

## Use of Corporate Resources for Elections Policy

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### 1. Purpose

The purpose of this policy is to establish clear guidelines for the use of corporate resources during an election period to ensure compliance with the *Municipal Elections Act, 1996*, as amended (MEA), and other applicable legislation. This policy is intended to:

- a) Protect the integrity, fairness, and transparency of the municipal election process.
- b) Ensure Candidates and Registered Third Parties are treated fairly and consistently within the Township of Asphodel-Norwood.
- c) Establish rules for the appropriate use of resources during an election period, in order to:
  - Protect the interests of Members of Council, Candidates, Registered Third Parties, Township Staff, and the Corporation; and
  - Ensure accountable and transparent practices.
- d) Maintain non-partisanship and demonstrate impartiality in all political activities during an Election.

## 2. Scope

This policy is applicable to all Members of Council, including acclaimed members or members not seeking re-election, Members of Local Boards, Members of Committees of Council, all Registered Candidates, Registered Third Parties in a municipal election, and Township Staff.

Nothing in this policy precludes a Member of Council from carrying out their official duties or representing the interests of their constituents.

The provisions of this policy apply during any election campaign, including by-elections and municipal, provincial, or federal elections.

## 3. Definitions

**Act** means the *Municipal Elections Act*, 1996, as amended.

**Campaigning** means any election campaign-related activity meant to elicit support for or against a Candidate, Registered Third Party, or a question on a ballot during the Election Period.

**Campaign Period** means the official campaign period of an election.

- For a regular municipal election, the campaign period commences on May 1 of an election year and ends on December 31 of an election year.
- For a municipal by-election, the period commences on the day the by-election is called and ends on Voting Day.
- For a provincial or federal election, the period commences on the day the writ for the election is issued and ends on Voting Day.

**Candidate** means any person who has filed the prescribed nomination form to run in a Municipal, Regional, Provincial or Federal Election, or political party, or by-election.

**Chief Administrative Officer (CAO)** means the Chief Administrative Officer of the Corporation of the Township of Asphodel-Norwood, as appointed by Council to carry out the duties of the clerk described in section 229 of the *Municipal Act, 2001*.

**Clerk** means the Clerk of the Corporation of the Township of Asphodel-Norwood, as appointed by Council to carry out the duties of the clerk described in section 228 of the *Municipal Act, 2001*, or their designate.

**Contribution** means means any money, goods, or services given to and accepted by an individual for the purpose of an election campaign, as set out in Section 88.15(1) of the Act; and any money, goods, or services given to and accepted by an individual, corporation or trade union in relation to third party advertisements as set out in section 88.15(2) of the Act.

**Corporate Resources** means any physical, digital, intellectual or financial asset owned, leased or otherwise controlled by the Township of Asphodel-Norwood. This includes, but is not limited to,

Township-branded items (such as pins, name tags, or apparel), vehicles, equipment, supplies, facilities, funds, services, information technology systems, networks, intellectual property, and the work time of employees.

**Council** means the Council of the Township of Asphodel-Norwood.

**Councillor** means a member of the Council of the Township of Asphodel-Norwood. For the purposes of clarity, this definition also includes the Head of Council.

**Election** means an election or by-election at the Municipal, School Board, Regional, Provincial, or Federal level of government, including a political party election, or the submission of a question or by-law to electors.

**Election Campaign-Related Activities and Materials** means any resource, action, or event used to promote, support, or oppose a Candidate, political party, third-party advertiser, or a “yes” or “no” vote related to a question on the ballot during the Election Period. This includes, but is not limited to, wearing buttons, pins, or clothing, displaying printed literature, banners, posters, photographs, or other paraphernalia, as well as materials in any media format, including print, electronic, broadcast, online, or social media.

**Election Sign** means any signage associated with municipal elections regardless of size, type, material, etc.

**Employees, Staff, or Township Staff** means all individuals employed by the Township of Asphodel-Norwood, including full-time, part-time, seasonal, contract staff, and managers who are paid by the Township, as well as unpaid individuals such as municipal volunteers and appointed committee or board members acting on behalf of the Township.

**Nomination Day** means the third Friday in August in the year of a regular election, as prescribed in section 31 of the Act. On Nomination Day, nominations close at 2:00 p.m. local time.

**Registered Third Party** means an individual, corporation or trade union that has filed a Notice of Registration as a third party advertiser in the federal, provincial, or municipal election.

**Social Media** means online technologies and practices used to create, share, and exchange content, ideas, opinions, and experiences through text, images, audio, or video. Examples include, but are not limited to, internet forums, blogs, messaging platforms, wikis, podcasts, picture and video sharing sites, music-sharing platforms, rating sites, and social networking services.

**Third Party Advertiser** means any individual, corporation or trade union registered in accordance with Section 88.6 of the Act, Section 37.5 of the *Election Finances Act*, 1990, or Section 353 of the *Canada Elections Act*, 2000.

**Township** means the Township of Asphodel-Norwood.

**Township Logo** means any logo, wordmark, symbol, or insignia that has been adopted, used, or created by the Corporation of the Township of Asphodel-Norwood.

**Township-organized Event(s)** means events organized or funded, in whole or in part, by the

Township of Asphodel-Norwood.

**Township Property** means all property and facilities owned, leased, operated, or otherwise controlled by the Township of Asphodel-Norwood. This includes, but is not limited to, indoor and outdoor recreation fields, parks and parkland, gardens, open spaces, road allowances, buildings, rooms, furniture, equipment, fixtures, vehicles, fleet vehicles, parking lots, and offices.

**Voting Day** means, in a regular municipal election, the fourth Monday in October in the year of the election, or, in the case of a by-election, the 45<sup>th</sup> day after Nomination Day, or as otherwise prescribed in the Act.

## **4. Policy: Use of Corporate Resources**

### **4.1 General Provisions**

- 4.1.1 Pursuant to the Act, the Township shall not make a contribution to any Candidate or Registered Third Party, or a supporter of a question on the ballot during an Election.
- 4.1.2 No person shall use any Township resource for campaigning or any election campaign-related activity.

### **4.2 Technology**

- 4.2.1 Members of Council are provided with access to corporate information technology (IT) systems for the purpose of fulfilling their duties and responsibilities as elected officials. These systems, including Township-issued mobile communication devices (e.g., cell phones), shall not be used for campaigning or for creating, storing, or distributing campaign materials.
- 4.2.2 The Township's voicemail system shall not be used to record any partisan or election-related messages. The corporate network, email accounts, and all related IT systems shall not be used to transmit, distribute, or display any partisan or election-related correspondence or Campaign Materials.
- 4.2.3 Members of Council and Township Staff shall not use any corporate resources to produce Campaign Material.

### **4.3 Communications**

- 4.3.1 The Township's brand, logo, slogan, crest, coat of arms, and other identifiers are registered trademarks and proprietary assets of the Township. These, along with any municipal election-specific logos, shall not be used on election campaign-related materials, websites, domains, or social media platforms for election information, except when providing an unaltered link to the Township website for information about the municipal election process.
- 4.3.2 Photographs, including Council portraits, videos, and other media produced for and owned by the Township shall not be used for campaigning.

4.3.3 The Township may develop and distribute election-related information to advise and educate electors. Candidates may share such information, provided it is used in its entirety and not altered in any way.

4.3.4 The use of any Township-owned or managed information technology assets, infrastructure, data, or communication channels – including but not limited to websites, social media, blogs, portals, corporate email, telephones, wireless devices, and computers – to identify, promote, or oppose a Candidate, political party, Registered Third Party, or a question on a ballot during an election is strictly prohibited.

4.3.4.1 Exceptions.

The restrictions in section 4.3.4 do not apply to:

- Official municipal communications prepared, posted, and maintained by the Township, including names and photographs of members of Council, their contact information, and listings of current representation on local boards and committees.
- The Township's official online list of Candidates and Registered Third Parties, which may include links to external election campaign websites during the Campaign Period, if provided by the Candidate or Registered Third Party, at the Clerk's discretion.
- Media releases and Township materials that describe inter-governmental activities.

#### 4.4 Staff Provisions

Recognizing the right of employees and volunteers to participate in election campaign-related activity, the following provisions establish requirements for Township Staff during an election:

4.4.1 Township Staff shall not use of Township funds or resources for any election campaign-related activities. This includes, but is not limited to, the ordering or purchase of stationery, office supplies, or other materials for election purposes.

4.4.2 Township Staff shall not engage in election campaign-related activities or actively support a Candidate during their paid hours of work or while performing official or volunteer duties for the Township. Any election campaign-related activity undertaken by staff must occur outside of their Township role, on their own time, and without the use of corporate resources. Staff must also maintain a clear separation between their personal political involvement and their position with the Township, including refraining from:

- wearing Township-issued clothing or identifiers while canvassing or attending campaign events;
- using Township-owned or leased vehicles; or
- displaying campaign materials (e.g., buttons, clothing, or items) while in uniform or otherwise identifiable as Township staff or volunteers.

4.4.3 The Township Clerk, Election Staff, and any other staff members supporting the Clerk in administering the municipal election shall not engage in election campaign-related activity in any election they have administrative responsibilities.

4.4.4 Township Staff shall not use their title, position, or any Township affiliation in a manner that may reasonably be perceived as the Township's endorsement of a Candidate, Registered Third Party, or political party.

## **4.5 Candidate and Councillor Provisions**

4.5.1 Candidates shall not use corporate resources for any Election Campaign-related purpose.

4.5.1.1 The following Township documents and resources may be hyperlinked from a Candidate's website (but not emailed, reproduced, hosted, or circulated via social media), provided they remain in their original form and reside only on Township-managed platforms:

- By-laws, Strategic Plans, Policies, Plans, Budgets, Staff Reports, Council Meeting Agendas and Minutes;
- Township-produced and owned photographs and videos;
- Election Guides/Forms; and
- Township website(s).

4.5.2 Websites, domains, and social media accounts established or used for Campaign Activities by Members of Council must include a clear and visible statement that the account is for election campaign purposes and is not affiliated with the Township or the Member's official duties.

4.5.3 Candidates, Members of Council, and Registered Third Parties shall not use lists, data, or files produced using Township resources for election purposes, except where specifically permitted under the Act (e.g., use of the Voters' List for election purposes only). Constituent information collected by Members of Council in the course of their official duties (e.g., email or mailing lists) shall not be used for election campaign purposes.

4.5.4 No Candidate, Registered Third Party, or individual acting on their behalf shall request or accept the services of Township staff during working hours. At no time shall corporate resources be used, or election campaign-related activity be conducted on Township Property.

4.5.5 Candidates must comply with the Township's Election Sign By-law for placement of election signs for all elections. Placement of signs on County property is subject to the Peterborough County Election Sign By-law in effect at the time of the Campaign Period.

## **4.6 Campaign Activities at Township Property**

4.6.1 Township property shall not be used for any election campaign-related activity.

4.6.1.1 Municipal election information sessions organized by Township staff may be held on Township property. This exception does not extend to all-candidates meetings or debates, as the Act does not require such events and Township staff are not responsible for organizing them.

4.6.2 Campaigning is prohibited on Township Property at all times, regardless of whether an

election period is underway. Township Staff supervising a Township-organized event may request that a Candidate or Registered Third Party leave the event if campaigning occurs.

4.6.3 Display of election campaign-related materials is prohibited at all Township properties, including inside and outside voting locations, and in voting location parking lots.

4.6.4 Candidates and Registered Third Parties shall not direct election campaign-related activities toward Township staff while those employees are in the workplace or performing Township duties.

## **4.7 Campaign Activities at Township-organized Events**

4.7.1 Campaigning (including distribution or display of election campaign-related material, wearing campaign buttons or clothing, etc.) is prohibited at Township-organized Events.

4.7.2 Members of Council attending Township-organized Events, or events held on Township property, may participate in their capacity as elected officials (e.g., speaking, offering greetings, or attending in an official role). However, Members of Council who are also Candidates must not engage in any campaigning while in attendance.

## **5. Roles and Responsibilities**

### **5.1 Clerk**

- Communicate this policy to municipal Candidates and Registered Third Parties.
- Review and update this policy as required prior to municipal elections and by-elections, or when legislative changes occur.

### **5.2 The Chief Administrative Officer (CAO) and Managers**

- Communicate this policy to their staff.
- Ensure compliance with this policy within their areas of responsibility.
- Investigate reported contraventions of the policy and escalate matters as required.

### **5.3 Employees**

- Comply with this policy.
- Remain impartial in the course of their employment during an election.
- Seek clarification from their supervisor if any aspect of the policy is unclear.

### **5.4 Integrity Commissioner**

- May provide guidance or advice to Members of Council, either proactively or upon request, regarding their conduct as elected officials in relation to this Policy and the Council Code of Conduct.

Note: The Township's appointed Integrity Commissioner is considered a Corporate Resource under contract with the Township. During a municipal Campaign Period, Members of Council and Candidates shall not seek or receive advice from the Integrity Commissioner regarding election campaign activities. In accordance with subsection 223.4(9) of the *Municipal Act, 2001*, the following restrictions apply during the municipal Campaign Period:

- No requests for an inquiry into whether a Member of Council or of a local board has contravened

the Code of Conduct may be made.

- The Integrity Commissioner shall not report to Council or a local board on whether a Member has contravened the Code of Conduct.
- Council or a local board shall not consider whether to impose penalties under subsection 223.4(5) of the *Municipal Act, 2001*.

## 6. Monitoring and Compliance

The Clerk, in consultation with the CAO, is responsible for monitoring compliance with this Policy. Staff shall support this role by reporting any suspected or alleged contraventions that come to their attention. Any reported or suspected contravention will be reviewed and, where appropriate, investigated. Where a breach is confirmed, the Clerk or their designate is authorized to take the necessary steps to give effect to this Policy and ensure compliance.

## 7. References and Related Information

- [Canada Elections Act](#), 2000
- [Elections Finances Act](#), 1990
- [Municipal Elections Act](#), 1996
- Asphodel-Norwood Election Sign By-law
- Peterborough County Election Sign By-law
- Asphodel-Norwood Council Code of Conduct

## 8. Budget Related Provisions

- 8.1 Corporate resources and funding, including any approved mileage budget, shall not be used for any election campaign-related activities or materials.
- 8.2 From January 1 to Voting Day in a municipal election year, budgets allocated to members of Council will be limited to **11/12** of the approved annual amount.
- 8.3 A candidate newly elected to Council in a regular municipal election will be allocated a budget equal to **1/12** of the approved annual amount for the period between November 15 and December 31.
- 8.4 A member of Council re-elected to office during a regular municipal election will be allocated the remaining balance of their budget as of Voting Day.
- 8.5 In the event of a by-election or appointment to Council, funds from the vacated Member's budget will be set aside on a pro-rated basis for the newly elected or appointed representative, calculated from their start date.
- 8.6 The Treasurer, in consultation with the Clerk, is responsible for monitoring budget allocations and expenditures during an election year to ensure compliance with this policy and the Act.

