

International Longshore and Warehouse Union

Bulletin



ILWU Local 13 • 630 Centre Street • San Pedro, CA 90731 • (310) 830-1130

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MEMBERS SPEAKING TO THE MEDIA

Due to the incident that took place at ITS, the union has received numerous media calls. We ask that **ALL** members refrain from communicating with reporters, journalists, or any other social media outlets.

Please direct all media calls to the President or Vice President of ILWU Local 13.

SOCIAL MEDIA AND DISCIPLINE

Individuals have been posting photos, videos, and comments on social media without fully considering the repercussions of their actions. Employers frequently monitor social media and use the information they find there against workers. Social media posts have been introduced as evidence in the LRC and the 13.2 process and can lead to discipline. You do have a right to express your opinion about issues that affect your workplace, including the right protected by the National Labor Relations Act to engage in concerted activity regarding your wages and working conditions, but not all Social Media speech is protected by law. Social Media, if not properly used, might not only lead to discipline but also to civil or criminal legal proceedings.

The Officers strongly encourage you to consider the following when posting on social media:

ih/Opeiu #537, AFL-CIO, CLC

- Once you have posted information on social media, it is virtually impossible to retract or control it.
- Regardless of how identifiable your screen name is, the employer can still trace the account to you. Assigning nicknames or initials to describe a workplace, co-worker, or employer will not prevent others from determining the subject of your comments.
- You shouldn't assume that your site is private or that what has been posted will not be disclosed to the employer or other workers.
- Are you harassing or threatening anyone? How about making discriminatory comments? If so, you will possibly be subject to discipline under the collective bargaining agreement. You might also be subject to criminal or civil charges.
- Are you posting private information? Public disclosure of private information can result in lawsuits. Do not post individual pictures of anyone unless you know they have consented to you doing so. Do not disclose addresses or other personal or private information about other people. Be careful not to post photos from the workplace without consent.
- Is the post true? Truth is a defense against a defamation lawsuit, but you should still consider whether you are stating the truth in an exaggerated way. Should you tone it down to cut down on the risk of getting sued? Are you stating something that was true in the past as if it is something that is still true now? Are you stating your opinion if it were truth? (If so clarify that it is your opinion.)
- Don't think that because you are not at work while you are using social media that your posts can't result in you being disciplined, because they can!

Gary Herrera
President

Brandi Good
Vice President

Gabe Zuniga
Secretary/Treasurer