
TITLE: USE OF CORPORATE RESOURCES FOR ELECTION PURPOSES
POLICY NO: POL-ADMIN-01-2018
APPROVAL DATE: Approved by Council on February 26, 2018
EFFECTIVE DATE: February 26, 2018
REPEALS: POL-ADMIN-01-2011

POLICY STATEMENT:

The purpose of this policy is to notify all registered candidates, including members of Township Council and registered third parties, of the requirement to follow the provisions of the *Municipal Elections Act, 1996*, (the *Act*) as amended, and that:

- No member/candidate shall use the facilities, equipment, supplies, services, staff or other resources of the municipality (including Township letterhead, Township business cards, Township e-mail accounts, Township computers, and any Councillor budgets) for any election campaign or campaign-related activities;
- No member/candidate shall undertake campaign-related activities on municipal property during regular working hours; and
- No member/candidate shall use the services of persons during hours in which those persons receive any compensation from the municipality.

PURPOSE:

To ensure that members of Township Council, registered candidates, registered third parties, and staff adhere to the provisions of the *Act*, as amended.

SCOPE:

This policy is applicable to all registered candidates, including sitting members of Municipal Council and registered third parties.

This policy is applicable to municipal elections, including bi-elections and applies, with necessary modifications, to provincial and federal elections.

DEFINITIONS:

“**The Act**” means the Municipal Elections Act, 1996, as amended from time to time, and includes any regulation made there under.

“**Blackout Period**” is a term which refers to the temporary period from the day prior to Nomination Day to and including Voting Day in which certain privileges are discontinued for sitting members of Municipal Council and the Mayor.

“**Candidate**” means a person who has filed a nomination to run in a municipal, provincial or federal election, and shall be deemed to include a person seeking to influence other persons to

vote for or against any candidate or any question or by-law submitted to the electors under section 8 of the *Act*.

“Campaign Period” begins on the date a candidate files their nomination through to and including Voting Day.

“Township or Township of West Lincoln” means The Corporation of the Township of West Lincoln.

“Corporate Resources” includes but is not limited to the Township of West Lincoln’ staff, events, funds, information and assets.

“Election Period” means May 1 through to and including Voting Day.

“Municipal Facilities” means any real property owned or under the control of the Township of West Lincoln.

“Nomination Day” for a regular municipal election is the fourth Friday of July in the year of the election.

“Staff” includes full-time, part-time, and contract employees, paid by the Township of West Lincoln.

“Voting Day” is the day on which the final vote is to be taken in an election.

POLICY:

- 1) That in accordance with the provisions of the *Act*:
 - (a) Corporate Resources may not be used for election-related purposes;
 - (b) Staff shall not canvass or actively work in support of a municipal, provincial or federal candidate or party during normal working hours unless they are on a leave of absence without pay, lieu time, float day, or vacation leave;
 - (c) Members of Council, including the Mayor, candidates and/or registered third parties, shall not use any municipal facilities for any election-related purposes. Campaign-related signs or any other election-related material shall not be displayed in any municipal facilities (i.e. Arena, Community Halls);
 - (d) During the Blackout Period, no Member of Council, including the Mayor shall:
 - Advertise in any municipally funded publications;
 - Print, photocopy or distribute any newsletters unless so directed and approved by Council;
 - Order office furniture or furnishings, except those of an emergency nature; or
 - Order any stationery or business cards, except within reason and as needed to carry out their current duties.

- (e) Members of Council, including the Mayor, shall not deliver any unsolicited material outside of their existing ward where the printing and/or distribution costs are paid by the municipality. Care should be taken to ensure that the mailing of newsletters be restricted to the member's ward only.

- (f) Members of Council shall not:
 - Print or distribute any material using municipal funds that make reference to, contain the names or photographs of, or identifies registered Candidates for Municipal Elections; and that Minutes of Municipal Council and Committee meetings be exempt from this policy; or
 - Enter into joint ventures using Corporate Resources outside of their existing wards from Nomination Day to Voting Day, unless specifically approved by Council.

- (g) Members of Council are responsible to ensure that the content of any communications material, including printed material such as newsletters, advertising, etc. funded by the municipality for the operation of each Councillor's Office, is not directly election-related.

- (h) Web sites or domain names that are funded by the municipality may not include any election-related campaign material, including:
 - Candidates are permitted to link to any Township document available to the public or on a public Township webpage from their campaign website;
 - Candidates are not permitted to incorporate a video or other material (i.e. photos) for which the Township has proprietary rights on their own web page;
 - Sitting members of Council shall not use the Township's IT resources, including individual websites linked through the Township's website and social media accounts used for communication, for any election campaign and/or campaign-related activities;
 - If a Member of Council uses any social media account for campaigning, such accounts must not be created or supported by Corporate Resources. Social media accounts used for campaign purposes must utilize personal cell phones, tablets and/or computers;
 - Sitting members of Council who choose to create or use social media accounts for campaigning must include, for the duration of the Election Period, a clear statement on each campaign website or social media account's home page indicating that the account is being used for Election Campaign purposes and is not related to their duties as a Member of Council;
 - Sitting members of Council, along with all Candidates will have their name, campaign phone numbers, websites and e-mail addresses on the election page of the Township's website, subject to approval by the candidate.

- (i) Candidates must not, under any circumstances, use a Township logo or any variation of it on any campaign material, election signs, social media or campaign websites.

- (j) Members of Council may not use the municipality's voicemail system and/or cell phones to record election related messages; and
- (k) The above recommendations also apply to an acclaimed member or a member not seeking re-election; and

2) The Municipal Clerk is authorized to take the necessary action to give effect to this policy.

Limitation: This policy does not preclude a member of Municipal Council or Regional Council from performing their duties as a Councillor, or Regional Chair nor inhibit them from representing the interests of the constituents who elected them.

Implementation: This policy shall become effective immediately upon approval by the Municipal Council.

Rationale and Legislative Authority: It is necessary to establish guidelines/rules on the appropriate use of corporate resources during an election period to protect the interests of both members of Council and the Township of West Lincoln. The *Act* prohibits a municipality from making a contribution to a candidate. The *Act* also prohibits a candidate, or someone acting on the candidate's behalf, from accepting a contribution from a person who is not entitled to make a contribution.

As a contribution may take the form of money, goods or services, any use by a Member of Council of the Corporation's resources for his or her election campaign would be viewed as a contribution by the municipality to the member, which is a violation of the *Act, 1996*.