

Policy No.: C07 - Election, Use of Corporate Resources Policy

Date Enacted: April 24, 2018

Amended By:

1. Subject

Use of Corporate Resources Policy.

2. Purpose

The purpose of this policy is to:

- establish the appropriate use of resources during an election period;
- provide a consistent approach and direction regarding the use of corporate resources and/or funding during an election campaign period;
- ensure compliance with the Act in regards to the role of the Municipality in contributing to a municipal election campaign; and
- ensure the integrity of the election process is maintained at all times.

3. Scope

This policy applies to all Council Members, Candidates, Registered Third Parties, and Staff in a municipal election period.

It is recognized that Council Members are holders of their office until the end of their term. Nothing in this policy shall preclude a Council Member from performing his or her job, nor inhibit him or her from representing the interests of constituents.

4. Definitions

“Act” means the Municipal Elections Act, 1996, S.O. 1996, c.32, as amended;

“Campaign Period” means:

- a) For Candidates, the date on which the nomination form is filed until December 31 in the year of an election (unless a request for extension of campaign period has been filed);

- b) For Registered Third Parties, the date on which the notice of registration as a third party advertiser is filed until December 31 in the year of an election (unless a request for extension or campaign period has been filed);

“Candidate” means a person who has filed a nomination form for an office pursuant to section 33 of the Act, and includes a person who has filed a nomination for election to a school board pursuant to the Education Act, R.S.O. 1990, c. E.2, as amended;

“Corporate Resources” means real property, goods and/or services owned, controlled, leased, acquired, or operated by the Municipality including but not limited to: facilities, parks, materials, equipment, monetary funds, technology, the Municipality’s information technology (IT) system and resources, databases, social media, intellectual property, and supplies;

“Council Member” means a Member of the Council of the Municipality of Leamington;

“Municipality” means The Corporation of the Municipality of Leamington;

“Nomination Day” for a regular election is the fourth Friday in July in the year of the election, as prescribed by the Act;

“Registered Third Party” means an individual, corporation or trade union that has filed a notice of registration as a third party advertiser in the municipal election;

“Staff” means all full-time, part-time and contract persons employed by the Municipality;

“Voting Day” in a regular election, is the fourth Monday in October in the year of the election -or- in the case of a by-election, the 45th day after Nomination Day, as noted in section 5 and subsection 65(4) of the Act.

5. Procedures

- 5.1 In accordance with the provisions of the Act, Council Members, Candidates, and/or Registered Third Parties in a Campaign Period are not permitted to:
- a) Use any Corporate Resources, Staff or other resources of the Municipality for any campaign or campaign related activities;
 - b) Use Corporate Resources to acquire any supplies, resources or services for any campaign or campaign related activities, including ordering of stationary and office supplies;
 - c) Benefit from the use of any corporate pricing established for the Municipality or under the Municipality’s Purchasing Policy;

- d) Use Corporate Resources to print or distribute any material that makes reference to, or contains the names or photographs, or identifies Candidates or Registered Third Parties;
 - e) Use the Municipality's logo or crest on any election campaign related material, either printed or digitally, including but not limited to social media and/or campaign website;
 - f) Use any Council Member's budget or funds for any election-related purposes or to advertise, promote or support any Candidate, Registered Third Party or any position related to any questions which may be authorized to be placed on the ballot;
 - g) Use Corporate Resources (e.g. data, computers, wireless devices, portals, corporate email, web pages, blogs, telephone) to communicate election related messages; and
 - h) Use any Corporate Resources for any election related purposes.
- 5.2 A Council Member attending an event as a Council Member or a representative of the Municipality's Council is not permitted to campaign while conducting municipal business.
- 5.3 Candidates or Registered Third Parties are not permitted to engage in campaign activities directed at Staff while those Staff are at their workplace or engaged in work for the Municipality.
- 5.4 Staff, during a Campaign Period are not permitted to perform any work, post or distribute campaign material in support of a Candidate of Registered Third Party during hours in which the Staff is receiving any compensation from the Municipality, except during scheduled time off (i.e. vacation, leave of absence without pay, lieu time).
- 5.5 The following shall be discontinued for Council Members from the day prior to Nomination Day to Voting Day:
- a) all forms of advertising, including in municipal publications (paper or web based); and
 - b) the ordering of stationery and business cards.