

Corporate Services Department

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Branch:	Clerks Branch
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<b>Use of Corporate Resources for Elections Policy</b>	

## Contents

1. Purpose .....	1
2. Scope .....	2
3. Definitions: .....	2
4. Policy: Use of Corporate Resources .....	4
4.1 General Provisions .....	4
4.2 Technology .....	4
4.3 Communications .....	4
4.4 Town Staff .....	5
4.5 Campaign Activities at Town-owned and/or operated facilities .....	5
4.6 Campaign Activities at Events .....	5
4.7 Restrictions for Members of Council during an Election Period: .....	5
5. Roles and Responsibility .....	6

## 1. Purpose

The purpose of this policy is to provide Members of Council, Members of Town Boards and Committees, Registered Candidates (including acclaimed candidates), Registered Third Parties, Staff, and Town Volunteers (including appointed members) with guidelines on the use of Corporate Resources for election purposes to ensure compliance with the Municipal Elections Act, 1996, (“MEA”), and other applicable Federal and Provincial legislation. This policy should be interpreted as a general prohibition against the use of corporate resources for any election related purpose.

The following principles apply to this policy, and to the interpretation and understanding of the policy:

- i) East Gwillimbury (the “Town”) is committed to a fair and transparent municipal election process, and to abide by the principles of the MEA, including but not limited to the principles that:
  - a) elections must be fair, unbiased and accessible to all voters; and,
  - b) voters and candidates should be treated fairly and consistently;
- ii) The Town is prohibited from making any contribution to any Candidate’s election campaign;
- iii) The use of any Town resources for any campaigning, or any election-related purpose, is prohibited;
- iv) Town resources, events and other activities should be non-partisan; and,
- v) Members of Council should not be impeded from fulfilling their representative duties, nor should they be impeded from representing the interests of their constituents, during an election period.

## 2. Scope

This policy applies to Members of Council, Members of Town Boards and Committees, Town Staff and Town Volunteers who are running for office or assisting someone who is running for office, in municipal, regional, school board, provincial, or federal elections (or who have been acclaimed) or who are seeking a political party leadership or nomination.

## 3. Definitions:

Campaigning	Any activity by or on behalf of a Candidate, political party, constituency association, Registered Third Party, or question on a ballot meant to elicit support during the Election Period.
Campaign Materials	Any materials used to solicit votes for a Candidate(s) or question in an election including but not limited to literature, banners, posters, pictures, buttons, clothing, or other paraphernalia. Campaign Materials include, but are not limited to, materials in all media, for example, print, displays, electronic radio or television, online including websites or social media.
Candidate	Any person who has filed the prescribed nomination form to run in a Municipal, Regional, School Board, Provincial or Federal Election or By-Election or for a position in a political party.
Clerk	The Clerk and Returning Officer of the Town of East

	Gwillimbury or their designate.
Corporate Resource	Items, services, or resources which are the property of the Town of East Gwillimbury including but not limited to: materials, equipment, vehicles, facilities, land, technology, intellectual property, images, logos and supplies. Working hours, the time where the Town pays its employees to complete certain duties or tasks, is also considered to be a Corporate Resource.
Election Period	<ul style="list-style-type: none"> <li>• For a municipal election, commencing on the first day nominations may be filed and ending on voting day.</li> <li>• For a provincial election, beginning on the date the writ is issued and ending on voting day.</li> <li>• For a federal election, beginning on the date the writ is issued and ending on voting day.</li> <li>• For a ballot question, the date on which Council passes the necessary by-law and ending on voting day.</li> <li>• For a by-election, beginning the date the by-election is called and ending on voting day.</li> </ul>
Member of Council	A person elected to an office of the Council of the Corporation of the Town of East Gwillimbury.
Registered Third Party	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	Online technologies and practices used to share opinions, insights, experiences, and perspectives through words, pictures, music, videos and audio. Social Media can take many different forms, including but not limited to internet forums, web logs (blogs), social blogs, messaging, wikis, podcasts, pictures, video, music sharing, rating and bookmarking.
Town Staff	An individual who is hired on a temporary, part-time, contract, or permanent basis by the Town, and receives financial payment from the Town for their employment.

## 4. Policy: Use of Corporate Resources

### 4.1 General Provisions

- 4.1.1 Pursuant to the Municipal Elections Act, 1996, the Town shall not make a contribution, including money, goods and services, to any Candidate, Registered Third Party or a supporter of a question on the ballot during an Election.
- 4.1.2 No person shall use any Town resource for campaigning or any election-related activity.

### 4.2 Technology

- 4.2.1 Members of Council are provided access to corporate information technology (I.T) assets to fulfill their duties and responsibilities as an elected official, but shall not use those assets for Campaigning or the development of Campaign Materials. Members of Council shall not use mobile communication devices, including but not limited to cell phones that are paid for by the Town for Campaigning.
- 4.2.2 The Town's voice mail system shall not be used to record any partisan election-related messages and the computer network and related information technology systems shall not be used to distribute partisan election-related correspondence or any other Campaign Material.
- 4.2.3 Councillors and Town Staff shall not use any Town printers and/or photocopiers or paper to produce Campaign Material.

### 4.3 Communications

- 4.3.1 The Town's logo, crest, coat of arms, slogan, brand, etc. may not be printed or distributed on any election materials or included on any election campaign related website, domain or Social Media site, except in the case of a link to the Town's website to obtain information about the municipal election process.
- 4.3.2 Photographs produced for and owned by the Town shall not be used for Campaigning.
- 4.3.3 The Clerk may develop and distribute information through various means for the purpose of advising and educating electors. Candidates are permitted to promote and distribute election information provided by the Clerk, provided that such information is not modified in any way.

#### **4.4 Town Staff**

- 4.4.1 No Candidate, Registered Third Party, or person under the direction of either, shall use the services of Town staff for any Campaigning, or any election-related activities, during hours in which Town Staff are at work.
- 4.4.2 Town Staff may not engage in political activity during working hours and shall not identify as Town Staff when engaged in any kind of political activity.
- 4.4.3 Town Staff shall not canvass nor actively work in support of or in opposition to a candidate or party while wearing a Town uniform, badge, crest or other item identifying them as Town Staff, or while using a Town owned or leased vehicle.
- 4.4.4 Political involvement and activity by Town Staff is governed by the Town's Employee Code of Conduct.

#### **4.5 Campaign Activities at Town-owned and/or operated facilities**

- 4.5.1 Town owned or leased facilities/properties shall not be used for any election related purposes unless the Candidate or Registered Third Party has paid the market value rental rate and any Campaigning is limited to the rented space.
- 4.5.2 Any event whereby the organizer has a permit to rent a Town owned or leased facility/property and sublets rentable booths or space to Candidates or Registered Third Parties is permitted and must be made available to all Candidates or Registered Third Parties.
- 4.5.3 Candidates and Registered Third Parties shall not rent Town facilities for Campaign activities on a date when there is a voting location established at that facility or property.

#### **4.6 Campaign Activities at Events**

- 4.6.1 No Candidate (including existing Members of Council) shall Campaign or display any Campaign Materials at any Town-organized Event.

#### **4.7 Restrictions for Members of Council during an Election Period:**

- 4.7.1 Constituent information (including email and mailing addresses) collected by Members of Council as part of their constituent communications shall not be used for election purposes.
- 4.7.2 The Town will discontinue the following services between nomination day and voting day for Members of Council who are candidates in the municipal election:

- Newsletters or other ward communication, unless specifically authorized by Council;
- All forms of advertising;
- All printing or photocopying and distribution of above referenced materials;
- The ordering of stationery;
- The ordering or moving of office furniture and furnishings (including electronic devices), except those of an emergency nature; and,
- The organizing or booking of ward or community meetings, unless authorized by Council.

## 5. Roles and Responsibility

The Clerk or designate is responsible for interpreting and administering this Policy.

Any complaints of non-compliance with this policy shall be processed as follows:

- i. Complaints must be submitted in writing to the Clerk along with evidence of non-compliance;
- ii. The Clerk shall review the complaint within 5 days and provide an interpretation and recommendation to the CAO and Town Solicitor;
- iii. Upon the review by the Clerk, CAO, and Town Solicitor, the Clerk will issue an interpretive decision or bulletin to the affected parties.

The Clerk is delegated the authority to make administrative changes to this policy that may be required from time to time due to legislative changes or if, in the opinion of the Clerk, the amendments do not change the intent of the policy.

Town of East Gwillimbury			
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Date Reviewed:		Revision #:	
Date Revised:		Prepared By:	
Approved By:			
	Signature		