



∴ ontario library association

Governance Policies and Procedures

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| Policy Name: Anti-Spam | |
| Policy Number: G 5.2.5 | Policy Type: Administrative |
| Approval Date: June 5 2014 | Date for Review: Every 3 Years |

INTRODUCTION:

OLA sends about 600,000 outbound emails each year, mainly to our 5,000 current members as a membership communication and information tool. We also send out promotional emails to our current and potential customers for The Library Marketplace products, OLA events and Education Institute webinars.

July 1, 2014 the Canadian Anti-Spam Legislation (“CASL”) took effect. OLA staff have done a review of our emailing practice and the requirements of the legislation. The following is a summary of the legislation and implications for OLA.

PURPOSE:

The Legislation

Canadian Anti-Spam Legislation (“CASL”) is a law regulating commercial electronic messages and is enforced by the Competition Bureau of Canada, Office of the Privacy Commissioner of Canada, & Canadian Radio--Television and Telecommunications Commission (“CRTC”). CASL comes into force on July 1, 2014 and provides organization up to July 1, 2017 to obtain express consents.

As defined in CASL, spam is “any electronic commercial message sent without the express consent of the recipient(s)”.

To meet the CASL standards, the following is required:

1. Permission or consent is required for emails that encourage the recipient to participate in commercial activity (Fundraising emails from a registered charity are exempted for consent)
2. Proof of consent
3. Consent forms must not be pre--checked
4. A functioning Unsubscribe mechanism
5. Unsubscribing cannot be reconfirmed (i.e. there is no sending of “Are you sure you want to unsubscribe?” e-mails)
6. Accurate sender information and subject lines
7. Inclusion of the senders business postal address and contact information
8. Identification of the organization for whom the message is sent on behalf of

CASL also defines “Express vs. Implied Consent” requirements:

- Implied consent: there is an existing business relationship. Implied consent has a span of **two years** and is reset every time there is a renewed business transaction.
- Express consent: usually comes from when people fill out a form, clearly stating they want to be sent email. Express consent lasts forever, until they unsubscribe.

PROCEDURES:

OLA Email Process

| Nature of the outbound emails | Target Email | |
|-------------------------------|--|---|
| | Current OLA members, or those have business transactions with OLA (e.g. Library Marketplace purchase, EI webinar registration, OLA event registration) within the past two years | No business relations with OLA |
| Membership | Implied consent, no action needed | |
| Membership renewal notice | Implied consent, no action needed | |
| Store promotions | Implied consent, no action needed | Need to obtain express consent (or record their |
| OLA event promotions | Implied consent, no action needed | Need to obtain express consent (or record their |
| EI webinar promotions | Implied consent, no action needed | Need to obtain express consent (or record their |
| Fundraising | Exempted (no consent needed) | |