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| <b>Human Resources</b>         | <br>Municipality of<br>Dutton Dunwich | Content Updated: January 31, 2021                              |
| <b>Section:</b> Administration |  | Supersedes: February 14, 2018<br>Resolution: 2018.03.20        |
| Policy No: A 17-2018           |  | Adopted by Council: February 9, 2022<br>Resolution: 2022.04.31 |
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| <b>ELECTIONS – USE OF CORPORATE RESOURCES FOR ELECTION PURPOSES POLICY</b> |   |
| <b>POLICY STATEMENT</b>  | <p>The Municipal Elections Act, 1996, as amended, establishes the election campaign finance rules for Candidates running in a municipal election. Section 88(8)(4) prohibits municipalities such as The Corporation of the Municipality of Dutton Dunwich from making campaign contributions.</p> <p>The Election Finance Act, 1990, as amended and the Canada Elections Act, 2000, as amended, establish regulations for candidates and parties running in provincial and federal elections. Section 29(1) of the Election Finance Act and Section 363(1) of the Canada Elections Act prohibit a municipal corporation from making campaign contributions to any candidate, political party or constituency association in a provincial or federal election.</p> <p>As contributions may take the form of money, goods or services, any use of corporate resources for election-related purposes, by candidates, third-party advertisers or municipal staff, is not permitted.</p>                                   |
| <b>PURPOSE</b>   | <p>To clarify that members of Council, Candidates and Third Party Advertisers are required to follow the provisions of the Municipal Elections Act, 1996 and Election Finance Act, 1990 and that:</p> <p>No Candidate or Third Party Advertiser shall use the facilities, equipment, supplies, services, staff or other resources of the Municipality (including Council newsletters, brochures and Council budgets) for any election campaign or campaign-related activities.</p> <p>No Candidate or Third Party Advertiser shall undertake campaign-related activities on Municipal property during regular working hours.</p> <p>No Candidate or Third Party Advertiser shall use the services of persons during hours in which those persons receive any compensation from the Municipality.</p> <p>This policy is intended to:</p> <ul style="list-style-type: none"> <li>• Ensure compliance with the Municipal Elections Act, 1996, Elections Finance Act, 1990 and the Canada Elections Act, 2000,</li> </ul> |

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|             | <p>in regard to the role of the Municipality contributing to a candidate or registered third-party campaign;</p> <ul style="list-style-type: none"> <li>• Ensure that candidates and registered third-parties are treated fairly and consistently within the municipality;</li> <li>• Ensure the integrity of the election process is maintained at all times;</li> <li>• Establish the appropriate uses of resources during an election period, in order to:             <ul style="list-style-type: none"> <li>○ Protect the interest of the members of Council, Candidates, Registered Third-parties, Municipal staff and the Corporation; and</li> <li>○ Ensure accountable and transparent practices</li> </ul> </li> </ul> <p>This policy is applicable to all candidates (including any candidate acclaimed), Members of Council (including a member who is not seeking re-election), Third-party Advertisers and Municipality of Dutton Dunwich staff.</p>   |
| DEFINITIONS | <p><b>Election Campaign-Related Activities and Materials</b> means any resources used to promote, support or oppose a candidate or a “yes” or “no” vote related to a question on the ballot, including but not limited to literature, banners, posters, pictures, buttons, clothing or other paraphernalia. Activity means any action or event by or on behalf of a candidate, political party, or third-party advertiser meant to promote, support, or oppose a candidate or a “yes” or “no” vote related to a question on the ballot during the election period. Campaign- related activities do not include the appearance of elected officials acting in their capacity of Councillor, School Board Trustee, Member of Provincial Parliament, or Member of Parliament.</p> <p><b>Campaign Period</b> means the official campaign period of an election.</p> <ul style="list-style-type: none"> <li>• For a municipal election, the campaign period commences on the May 1<sup>st</sup> of an election year and ends December 31<sup>st</sup> of an election year.</li> <li>• For a provincial or federal election, the election period commences on the day the writ for the election is issued and ends on voting day.</li> <li>• For a by-election, the period commences the day the by-election is called and ends on voting day.</li> </ul> <p><b>Candidate</b> means any individual running for an elected office, including Mayor, Councillor, School Board trustee, Member of Provincial Parliament and/or Member of Parliament or anyone acting on their behalf.</p> |

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**Election-related Purpose** refers to the occurrence of a municipal election or by-election. It also includes any participation in federal and provincial elections that is partisan in nature.

**Nomination Day** refers to the third Friday in August in a municipal election year.

**Third-Party or Third-Party Advertiser** means an individual, corporation or trade union that promotes, supports or opposes a candidate or “yes” or “no” vote related to a question on the ballot in accordance with the Municipal Election Act.

**CORPORATE RESOURCES - GENERAL PROVISIONS**

That, in accordance with the provisions of the *Municipal Elections Act, 1996*:

- corporate resources and funding may not be used for any election-related purposes;
- staff may not canvass or actively work in support of a municipal candidate or party during normal working hours unless they are on a leave of absence without pay, lieu time, banked time, or vacation leave;
- members of Council may not use their constituency office, or any municipally-provided facilities for any election-related purposes, which includes displaying of any campaign related signs in the window or on the premises, as well as, displaying any election-related material in the office;

The following be discontinued for members of Council from the day prior to Nomination Day in a municipal election year to Election Day:

- all forms of advertising, including in municipal publications;
- all printing, high speed photocopying and distribution, including printing and general distribution of newsletters unless so directed and approved by the Council;

Members of Council may not:

- print or distribute any material paid by Municipal funds that illustrates that a Member of Council or any other individual is registered in any election or where they will be running for office;

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- profile (name or photograph), or make reference to, in any material paid by Municipal funds, any individual who is registered as a candidate in any election; and
- print or distribute any material using Municipal funds that makes reference to, or contains the names or photographs, or identifies registered candidates for municipal elections; and that Minutes of Municipal Council and Committee meetings be exempt from this policy;
- 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;
- members of Council may not use the Municipality’s voice mail system to record election related messages;
- The above recommendations also apply to an acclaimed member or a member not seeking re-election; and
- The municipality’s logo, crest, coat of arms, slogan etc. shall not be printed or distributed in any election campaign-related materials, or included on any election campaign website, except in the case of a link to the Municipal website to obtain information about the municipal election.
- Photographs produced for and owned by the Municipality of Dutton Dunwich shall not be used for any election campaign-related purposes.
- Candidates and Third-party Advertisers are not permitted to engage in election campaign-related activities directed at Municipal employees while those employees are at their workplace or engaged in work for the Municipality.
- That the Municipal Clerk be authorized and directed to take the necessary action to give effect to this Policy.

**CORPORATE RESOURCES - TECHNOLOGY**

Candidates, Members of Council and Third-party Advertisers shall not use corporate resources or services such as computers, cell/smart phones, telephones, tablets, printers, scanners, copiers, email, file storage, voicemail, or any other equipment or technology owned by the

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|  | <p>Municipality of Dutton Dunwich, for election-related purposes.</p> <p>Websites or domain names that are operated or funded by the Municipality of Dutton Dunwich shall not include any election campaign-related materials or links to any sites that feature election campaign-related information, including but not limited to Twitter, Facebook and other social media accounts to any sites that feature election campaign-related material.</p> <p>Once a Member of Council registers to be a Candidate, any links from a Municipal website or social media account to his or her website or social media pages will be removed from the Municipality’s webpages if the Member’s website or social media page contains or will contain campaign-related material.</p> <p>Messages posted to the Municipal social media accounts (including Facebook and Twitter) may be shared in the case of Facebook or re-tweeted on Twitter by a candidate to their personal or campaign social media accounts using social media official channels and not partially reproduced.</p>            |
| <p><b>CORPORATE RESOURCES – MUNICIPAL FACILITIES, SERVICES &amp; PROPERTY PROVISIONS</b></p> | <p>Candidates shall not campaign and/or distribute campaign literature during any function hosted by the Municipality of Dutton Dunwich, whether on municipal property or not.</p> <p>Members of Council, Candidates and Third-party advertisers shall not use any municipally provided facilities for any election-related purposes unless the facility is generally available for rent by the public and it is rented in accordance with the Municipality of Dutton Dunwich rental procedures.</p> <p>In accordance with the Election Sign By-law, no election campaign-related signs nor any other election-related material shall be displayed in any municipally owned facilities.</p> <p>Notwithstanding, the ability to use the interior of any Municipally-owned or run facility for election-related purposes, if rented in accordance with the provisions noted above, no election-related activities, including campaigning and the distribution of campaign literature are permitted to take place inside or on the property of the Municipality of Dutton Dunwich Town Hall.</p> |
| <p><b>MUNICIPAL STAFF</b></p>  | <p>In keeping with the Municipality of Dutton Dunwich Code of Conduct, municipal staff are expected to preserve the public trust and confidence in the Municipality. Employees engaged in political activities must take care to separate those personal activities from their official positions.</p>  |

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|                                 | <p>Employees may participate in political activity at the federal, provincial or municipal levels providing that such activity does not take place during work hours or utilizing Municipal assets, resources or property. Notices, posters or similar material promoting, supporting or opposing a particular Candidate or political party are not to be produced, displayed or distributed by employees on Municipality of Dutton Dunwich work sites or property.</p> <p>Employees shall not canvass or actively work in support of a municipal Candidate or political party while wearing a uniform, badge, logo or any other item identifying them as an employee of the Corporation, or using a vehicle owned or leased by the Municipality.</p> <p>Employees wishing to run for federal, provincial or municipal office must request and obtain a leave of absence without pay, and abide by the respective legislation governing such elections.</p> |
| <p><b>LIMITATIONS</b></p>       | <p>Nothing in this Policy shall preclude a member of Council from performing their job as a Councillor, nor inhibit them from representing the interests of the constituents who elected them.</p>  |
| <p><b>RELATED DOCUMENTS</b></p> | <p>Municipal Elections Act, 1996 as amended<br/> Election Finance Act, 1990 as amended<br/> Canadian Elections Act, 2000 as amended<br/> By-law #2018-03 Code of Conduct for Members of Council and Local Boards for the Corporation of the Municipality of Dutton Dunwich<br/> WE 12-2014 Code of Conduct for Employees Policy<br/> By-law #2021-95 Election Sign By-law</p>   |