

NYSBA Communities Policy

Revisions Proposed by NYSBA Committee on Communications and Publications (Jan. 2020)

Thank you for being part of a New York State Bar Association (“NYSBA”) Communities. In order to join and use one or more NYSBA Communities, you must read the policy set forth below and accept the acknowledgement below.

You also agree to reserve discussions, shared files and content to that best suited to the medium. This is a great medium with which to solicit the advice of your peers, benefit from their experience, and participate in an ongoing conversation. Questions should be directed to our Member Resource Center via webmaster@nysba.org.

Please take a moment to acquaint yourself with this policy. If you have questions, contact NYSBA’s Member Resource Center at webmaster@nysba.org. In order to preserve a climate that encourages both civil and fruitful dialogue, we reserve the right to suspend or terminate membership in this Community for anyone who violates these rules.

DISCUSSION GROUP ETIQUETTE & RULES OF CONDUCT

1. Only send a message to the entire group when it contains information that everyone in your community can benefit from. Send messages such as "thanks for the information" or "me too" to individuals—not to the entire group. Do this by using the "*Reply to Sender*" link (instead of "*Reply to Group*.”)
2. Include a signature tag on all messages. Include your name, affiliation, location. If you are not a licensed attorney, please note that in your signature line in every post to the Communities.
3. State concisely and clearly the topic of your comments in the subject line. This may include common abbreviations or “hashtags” such as LPM, LIT, or CORP. This allows members to respond more appropriately to your posting and makes it easier for members to search the archives by subject.
4. Include only the relevant portions of the original message in your reply. Delete any header information and put your response before the original posting.
5. Do not post administrative messages, such as “remove me from the group.” Instead, use the web interface to change your settings or to remove yourself from a group. If you are changing e-mail addresses, you do not need to remove yourself from the group and rejoin under your new e-mail address. Simply change your settings.
6. Warn other Community subscribers of lengthy messages either in the subject line or at the beginning of the message body with a line that says "Long Message."
7. Don't challenge or attack others. The discussions and comments are meant to stimulate conversation not to create contention. Let others have their say, just as you may.
8. Don't post commercial messages in any Community. This includes advertising or promoting non-

NYSBA CLE programs.

9. Information posted to a Community or its library is available for all members of the group to see, and comments are subject to libel, slander, and antitrust laws.
10. Use caution when discussing actual matters or litigation (even as a hypothetical). The Communities are confidential forums. Posts may be seen by other parties, government agencies, or opposing counsel.
11. All defamatory, abusive, profane, threatening, offensive, or illegal content is strictly prohibited.
12. The Communities are not the place for discussion of partisan politics, world politics, terrorism, and war. No political editorials, articles or links thereto, may be posted to unless related directly to legislation or a specific legal topic.
13. Do not distribute through the Communities any content such as, petitions for signatures, solicitations of users, promotional materials, chain letters or letters relating to pyramid schemes, advertising or solicitations for funds, political campaigning, mass mailings, any form of unsolicited commercial or promotional email ("spam") or an offering of lawful or fraudulent goods, services, schemes or promotions.
14. Do not post anything that you would not want the world to see or that you would not want anyone to know came from you. Please note carefully all items listed in the disclaimer and legal rules below, particularly regarding the copyright ownership of information posted.
15. Participants are asked not to share content outside the community unless they obtain the consent of the author.
16. Post should be made only to the most appropriate Communities or libraries. Do not spam several Communities or libraries with the same message.
17. Posts may not encourage or facilitate members to arrive at any agreement that either expressly or impliedly leads to price fixing, a boycott of another's business, or other conduct intended to illegally restrict free trade. Posts that encourage or facilitate an agreement about the following subjects are inappropriate: fees, prices, discounts, or terms or conditions of sale; salaries; profits, profit margins, or cost data; market shares, sales territories, or markets; allocation of customers or territories; or selection, rejection, or termination of customers or suppliers.
18. Do not post any information or other material protected by copyright without the permission of the copyright owner. By posting material, the posting party warrants and represents that he or she owns the copyright with respect to such material or has received permission from the copyright owner. In addition, the posting party grants NYSBA and users of this site a nonexclusive and transferrable right and license to display, copy, publish, distribute, transmit, print, and use such information or other material.
19. This site is provided as a service for NYSBA members. NYSBA is not responsible for the opinions and information posted on this site by others. We disclaim all warranties with regard to information posted on the Communities; this disclaimer includes all implied warranties of merchantability and fitness. In no event shall NYSBA be liable for any special, indirect, or consequential damages or any damages whatsoever resulting from loss of use, data, or profits, arising out of or in connection with the use or performance of any information posted on this site.
20. NYSBA does not actively monitor the site for inappropriate postings and does not on its own undertake editorial control of postings. However, in the event that any inappropriate posting is

brought to the attention of NYSBA, appropriate action will be taken. NYSBA reserves the right to remove discussion threads, including all posts, related to any content that is in violation of this policy. NYSBA reserves the right to terminate access to any user who does not abide by this policy.

21. Participants in Communities must also comply with NYSBA's Social Media and Digital Communications Policy.

[excerpt from NYSBA Employee Handbook relating to NYSBA Social Media and Digital Communications Policy]

Bulletin Boards/Staff Online Community

In order to promote effective communications with employees, the Association has created and maintains a shared community on the Association's Intranet.

This electronic bulletin board is used to communicate official business, government information, company policy, and announcements such as organizational changes, safety rules, health items, benefit programs, and notices announcing special events. In addition, in the Employee break rooms at our Elk street location in Albany and at the Print Shop in Cohoes, information pertaining to your rights as an employee is posted.

Employees may only post approved materials (e.g., literature, printed or written materials, announcements, advertisements, photographs or notices) on the Association's bulletin boards/communities. Violation of this policy will be grounds for disciplinary action, up to and including termination of employment.

The Association is responsible for the maintenance of bulletin boards/communities.

Digital Networking Policy

Social Media, such as Facebook, LinkedIn, Twitter and Instagram, video-sharing sites such as YouTube; and any other latest form of social media) are common means of communication and self-expression.

NYSBA recognizes the growing impact of social media and encourages responsible social media participation by its employees.

This Handbook along with NYSBA's [Social Media and Digital Communications Policy](#), which addresses use of social media by both NYSBA members and employees, provide standards for appropriate and responsible social media usage. Breaches of the Social Media and Digital Communications Policy or of this Handbook may result in counseling and disciplinary action, including termination of employment.

Confidentiality and Privacy: Do not disclose NYSBA's confidential or proprietary information, or personal identifying information of anyone at NYSBA, in online postings or publications, unless such information was posted on a public forum or such disclosure is authorized by that individual. Sharing these types of information, even unintentionally, could result in harm to NYSBA and legal action against you or NYSBA.

Your Identity Online:

NYSBA employees are encouraged to publish or share information about NYSBA or NYSBA events that is posted on a NYSBA social media site or on the NYSBA website. You may not publish non-public, confidential or proprietary information regarding NYSBA on any social media site.

In your social media posts, you may tag NYSBA members or staff where appropriate and otherwise permissible, but you may not publish any other personal identifying information. Because social media

and networking activities are public, your Association email address and Association assets should be used only to perform job-related activities, which may include posting about NYSBA events and professional networking, but not personal social networking.

If you choose to disclose your affiliation with NYSBA in an online communication, then you must treat all communications associated with the disclosure as professional communications governed by this Handbook, the NYSBA Social Media and Digital Communications Policy and other applicable Association policies.

Be sure to comply with the following:

- Obey the law and ethics rules. Do not post any information or engage in any online activity that violates applicable local, state or federal laws, or professional rules of conduct.
- Identify all copyrighted or borrowed material with citations and links. When publishing direct or paraphrased quotes, thoughts, ideas, photos or videos, give credit to the original publisher or author.
- Direct all requests for references for current or former Association employees to Human Resources. Comments you post about current and former employees can have legal consequences, even if you make the comments personally and not on NYSBA's behalf.

Creating and Managing Content: NYSBA's senior management must approve any website, blog, chat room, video-sharing site, bulletin board or other social media that promotes NYSBA. See [NYSBA Social Media and Digital Communications Policy](#); [NYSBA Blogging Policy](#). No employee may incorporate the Association's emblem or other intellectual property in a website, blog, chat room, video-sharing site, bulletin board or other social media without the written approval of the Association's Executive Director. No employee shall use social media to express an official NYSBA position unless authorized to do so by the Association's Executive Director.

Refrain from publishing comments about controversial or potentially inflammatory subjects, including politics, sex, religion or any other non-business related subjects in any posts or other online communications involving NYSBA.

Avoid hostile or harassing communications in any posts or other online communications involving NYSBA. Harassment is any offensive conduct based on a person's race, sex, gender, gender identity, national origin, color, disability, age, sexual orientation, veteran status, marital status, religion or any other status protected by law.

Note: Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the National Labor Relations Act to engage in protected concerted activities with other employees to improve terms and conditions of employment, such as wages and benefits.

