Negotiations 103: Collective Bargaining in the Brave New World: Exploring the Impact of Electronic Media on Negotiations, Protected Activity and Privacy in the Modern Workplace

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A Primer on Campus Social Media Policies

By: Michael Loconto (e-mail for web-linked digital copy at michael_loconto@harvard.edu)

I. Consider the Institutional Stakeholders When Drafting a Policy

- **Internal Audiences:** Human Resources (including recruiting)
- **Public-Facing Units:** Communications, Development & Alumni Affairs
- **Student Services:** Admissions, Student/Academic Affairs & Career Services
- **Operational & Research Groups:** Master’s & Doctoral Programs, Professional Education, Clinics, Institutes, Research Programs, Revenue-Generating Units
- **Legal Counsel**
II. Common Policy Characteristics and Content (Notable polices in parentheses)

- Confidentiality (Michigan)
- Privacy (Michigan)
- Civility/“Do No Harm” (Michigan, Tufts, DePaul, UMass Boston)
- Personal Responsibility (Michigan, UMass Boston)
- Liability (Michigan, UMass Boston)
- Transparency/Affiliation (Michigan, Tufts, DePaul, UMass Boston)
- Branding/Trademark/Copyright/Use of Logo (Michigan)

III. Most Policies Steer Clear of Restricting Protected Speech

- Practical Advice
  - Clearly state related institutional policies covering, for instance, Confidentiality, Conflict of Interest, Trademark/Copyright Use
  - Clearly state related statutory coverage, such as the Digital Millennium Copyright Act (DMCA), HIPAA, FERPA, etc.
  - Analogize to conventional/preexisting forms of communication (e.g., writings, speech)
  - Restate or Create a hierarchy for approving social media use on official institutional business
  - Consider a “Safe Harbor” for personal use of social media and institutional electronic devices where such de minimus use
    - (1) is of a purely personal nature and does not relate to institutional matters
    - (2) does not harm institutional property
    - (3) does not offend institutional policies, applicable laws, and
    - (4) does not impact institutional operations or the employee’s workload

IV. Practical Implications for Collective Bargaining

- Consult legal counsel to consider your bargaining obligations (if any)
- Consider social media in the context of main table collective bargaining
  - Social media use needs to be a consideration when drafting ground rules
APPENDIX OF SELECTED INSTITUTIONAL POLICIES

University of Michigan – Guidelines for the Use of Social Media:
http://voices.umich.edu/docs/Social-Media-Guidelines.pdf

Tufts University – Social Media Best Practices and Guidelines:
http://webcomm.tufts.edu/?pid=25

Vanderbilt University – Social Media Handbook:
http://www.vanderbilt.edu/publicaffairs/webcomm/vu-resources/social-media-handbook/

Vanderbilt University Medical Center – Social Media Policy:

University of Oregon – Social Media Best Practices:
http://www.communications.uoregon.edu/socialmedia

The University of Texas M.D. Anderson Cancer Center – Blog Policies and Guidelines:
http://www2.mdanderson.org/cancerwise/policies-and-guidelines.html

The Ohio State University Medical Center

- Philosophy on Social Media: http://www.scribd.com/doc/28858335/Ohio-State-University-Medical-Center-Social-Media-Philosophy


- Policy and Procedure Manual excerpt (Social Media):

Hamilton College – Social Media at Hamilton: http://www.hamilton.edu/social

Harvard Business School – Social Media and Blogging Policy:
http://www.hbs.edu/marketing/policies/socialmediapolicies.html

Harvard Law School – Weblogs at Harvard Law School – Terms of Use:
http://blogs.law.harvard.edu/terms-of-use/

DePaul University – Social Media Guidelines:
http://brandresources.depaul.edu/vendor_guidelines/g_socialmedia.aspx

Colorado State University – Social Media Policy:
http://www.socialmedia.colostate.edu/page/Social-Media-Policy.aspx

UMass Boston – Social Media Policy:
http://www.umb.edu/communications/entry/social_media_policy
APPENDIX OF SELECTED INSTITUTIONAL POLICIES (CONTINUED)

Dartmouth College

- Guidelines for Managing Interactions on Dartmouth Social Media Websites (last update: 5/09):
  http://www.dartmouth.edu/~hometeam/resources/guidelines/interaction.html

- Social Media Guidelines (last update: 10/09):
  http://www.dartmouth.edu/~hometeam/resources/guidelines/social-media.html

Duke – Social Media (Public Affairs/News & Communications Policy Guide excerpt):
http://news.duke.edu/duke_community/policy.html#socialmedia

University of Chicago – Social Media Guidelines:
http://itservices.uchicago.edu/groups/webservices/toolkit/web_writing/social_media.shtml

Other industry policies may be found at: http://socialmediagovernance.com/policies.php/

Other Related Materials

Commonwealth of Massachusetts – Governor’s Office Social Media Usage and Policies:


IBM Virtual World Guidelines:


Public Relations Society of America – Putting Words into Action: PRSA’s New Social Media Policy:

Additional studies may be found at: http://socialmediagovernance.com/studies/