than the local union’s officers, business agents, and/or shop stewards.

There still 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>2</sup> In summary, IBT union-email databases are still not useful to accomplish broad or systematic communication with the membership at large.

**Access Principles** - Given the state of email lists throughout the union, the 2016 election cycle will use the same access principles as were used in the 2011 election cycle. 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 *2016 Election Rules*, Article VII, § 7(a)(4).

---

<sup>1</sup> “Local union” refers to local unions, system federations, and general committees of adjustment – the three types of subordinate bodies that elect delegates to the IBT International Convention.

<sup>2</sup> The IBT continues to compile a list of email addresses by inviting visitors to [www.Teamsters.Org](http://www.Teamsters.Org) to sign up for “alerts.” IBT membership is not a requirement for signup, and email addresses are not kept with individual member records in the IBT’s membership database.

**ADVISORY ON RIGHTS OF CANDIDATES TO DISTRIBUTE  
CAMPAIGN LITERATURE TO MEMBERS VIA EMAIL**

Page 2

*1. Covered Lists.* As a general rule, email lists covered by the *2016 Election 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 b) email addresses obtained because the union asked for them, collected them, or were given them. It is not the intent of the *2016 Election 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 a union asset and are not subject to this *Advisory*.

This *Advisory* does not apply to other forms of social media (*e.g.*, text messaging, Twitter, Facebook). If, however, a union elects to make such a union-controlled channel available it must provide advance written notice that the channel is available and refrain from discrimination among candidates. The *2016 Election Rules* do not require unions to make cell phone numbers available for mass texting or to grant access to other social channels for campaigning.

*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 *2016 Election 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 approximate 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 Form 36), and use it only for purposes allowed by the *2016 Election 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}]."