

Policy No.: P22

Policy Title: Use of Library Resources During an Election Campaign

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Point of Contact: CEO / Director of Public Libraries

POLICY STATEMENT

This policy enables the Pickering Public Library to balance the need for freedom of expression and information sharing with its responsibility to ensure that no candidate, registered third-party advertiser, or political party is provided with an unfair advantage. This policy sets out provisions for the use of Library facilities, infrastructure, and resources during an election campaign period by Board members and candidates. This helps to preserve the public trust and maintains the neutrality of the Pickering Public Library during election campaigns and to ensure that the Pickering Public Library complies with the *Municipal Elections Act, 1996*.

APPLICATION

This policy applies to:

1. Pickering Public Library Board members and candidates, including City Councillors, registered third-party advertisers, and political parties during an election campaign period;
2. Employees and volunteers of the Pickering Public Library and their dealings with candidates, including City Councillors, third-party advertisers, and political parties during an election campaign period; and,
3. Municipal (including school board), provincial, and federal elections or by-elections.

References in the policy with respect to political parties refer to provincial and federal elections or by-elections and do not apply to the City of Pickering's municipal elections or by-elections.

This policy recognizes that Members of Council are holders of their office until the end of the term and supports them in continuing to fulfill their responsibilities as Members of Council, despite their candidacy in an election. This policy also recognizes that the Pickering Public Library Board continues to meet and conduct business during an election campaign period. Nothing in this policy shall prohibit members of the Pickering Public Library Board from performing their duties or precludes a Member of Council from performing their duty as an elected official, nor inhibits them from representing the interests of their constituents.

UNDERLYING PRINCIPLES

The Library's mission is to "provide equitable access to the resources and ideas that inspire lifelong learning and well-being." In keeping with this, the Library seeks to engage and encourage discussion in civic and social issues in a manner that is fair and equitable to all those seeking elected office.

This policy aligns with City of Pickering Procedure (ADM-170-001) Use of Corporate Resources for Election Purposes.

DEFINITIONS

All Candidates Meeting

- A public meeting held to provide an opportunity for all Candidates to explain their election platform and to answer questions from the audience.

Campaigning

- Any activity by or on behalf of a candidate, registered third-party advertiser, political party or question on a ballot meant to elicit support during the election campaign period. Campaigning does not include the appearance of elected officials, other candidates, or registered third-party advertisers at an event in their personal capacity without the display of any signage or graphic that identifies the individual as a candidate or registered third-party advertiser(s) and without the solicitation of votes.

Campaign Materials

- Any materials used to solicit votes for a candidate or question on the ballot in an election campaign period, 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, such as print, displays, electronic, radio or television and online sources, including websites or social media.

Candidate

- A person who has filed a Nomination to run in a municipal, school board, provincial, federal election or by-election, or anyone acting on their behalf. Where referred to herein, the term Candidate shall also mean a registered third-party advertiser or a person or group supporting or opposing a question on a ballot.

Clerk

- The City Clerk for The Corporation of the City of Pickering, or their designate.

Elected Official

- An individual elected to the House of Commons, the Legislative Assembly of Ontario, Pickering City Council, or a school board.

Election

- An election or by-election at the municipal (including school board), provincial and federal level of government, or the submission of a question or by-law to the electors.

Election Campaign Period

- The official campaign period of an election:
 - For a municipal or school board election the Campaign Period begins on the first prescribed day for the filing of nominations by Candidates and the first prescribed day for the filing of a registration by a third-party advertiser in accordance with the *Municipal Elections Act* and ends at 11:59 p.m. on voting day.
 - For a provincial or federal election, the election campaign period commences the day the writ for the election is issued and ends at 11:59 p.m. on voting day.
 - For a question on the ballot, the period commences the day Council passes a by-law to put a question on a ballot to the electorate and ends at 11:59 p.m. on voting day.

- For a by-election, the period commences the first day for the filing of nominations in accordance with the *Municipal Elections Act* and ends at 11:59 p.m. on voting day.

Election Sign

- Any sign that is intended to influence individuals to vote for or against any Candidate or any question on a ballot, including but not limited to, an Election Sign as defined in the City's Election Sign By-law. Election Sign also includes election material such as buttons, t-shirts, hats, pens, stationary, calendars, fridge magnets, car magnets/car wraps, or any other materials used to promote or oppose a Candidate.

Library Resources

- Includes but is not limited to library employees and volunteers, library events/programs, library services (including online events/programs and services such as online and social media channels), library facilities, library information, library equipment and supplies, library funds, and library infrastructure. These are further defined as follows:
 - "Library employees" – all exempt and non-union employees, members of the bargaining unit and volunteers that are supporting the Library.
 - "Library events/programs" – events funded or organized by the Pickering Public Library, including events that may be jointly organized with community organizations and/or with external sponsors. Library events do not include events and meetings organized by third parties, which are not considered library events for the purpose of this policy.
 - "Library facilities" – any facility that is managed by the Pickering Public Library. Library facilities do not include public rights-of-way such as sidewalks, roads and boulevards, laneways or facilities rented in accordance with the Room Booking for External Groups Policy.
 - "Library information" – any information in the custody and control of the Library, including databases that may be the repository of names, contact information, business records, financial information and other identifiers compiled and used by library employees to conduct Library business. An example of a library database is the Library client database.
 - "Library infrastructure" – any physical or technology systems that support the operation of library programs and services, including but not limited to, vehicles, computer network, and email system, wireless equipment, computer hardware, software and peripherals, internet and intranet.

Excludes public rights-of-way including sidewalks, roads, laneways and boulevards.

Media Event

- An event such as a press conference or photo opportunity to which the media is invited and the purpose of which is to promote, support or oppose a candidate, registered third-party advertiser, a political party, or a position on a question on a ballot. Features of a Media Event can include but are not limited to, the issuing of a media advisory stating date, time and location of briefing/press conference, use of backdrops, podiums or public address systems, the distribution of media releases, media kits, display of signage or other materials to promote, support or oppose a candidate, registered third-party advertiser, or a position on a question on a ballot.

Media Scrum

- An unplanned encounter between a candidate, a registered third-party advertiser, their staff, or with media.

Member of Council

- The Mayor and Members of Council for the Corporation of the City of Pickering.

Political Party

- Political parties for provincial and federal elections that are registered under the *Ontario Election Finances Act* or in the registry of parties referred to in section 374 of the *Canada Elections Act*. Under the current legislative framework, political parties cannot participate in the City's municipal elections or by-elections.

Question on a Ballot

- Any question or by-law submitted by the electors by Council, a school board, an elected local board, or the Minister of Municipal Affairs under the Act.

Registered Third-Party Advertiser

- In relation to a municipal election, an individual, corporation, or trade union that is registered with the City Clerk, as per section 88.6 of the Act, whose purpose is to promote, support or oppose a candidate for office, or an issue on a question on a ballot, and is not under the direction of a candidate.

Third-Party Advertisement

- An advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting, or opposing a candidate for office, or an issue on a question on a ballot, and is not under the direction of a candidate.

POLICY PRINCIPLES

1. Library Board

- Citizen Board Members of the Pickering Public Library Board must inform the Chief Executive Officer if they register to run for office in an election. Citizen Board Members should also contact the City Clerk's Office immediately and abide by City policies which affect Citizen Board Members running for office.
- Councillor Board Members must inform the Chief Executive Officer if they are running to become an MP or MPP.
- Library Board Members may engage in political activity, including endorsing or opposing a candidate, political party, or a particular response to a referendum question, but not in a manner that would lead a member of the public to infer that they are acting in their capacity as a Library Board Member or on behalf of the Pickering Public Library.

2. Library Facilities in an Election Campaign Period

- Campaigning, distribution or display of campaign material or an Election Sign will not be permitted at any Library facility, Library event or Library meeting (exception: All Candidates Meetings).
- Candidates, registered third-party advertisers, or political parties in an election cannot use the facilities, equipment, supplies, programs, and services (including online services, social media, and email), staff, or other resources of the Library for any election campaign or campaign-related activities (except for facilities rented in accordance with the Room Booking by External Groups Policy).
- All Candidate Meetings may be held at Library facilities provided that all candidates for an office are invited to attend such meetings. A candidate cannot be featured or promoted in association with any other library program or event. The Library may charge a nominal fee for use of the facility.
- Candidates, registered third-party advertisers, or political parties may not distribute campaign materials on or in library facilities or at library events, but are permitted to distribute campaign materials on public right of way sidewalks, and during all candidate meetings.

- Candidates, registered third-party advertisers, or political parties cannot undertake campaign-related activities on Library property (except for facilities rented in accordance with the Room Bookings for External Groups Policy). Consistent with the Display of Promotional Materials in the Library Policy, the Library does not permit the display and distribution of materials primarily political in nature (including election campaign materials) on library property.
- Informal media scrums may be permitted in the public or common areas of library facilities provided that Library staff on-site has provided verbal approval. The activity may not disrupt regular library business. If the media scrum is disrupting library services, library staff may ask the participants to find an alternative location. Informal media scrums may not include apparatus, mechanisms, or devices for the amplification of the human voice or any sounds.

3. Access to Library Resources during an Election Campaign Period

- The Library's logo, or other intellectual property may not be printed, posted, or distributed on any election-related campaign materials or included on any election-related website.
- Candidates may not post photographs online of themselves with Library employees wearing Pickering Public Library staff-identifiers (examples include staff uniform, name tag).
- Photographic or video materials that have been created by library employees or with library resources may not be used for any election purpose or in campaign materials.
- Websites or social media that are funded by the Library may not include any campaign materials, make reference to and identify any individual as a candidate, registered third-party advertiser, or political party or profile any slogan or symbol associated with a candidate, registered third-party advertiser, or political party.

4. Access to Library Information During an Election Campaign Period

- Information provided to one candidate, registered third-party advertiser, or political party that is of a general nature and may provide valuable guidance to all others will be provided to all candidates or political parties.
- Requests by a candidate, registered third-party advertiser, or political party for personal meetings with the CEO or PPL Directors, as well as requests for tours of library facilities may not always be accommodated due to resource and time constraints. If a meeting or a tour is organized, the Library will organize a similar meeting or tour for any other candidate, registered third-party advertiser, or political party, upon request.

- Library databases (i.e., database with client information) may not be used by any candidate, registered third-party advertiser, or political party.

5. Attending Library Events During an Election Campaign Period

- Candidates, registered third-party advertisers or political parties are permitted to attend library events, or events held at library facilities, in either their capacity as elected representatives or as private citizens, but may not campaign while in attendance. No election campaign signs may be posted, and no campaign materials may be disseminated at Library events.
- Elected officials are permitted to attend library-organized events or events held on library facilities and act as ceremonial participants in their capacity as elected officials, including speaking at the event and partaking in ceremonial activities. In provincial or federal elections, once the writ is issued, MPPs and MPs, with the exception of Ministers of the Crown, are no longer elected officials and therefore should not be invited to attend library events.

6. Staff and Volunteer Participation in Election Campaigns

- Library staff are expected to preserve the public trust and confidence in the Library. With respect to elections, staff are expected to promote the principles of transparency, impartiality, respect, and accountability.
- 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 providing that such activity does not take place during work hours or utilize Library assets, resources, or property. Notices, posters, or similar material in support of a particular Candidate or political party are not to be displayed or distributed by staff on Library property.
- Staff shall not canvass or actively work in support of a Candidate or political party during normal working hours unless they are away from work on a leave of absence without pay, maternity/parental leave, lieu time, flex day, or vacation leave.
- Staff shall not canvass or actively work in support of a Candidate or political party while wearing a uniform, badge, logo, or any other item identifying them as Pickering Public Library staff, or using a vehicle owned or leased by the Library.
- Staff who are relatives of any Member of Council or Candidate shall not be assigned to work as an Election Official, or work on any part of the election process.
- Staff are advised to be especially mindful of public perception during municipal elections, and to ensure that their activities neither conflict with, nor adversely

affect, their duties as Library staff. Moreover, staff have a responsibility to ensure that public resources are not used for campaigning by any person.

7. Restriction to Services Provided to Members of Council Beginning August 1 of an Election Year

- Members of Council may also be candidates in a municipal election. Accordingly, after August 1 in the municipal election year, the Library will discontinue the following activities, irrespective of whether they are seeking election in the new term or not:
 - All forms of political advertising or communication, such as City Councillor newsletters, will not be placed in the Library during the election campaign period.
 - All forms of advertising and communication, including publications and social media accounts, that are operated or distributed by the Library will not reference the name or image of a Member of Council.

8. Promoting Elections

- Nothing in this policy prohibits the Pickering Public Library from promoting awareness of or providing information about upcoming elections as long as no particular candidate, registered third-party advertiser, or political party is promoted, supported or opposed. This includes promoting awareness of activities or events in which all candidates in an election are invited to attend.
- The Library may arrange all candidate events at the provincial or federal level. All candidates must be invited to attend.

RELATED POLICIES & PROCEDURES

- Use of Library Space Policy
- Room Booking by External Groups Policy
- Code of Conduct Policy
- Photography and Video in the Library Policy
- Use of Corporate Resources for Election Purposes (City of Pickering Procedure ADM-170-001)

Alternate formats of this document are available upon request.
Please speak to Library staff for assistance.