

THOROLD BUSINESS IMPROVEMENT AREA ASSOCIATION  
POLICY AND PROCEDURE MANUAL

GOVERNANCE		
POLICY NO: 100-11 REVISED: April 30, 2018	USE OF CORPORATE RESOURCES POLICY	PAGE 1 OF 5

**USE OF CORPORATE RESOURCES POLICY**

The purpose of this policy is to notify all registered candidates, including members of the Thorold Business Improvement Area Association that you are required 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 BIA letterhead, BIA business cards, BIA e-mail accounts, BIA computers and any BIA budgets) for any election campaign or campaign-related activities;
- No member/candidate shall use the services of persons during hours in which those persons receive any compensation from the BIA.

**PURPOSE**

To ensure that members of the Thorold Business Improvement Area Association, registered candidates and staff adhere to the provisions of the *Act, 1996*, as amended.

**SCOPE**

This policy is applicable to all registered candidates, including sitting members of the BIA Executive.

The BIA recognizes that Elected Officials are responsible to serve their constituents and fulfil their responsibilities until the end of their term but that clear separation must exist between the Elected Official's role as a Candidate and their role as a Member of the BIA Executive.

**DEFINITIONS**

"THE ACT" means the *Municipal Elections Act, 1996*, as amended from time to time, and includes any regulation made there under.

"BIA" means the Thorold Business Improvement Area Association.

"BLACKOUT PERIOD" is a term which refers to the temporary period from the day prior to Nomination Day in a municipal election year to Election Day in which certain privileges are discontinued for members of 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 third party advertisers and any 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 Municipal Elections Act, 1996.

“CAMPAIGN” means any work, effort, activity or thing intending to influence persons to vote for or against any Candidate or any question or by-law submitted to the electors in an election.

“CAMPAIGN MATERIAL” means material in any media (i.e. print, radio, websites and social media) used to promote or oppose a candidate or ballot question. Campaign Material also includes but is not limited to banners, literature (pamphlets, brochures, cards), posters, placards/signs, buttons/pins, clothing and car wraps.

“CAMPAIGN PERIOD” begins the date a candidate files their nomination through to voting day in a municipal election year. For federal and provincial elections, the campaign period begins with the issuance of the writ through to voting day.

“BIA FACILITY” means any property under the care and control of the BIA, including property owned, leased, occupied or used by the BIA.

“CORPORATE RESOURCES” includes but is not limited to The Corporation’s employees, events, funds, information and assets.

“ELECTION YEAR” or “ELECTION PERIOD” means May 1 through to Voting Day, third Monday in October, during a regular municipal election year.

“EMPLOYEES” or “STAFF” includes full-time, part-time, and contract employees, paid by The Thorold BIA.

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

“OFFICIAL BIA OPENINGS/EVENTS” are held in Thorold for the purposes of promotion of the BIA and/or it’s members. The ceremony must include all or some of the following elements: attendance of the Chair and/or Members of the Executive, agenda, speakers, plaque unveiling, ribbon cutting.

**POLICY**

1) That in accordance with the provisions of the *Act, 1996*, as amended:

- (a) Corporate resources, assets and funding may not be used for election-related purposes;
- (b) Staff will 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 the Executive/candidates may not use any BIA-provided facilities for any election-related purposes. Campaign-related signs or any other election-related material shall not be displayed in any BIA-provided facilities;
- (d) Members of the BIA may not deliver any unsolicited material where the printing and/or distribution costs are paid by the BIA.
- (e) Members of the Executive may not:
  - Print or distribute any material using BIA funds that make reference to, or contains the names or photographs, or identifies registered candidates for BIA Elections; and that the Minutes of BIA and Committee meetings be exempt from this policy; and
  - Enter into joint ventures using BIA funds from July 27 to Election Day, in the year of a municipal election, unless specifically approved by Council.
- (f) Members of the BIA are responsible to ensure that the content of any communication, materials, including printed material such as newsletters, advertising, etc. funded by the BIA, is not directly election-related.
- (g) Websites or domain names that are funded by the BIA may not include any election-related campaign material;
  - (a) Candidates are permitted to link to any BIA document available to the public or on a public BIA webpage from their campaign website.
  - (b) Candidates are not permitted to incorporate a video or other material (i.e. photos) for which the BIA has proprietary rights on their own web page.
  - (c) Candidates are not permitted to use social media handles (i.e. @ThoroldBIA) or “tag” Thorold BIA in campaign related social media posts.
  - (d) Sitting members of the BIA shall not use the BIA’s IT resources, including individual websites linked through the BIA’s website and social media accounts for any election campaign and/or campaign-related activities.
  - (e) If a sitting member of the BIA uses any social media account for campaigning, such accounts must not be created or supported by BIA resources. Social media accounts used for campaign purposes must utilize personal cell phones, tablets and/or computers;
  - (f) Sitting members of the BIA who choose to create or use social media accounts for campaigning must include, for the duration of the Election Campaign 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 an Elected Official; and

- (g) The list of candidates on the election webpage shall be the only area of the BIA website where links to external campaign websites will be permitted during the Election period.
  - (h) Candidates must not, under any circumstances, use a BIA logo or any variation of it on any campaign material, election signs, social media or campaign websites.
  - (i) Members of the BIA Executive may not use the BIA's voicemail system and/or cell phones to record election related messages; and
  - (j) The above recommendations also apply to an acclaimed member or a member not seeking re-election; and
  - (k) Staff engaged in political activities must take care to separate those personal activities from their official positions. Staff may participate in political activity at the federal, provincial and municipal levels provided that such activity does not take place during work hours or use corporate assets, resources or property.
    - (i) Staff shall not produce, display or distribute notices, posters or similar material in support of a Candidate at any BIA Facility or use any corporate resource.
    - (ii) 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.
    - (iii) Staff 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 BIA, or using a vehicle owned or leased by the BIA.
- 2) That the Municipal Clerk be authorized and directed to take the necessary action to give effect to this policy.

## **ATTENDANCE AT OFFICIAL BIA OPENINGS/EVENTS**

The following applies in relation to Official Openings/Events:

- Campaigning does not include the attendance of Candidates and/or Elected Officials or their supports at Official Openings/Events, such as BIA-sponsored festival, in their capacity as a resident of the City but not as a Candidate.  
Note: Candidates are responsible for ensuring that their staff and supporters are aware of this distinction.
- Elected Officials may participate in Official BIA Openings/Events in their current role (e.g. as Chair or Vice Chair).

- Elected Officials identified may be invited to speak at Official Openings/Events or external events but campaigning for election is not permitted (e.g. campaign related remarks).
- Campaign booths are not permitted at Official BIA Openings/Events.
- Where campaign booths are permitted at events organized by an external group and taking place at a BIA-managed facility, Candidates and/or their supporters/staff are not permitted to actively solicit attendees (e.g. may not approach attendees or hand them campaign material).

**Implementation:** This policy shall become effective immediately upon approval by the BIA Executive.

**Rationale and Legislative Authority:** It is necessary to establish on the appropriate use of Corporate resources during an election period to protect the interests of both members of the BIA and the Corporation. The *Act, 1996* prohibits a municipality from making a contribution to a candidate. The *Act, 1996*, as amended 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 the BIA of the Corporation's resources for his or her election campaign would be viewed as a contribution by the municipality to the member.