

Social Media & Communication Guidelines & Resources

Updated April 2023

Legal Guidelines Regarding Personal and NATCA-official use of Social Media

Federal Employee Guidelines

US OPM Social Media Policy

8.1 – STANDARDS OF ETHICAL CONDUCT FOR EXECUTIVE BRANCH EMPLOYEES

The Standards of Ethical Conduct for Executive Branch Employees do not prohibit executive branch employees from establishing and maintaining personal social media accounts. As in any other context, however, employees' social media activities, both inside OPM on the intranet and publicly on the internet, must comply with the Standards of Ethical Conduct and other applicable laws, including agency supplemental regulations and agency-specific policies. Failure to comply may result in referral to appropriate law enforcement or appropriate discipline consistent with federal law and agency policy and practice. The Office of Government Ethics (OGE) has issued OGE Legal Advisory LA-15-03 on the Standards of Ethical Conduct as applied to Personal Social Media Use. Agency users should ensure their non-official/personal use of social media complies with applicable law and OGE guidance.

<https://www.opm.gov/news/social-media-policy.pdf>

Summary:

- Government property is to perform official duties.
- Don't speak for the government, the agency, your facility, or the executive branch.
- Recommendations (i.e. LinkedIn) are personal, rather than official, in nature - Protect sensitive information
- Personal solicitation of fundraising - no official title

Questions to ask yourself: How am I being identified? Could someone tell that I am a federal employee? Could my personal account be confused with an official account? What topics am I discussing? Are they work related? Am I prohibited from doing this officially (e.g., partisan political activity, profit-making, revealing nonpublic information)? What resources am I using (e.g., home computer, work phone)?

The Hatch Act

The Purpose of the Law:

The Hatch Act, a federal law passed in 1939, limits certain political activities of federal employees, as well as some state, D.C., and local government employees who work in connection with federally funded programs. The law's purposes are to ensure that federal programs are administered in a nonpartisan fashion, to protect federal employees from political coercion in the workplace, and to ensure that federal employees are advanced based on merit and not based on political affiliation.

Remember social media features changes constantly, but the law still applies.

FAQs specifically about the Hatch Act & social media:

<https://osc.gov/Services/Pages/HatchAct-FAQ.aspx#tabGroup26>

IMPORTANT NOTE: Federal employees may not solicit, accept, or receive campaign contributions. Federal employee NATCA members may not suggest or ask anyone to make political contributions at any time. Per OSC: 'the employee should not "like," "share," or "retweet" the solicitation, or respond in any way that would tend to encourage other readers to contribute.'

FAA Social Media Rules

HRPM ER-4.1 Standards of Conduct and HRPM ER-4.1A Social Media MOU

On Oct. 24, 2017, NATCA and the Agency signed a Memorandum of Understanding (MOU) concerning revisions to HRPM ER-4.1 Standards of Conduct and HRPM ER-4.1a Use of Social Media by FAA Employees. Among other things, the MOU provides that the provisions in ER-4.1a regarding personal use of social media (Paragraph 7) do not apply to NATCA bargaining unit employees (BUEs). Rather, personal use of social media by NATCA BUEs is addressed in Appendix A to the MOU:

NATCA BUEs may use social media during duty on a limited basis, and may use social media during breaks and/or lunch periods regardless of duty status. NATCA BUEs must not misuse their FAA position or give the appearance of misuse on social media forums.

NATCA BUEs must exercise sound judgment and ensure a distinct separation between their personal use of social media and their job responsibilities. NATCA BUEs are responsible for materials displayed on their personal devices in an FAA facility.

Link to MOU:

https://www.natca.org/wp-content/uploads/2017/04/ER41aSocialMediaPolicyMOU_Final.pdf

Link to ER-4.1A:

https://static1.squarespace.com/static/546e9baee4b006bcf72d99f8/t/651355f17f6c3565da5e23b9/1695766001381/ER-41a_SocialMedia.pdf

NATCA Social Media Rules

Constitutional rules:

<https://www.natca.org/wp-content/uploads/2019/11/2018NATCANationalConstitution.pdf>

SRE-1 Media Policy following an Accident (5/91), SRE-2 NATCA BBS Policy (9/08, 10/14)

Summary:

- Media interviews/interactions are coordinated with your RVP & NATCA public affairs.
- Adhere to the NATCA Code of Conduct.

Updated reminder from NEB (June 2020):

*Participants on NATCA's social media pages should know they are open to participation by NATCA members and also the public, media representatives, policymakers, and aviation industry representatives in the U.S. and around the globe. **We encourage NATCA members engaging in this community to keep in mind the public nature of posts and comments they contribute here. Members are accountable for the statements they make and the views they express.** If you wouldn't feel comfortable standing on a public street and shouting it, you probably shouldn't post it.*

*In accordance with the NATCA Constitution, criticizing ideas and opinions is a normal process of debate, and Union members should expect to have ideas challenged in open forums. At the same time, **in accordance with NATCA's Code of Conduct**, we will not tolerate discriminatory, harassing, or otherwise unacceptable behavior in the workplace or at any of our meetings, events, or activities — including comments in our online communities. NATCA expects its members, staff, and any other participants in NATCA forums to abide by the [Code of Conduct](#).*

For awareness, NATCA's Facebook page uses a profanity filter to limit unproductive and uncivil discussion. When people include a profane or blocked word or phrase in a post or comment on our page, it is automatically marked as spam and hidden from the page and from other users.

The Hatch Act prohibits employees from engaging in political activity while on duty or in the workplace — including on Facebook or other social media platforms. If you post, like, comment on, or share partisan political content on duty time or federal property it is a Hatch Act violation and could result in discipline, up to and including removal from federal service. Federal employees may use social media in the workplace for other reasons while on breaks and out of operational areas.

<https://osc.gov/Services/Pages/HatchAct-FAQ.aspx>

Important note: Do not appear to represent NATCA unless authorized, designated, and trained, in most cases, to do so. You can make a page of “ZOB NATCA” but not “ZOB.” Don’t represent.