

Section:	Operational	Chairperson's Signature:	Original Signed by Chair Julia Harris
Board Motion Number:	2022-05	Date Approved:	March 21, 2022
Pages:	5	Revision Dates:	February 18, 2025

USE OF LIBRARY RESOURCES DURING AN ELECTION PERIOD

BACKGROUND

Oxford County Library must act and appear to act in a non-partisan way at all times, especially during elections, while supporting the democratic process, freedom of expression and informed discussion on political issues.

The Library must comply with legislation related to elections. These regulations are included in the *Municipal Elections Act, 1996* as amended by *Bill 181*, the *Municipal Elections Modernization Act, 2016*.

PURPOSE

The purpose of this policy is to provide a consistent approach and direction on the use of Library Resources during municipal, school board, provincial and federal election campaigns or questions on the ballot.

It is also to ensure that Oxford County Library is in compliance with relevant legislation including, but not limited to, the *Municipal Elections Act*, the *Ontario Elections Finances Act*, the *Canada Elections Act*, and relevant municipal by-laws.

This policy applies to Board members, employees and volunteers at the Library in their dealings with candidates and political parties and the use of Library resources during political campaigns.

It is the responsibility of the CEO/Chief Librarian to ensure that the Library complies with legislation related to elections at all levels – municipal, provincial, and federal.

DEFINITIONS

Campaigning Any activity by or on behalf of a Candidate, Political Party, Third Party Advertisers, registrant, advocate or Question on a Ballot meant to elicit support during the Election Period.

Campaign Materials Any materials used to solicit support during an Election Period, including but not limited to literature, banners, posters, pictures, buttons, clothing or other paraphernalia. Campaign materials also include materials in media such as print, displays, electronic, radio or television or other online sources such as websites of social media.

Candidate Any person who has filed and not withdrawn a nomination for an elected

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office at the municipal, school board, provincial or federal level in an election or by-election.

Contribution Money, goods and/or services given to and accepted by or on behalf of a person for his or her election campaign.

Election An election or by-election at the municipal, school board, provincial or federal level of government, or the submission of a question to the electors.

Election Period The official period of an election:

- for a municipal election, this refers to the period starting on the day an election is called and ending on election day;
- for a provincial or federal election, the election period commences the day the writ for the election is issued and ends on voting day;
- for a question on a ballot, the election period commences on the day the municipality passes a by-law to put a question to the electorate and ends on voting day; and,
- for a by-election, the election period commences when the by-election is called and ends on voting day.

Election Sign Any sign that is intended to influence individuals to vote or against any Candidate or any question on a ballot, including but not limited to an Election sign as defined by any Oxford County and/or area municipality by-law.

Library Resources Include, but are not limited to, Library employees and volunteers; programs, events and services; Library facilities and infrastructure; and Library equipment and supplies.

Member of Council The Warden and County Councillors, as well as Mayors and Councillors at the Area Municipal level.

Non-partisan Not in support or opposition to any Political Party, Platform or Candidate for public office.

Political Party Those registered with the *Ontario Election Finances Act* or in the registry of parties referred to in the *Canada Elections Act*. For municipal or school board elections, or for ballot questions, the term means any

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organization(s) whose fundamental purpose is to participate in public affairs by endorsing one or more of its members as candidates and supporting their election, or to promote the acceptance of a certain position on a ballot question.

Public Rights-of-Way The municipal-owned portion of land that includes roadways, shoulders, sidewalks, and other types of easements to a property.

Question on a Ballot Any question or by-law submitted to the electors by the municipal governments, a school board, an elected local board, or the Minister of Municipal Affairs and Housing under the *Municipal Elections Act, 1996*.

Registrant An individual, corporation or trade union who has registered as a third party for the election with the Area Municipal Clerks Department under the *Municipal Elections Act, 1996*.

Supporter One who supports a “yes” or “no” response to a ballot question but not incurring expenses like a registrant.

Third-Party Advertisers An individual, trade union 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.

Voting Day The day on which the final vote is to be taken in an election.

PROCEDURES

1.0 Campaign Contributions

- 1.1 In accordance with the *Municipal Elections Act, S.88.8(4)*, the Library Board shall not contribute to the campaign of any candidate or political party in the form of money, goods or services.
- 1.2 In accordance with the Ontario *Elections Finances Act, S.16(1)*, the Library Board shall not contribute to the campaign of any candidate of a provincial election, constituency association, nomination contestant, candidates, and leadership contestant of provincial political parties in the form of money, goods or services

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- 1.3 In accordance with the *Canada Elections Act*, S.363(1), the Library Board shall not contribute to the campaign of any candidate of a federal election, a registered party, a registered association, nomination contestant, or leadership contestant of federal political parties in the form of money, goods or services

2.0 Use of Library Resources and Property

- 2.1 All candidates and political parties have equal access to publicly available resources and services of the Library.
- 2.2 Candidates shall not use equipment, supplies, staff, or other operational Library Resources; nor shall they use the Library's logo in any campaign material.
- 2.3 "All Candidate" meetings may be held in the Library, either as a program or sponsored by another group, provided that all candidates are invited to attend such meetings. A candidate shall not be featured or promoted in association with any other regular Library program or event.
- 2.4 Due to the limited availability of space and the priority given to all candidate meetings, the Library will not rent meeting rooms, study rooms, or any other spaces to a candidate, political party, registrant or supporter of a question on a ballot for use as part of the election process and/or a specific campaign.
- 2.5 Candidates and political parties are permitted to distribute campaign materials on public rights-of-way at the Library, unless prohibited by a municipal by-law.
- 2.6 In accordance with the Library's *Community Information Policy*, during an election political materials will only be eligible for posting or display in the Library for the sole purpose of announcing meetings and forums for discussion of community issues.
- 2.7 No election sign or poster specific to a candidate or political party shall be posted on the grounds of a Library branch or in a Library facility.
- 2.8 The Library's free Wi-Fi and internet services may be used by voters for online municipal voting.
- 2.9 The Library will promote awareness of the election; provide general information on elections; and provide technical assistance for individuals voting online during a municipal voting period.

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3.0 Employee, Volunteer and Board Member Participation in Election Campaigns

- 3.1 Oxford County Library Employees and/or volunteers involved in a political campaign must be politically neutral in carrying out their Library duties and must not participate in campaign activities during their working hours.
- 3.2 While engaging in election related activities, Library employees and/or volunteers shall not wear any clothing, such as branded shirts or name badges, which identifies them as an employee of the Oxford County Library; further they shall not use any vehicles, staff assigned technology tools, or other staff resources owned by the Library.
- 3.3 Any Library employee running as a candidate in the municipal election must comply with Section 30 of the *Municipal Elections Act*, 1996.
- 3.4 Library employees running for political office at any level must comply with Section 4.0 of the Oxford County *Employee Code of Conduct*, 2013 which states that those running for County Council will be required to take a leave of absence while campaigning.
- 3.5 Library Board members may continue their board responsibilities when they are running for office.
- 3.6 Library Board members must adhere to the Oxford County *Council Code of Conduct*, specifically Section 8.0, Work of a Political/Personal Nature when running for office.

4.0 Requests for Information about the Library

- 4.1 The CEO/Chief Librarian will coordinate requests for information about the Library received from candidates or political parties.
- 4.2 Information that is provided by the Library to one candidate or political party will be provided to all other candidates and political parties upon request during an election.
- 4.3 Any candidate or political party may request a meeting with the CEO/Chief Librarian or a tour of Library branches.

5.0 References and Related Documents

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5.1 Oxford County Library Policies

5.1.1 Oxford County Library. (2021, November). *Community Information Policy.*

5.2 Oxford County Policies

5.2.1 County of Oxford. (2013, March). *Employee Code of Conduct.*

5.2.2 County of Oxford. (2007, November). *Council Code of Conduct.*

5.3 Legislation

5.3.1 Ontario. *Municipal Elections Act, 1996*, S.O. 1996, c. 32

5.3.2 Ontario. *Elections Finances Act*, R.S.O. 1990, c. E.7

5.3.3 Canada. *Canada Elections Act*, S.C. 2000, c.9

5.3.4 Ontario. *Public Libraries Act*, R.S.O 1990, c. P.44