



<b>Title:</b>	<b>Use of Corporate Resources in an Election Year Policy</b>		
<b>Policy Group:</b> <b>Your Government and People</b>	<b>Policy Administrator:</b> <b>Corporate and Legislative Services</b>		
<b>Resolution No.</b> <b>CW-63-2022</b>	<b>Policy Number:</b> <b>CLS-02</b>		
<b>Approval Date:</b> <b>2022-03-10</b>	<b>Revision Date:</b> <b>2025-02-10</b>		

## 1. Purpose

The Corporation of the County of Prince Edward and its local boards are committed to ensuring accountable and transparent election practices, relating to the use of corporate resources.

## 2. Policy Scope

- 2.1. This policy applies to members of Council and its local boards and committees, County Staff and Volunteers, registered Candidates (including acclaimed Candidates), and Registered Third Parties.
- 2.2. The Act prohibits a municipality from contributing resources to a Candidate on the basis that the use of corporate resources would provide a distinct advantage to Candidate(s) able to access them. Corporate resources include discretionary budgets, The County facilities and equipment, The County Staff, The County Volunteers and The County funded programs and services. Corporate resources also include The County funded communication resources, which include but are not limited to, any material sponsored, printed or distributed by the County, the County's voice mail system, licensed communications software (Microsoft TEAMS or Zoom accounts), websites or domain names that are funded by the County, and the County's computer network or related IT systems.
- 2.3. It is the responsibility of Council, Candidates, Registered Third Parties, Staff and Volunteers to follow the protocol outlined in this Policy to ensure a fair and transparent election process.

## 3. Legislative Authority

The legislative authority for this policy is derived from the Municipal Elections Act.

## 4. Definitions

- 4.1. "Act" means the Municipal Election Act, 1996, as amended.
- 4.2. "Candidate" means any person who has filed the prescribed nomination form to run in a Municipal, Regional, School Board or By-election.
- 4.3. "Campaigning" means any election-related activity for the purpose of supporting or opposing the election of a Candidate or a question on the ballot, and includes, without limiting the generality of the forgoing, the production and distribution of materials (paper or electronic), advertising (including any form of electronic advertising), any form of promotion (including by means of social media), display of signage, etc.
- 4.4. "Clerk" means the Clerk and Returning Officer for the Corporation of the County of Prince Edward (The County), or their designate.
- 4.5. "Council" means the Council of The County.
- 4.6. "Councillor" means a Member of Council of The County.
- 4.7. "Election" means any Election or By-election at the Municipal, School Board, or the submission of a question or by-law to electors.
- 4.8. "Election Related" means anything that relates directly to an Election.
- 4.9. "Nomination Day" is the date in a regular Election or By-election (as defined in Municipal legislation) where nominations close.
- 4.10. "Nomination Period" is the period of time between the Opening of Nominations and Nomination Day in a regular Election or By-election (as defined in Municipal legislation).
- 4.11. "Opening of Nominations" is the first date in a regular Election or By-election (as defined in Municipal legislation) where nominations can be filed.
- 4.12. "Registered Third Party" means any individual or corporation as defined in Municipal legislation.
- 4.13. "Staff" means an individual who is hired on a temporary, part-time, contract or permanent basis by The County and received financial payment from the County for their employment.
- 4.14. "Volunteer" means an individual who performs duties on behalf of The County and who does not receive financial payment from The County for their work as a volunteer.

4.15. "Voting Day" means the last day to cast a ballot in a regular Election or By-election.

## **5. General Provisions for Members, Staff, Candidates, Registered Third Parties**

5.1. The Act prohibits The County from making a contribution to a Candidate. The Act also prohibits the Candidate, or someone acting on the Candidate's behalf, from accepting a contribution from a person who is not entitled to make a contribution. Since contributions may take the form of money, goods, or services, any use by a Member of Council, or Candidate or Registered Third Party of The County's resources for their Election Campaign would be viewed as a contribution and, therefore, a violation of the Act.

5.2. Information made available to the public on The County's website does not constitute a contribution to a Candidate. This information may include the phone number and email address provided by the Candidate on their nomination form, as well as a hyperlink to the Candidate's website.

5.3. Corporate resources and funding shall not be used for any Election Related purposes.

5.4. The County Staff shall not canvass or actively work in support of a Candidate or Registered Third Party during normal working hours unless they are on a leave of absence without pay, lieu time, float day or vacation leave.

5.5. The County facilities/property shall not be used for any Election Related purposes, which includes displaying of any Campaign materials on such premises.

## **6. Campaign Activities at The County Owned Facilities/Spaces**

6.1. Candidates and Registered Third Parties shall not display Election related material or undertake any campaigning at The County facilities, except under the following circumstances:

a. Candidates and registered third parties may use any The County owned facility or space that provides for public rentals, provided that the application process for use of the facility/space is followed, and that all applicable fees for use of the facility/space are paid.

b. Candidates and Registered Third Parties will set up and remove all election related material, including but not limited to signs, posters and other campaign material within the allotted rental period.

- c. Election related material can only be displayed within the rented area designated within the rental agreement.
- 6.2. Candidates and Registered Third Parties shall not rent The County facilities for Election Related activities or Campaigning while there is a voting location or ballot return station operating out of the facility.

## **7. Provisions for Sitting Members Council**

It shall be the Policy of The County that, from the commencement of the Nomination Period until the end of the Voting Day Members of Council, whether they are seeking re-election or not, shall not:

- 7.1. Use the facilities, equipment, supplies, services, County Staff or other resources of the County for any Election Campaign or Campaign Related activities. Such resources would include newsletters, desktop publishing and graphic services, corporate software, corporate social media platforms, postage, voicemail or the use of fax machines;
- 7.2. Use County funded expense allowances for Election Related purposes or electoral gain;
- 7.3. Use municipally funded services such as mobile phones, laptops/computers or printing/photocopying services for Election Related purposes or electoral gain. Where it is impractical for Councillors to discontinue their use of these during the Election Campaign, Councillors shall reimburse the County for usage of those services that exceeds the normal usage levels;
- 7.4. Undertake any Election Related activities on any County property unless the prescribed rental fee is paid. No Election Related activities shall be allowed at Town Hall at any time;
- 7.5. Undertake any Election Related activities or Campaigning in the workplace;
- 7.6. Use business cards, envelopes or letterhead imprinted with municipal logos or crests for Election Related purposes;
- 7.7. Use any photographs produced for and/or owned by the County, or any photos taken utilizing County equipment or sent through County email accounts for any Election Related purposes;
- 7.8. Enlist the use of County Staff to work in support of a Candidate during working hours unless they are on a leave of absence without pay, lieu time, or vacation leave;

- 7.9. Print or distribute any material paid for by the County that illustrates that a Councillor or any other Candidate where they will be running for office;
- 7.10. Profile, or refer to, in any material paid for by the County, any individual who is registered as a Candidate in any election;
- 7.11. Print or distribute any material using County funds that refers to, or contains the names or photographs, or identifies Candidates for municipal elections; minutes of Council and/or Committee meetings being exempt;
- 7.12. Use the County's voicemail system to record Election Related messages;
- 7.13. Use the County Page to promote Election Related messages and material;
- 7.14. Use any websites or domain names that are funded by the County for the dissemination of Election Related messages and material;
- 7.15. Use any websites, domain names, corporate licensed software, other corporate systems, County owned crests or logos, or any trademark owned by the County for Election Related purposes;
- 7.16. Benefit from the use of any corporate pricing established under the County's Purchasing Policy;
- 7.17. Use constituent information (including email and mailing addresses) collected by Councillors as part of their constituent communications for Election Related purposes; and,
- 7.18. Hold a ward or community meeting, unless authorized by Council.

## **8. Provisions for candidates and registered third parties**

It shall be the Policy of The County that, from the commencement of the Nomination Period until the end of the Voting Day Candidates and Registered Third Parties shall not:

- 8.1. Use any County owned websites, domain names, other corporate systems, the County crest or logo for Campaigning throughout the period from Nomination Day until Voting Day, inclusive or in the case of a municipal by-election, for the period 60 days prior to and inclusive of Voting Day;
- 8.2. Use County property or County Staff in any Campaign photos or images. Photos or images of external County facilities are permitted. Photos, images or videos of internal County facilities are not permitted;

- 8.3. Use any County facility/property for any Election Related purpose unless the application process for use of the facility/space is followed and all applicable fees for use of the facility/space are paid;
- 8.4. Notwithstanding Section 7.3, no facility/property shall be rented or used for any Election Related purpose by a Councillor, Registered Candidates, Registered Third Parties, or the public during any day that voting is taking place on the property, including set-up, hosting, or take-down activities; and,
- 8.5. Print or distribute any material paid for by the County that illustrates that a Councillor or any other Candidate where they will be running for office.

## **9. Provisions for County staff**

- 9.1. County Staff and County Volunteers are discouraged from assisting with or any involvement in Election Campaigns, including posting election signs on their property, phone and e-mail solicitations, signing nomination papers, providing endorsement signatures to Candidates, distributing Candidate brochures or wearing Candidate buttons;
- 9.2. County Staff and County Volunteers may not canvass, or work in support of, a Councillor, Candidate, Registered Third Party or political party while wearing a County uniform, badge, crest, logo or other item identifying them as County Staff, or while using a County owned or leased vehicle;
- 9.3. County Staff, including full time, part time and contract employees shall behave in a manner that is impartial, fair and unbiased toward all Candidates and Registered Third Parties;
- 9.4. County Staff shall consult with their direct supervisor prior to agreeing to perform any task requested by a Councillor, Candidate, or Registered Third Party that exceeds their normal duties or could be construed as contributing to an Election Campaign;
- 9.5. County Staff and County Volunteers may not use corporate resources, including County communication resources for Election Related purposes, or assisting in the Campaign of a Councillor(s) and/or Candidate(s);
- 9.6. County Staff shall take care to separate personal activities from their official positions and shall not canvass or actively work in support of a Candidate or Registered Third Party during normal working hours unless on a leave of absence without pay, lieu time, float day or vacation leave; and,

9.7. County Staff may be involved in provincial and federal Campaigns as long as this involvement does not affect the objectivity with which they must discharge their duties as a representative of the County.

## **10. Enforcement**

10.1. Staff are authorized and directed to take the necessary action to give effect to this policy;

10.2. The Integrity Commissioner may at any time be consulted by members of Council with regard to complying with any part of this policy and will be responsible for enforcement of this policy through Council's Code of Conduct.

## **11. Limitation**

Nothing in this Policy shall preclude Councillors, Candidates, staff or volunteers from performing their duties.

## **12. Approval and Review Details**

<b>Approval and Review</b>	<b>Details</b>
Approval Authority	Council
Next Review Date	2025