



FORTFRANCES

**EMPLOYEE POLITICAL ACTIVITY AND
NEUTRALITY DURING MUNICIPAL
ELECTIONS POLICY**

ADMIN & FINANCE

POLICY 1.20

Created: 2026-04-13

Revised:

Authorized: By-Law 30-26

Superseded:

EMPLOYEE POLITICAL ACTIVITY AND NEUTRALITY DURING MUNICIPAL ELECTIONS POLICY

1. PURPOSE

The purpose of this policy is to establish clear rules governing employee political activity and political neutrality during an Election Period in the Town of Fort Frances.

This policy ensures compliance with the *Municipal Elections Act, 1996*, the *Election Finances Act* (Ontario), and the *Canada Elections Act*, while maintaining public confidence in the integrity and impartiality of municipal administration.

2. POLICY STATEMENT

The Town of Fort Frances is committed to maintaining neutrality during all Election Periods.

This policy is intended to:

- Establish clear expectations for employees during Election Periods;
- Ensure that employees do not engage in political activity while performing their duties;
- Maintain the political neutrality of municipal staff, particularly those involved in the administration of elections; and
- Balance these requirements with the rights of individuals to engage in political activity in their personal capacity, where permitted by law.
- Nothing in this policy is intended to limit the lawful political activity of employees outside of their employment, except where such activity may conflict with their duties or undermine the perceived neutrality of the municipality.

3. APPLICATION

This policy applies to all employees of the Town of Fort Frances, including full-time, part-time, and contract staff.

This policy applies during any Election Period as defined herein.

4. DEFINITIONS

- “Town of Fort Frances” means the Corporation of the Town of Fort Frances.

- **“The Act”** means the Municipal Elections Act , 1996, c. 32, as amended from time to time, and includes any regulation made there under;
- **“Candidate”** means a person who has filed a nomination to run in a municipal, provincial or federal election, and shall be deemed to include a 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 Act;
- **“Campaign(ing)”** means any activity by, or on behalf of a Candidate, political party, constituency association, Registered Third Party, or question on a ballot meant to elicit support during the Election Period. This does not include the appearance of elected officials, other candidates or their supporters, or registrants at an event in their personal capacity without the display of any signage or graphics which identify the individual as a candidate or registrant without the solicitation of votes.
- **“Election Period”** means the official Campaign period of an election for:
 - A municipal or school board election; the Election Period commences on the first day prescribed for the filing of nominations in accordance with the MEA and ends on voting day.
 - A provincial or federal election; the Election Period commences the day the writ for the election is issued and ends on voting day.
 - A nomination for a political party, the Election Period is the nomination contesting period as determined by the Party.
 - A question on the ballot; the period commences the day Council passes a by-law to put a question to the electorate and ends on voting day.
 - A municipal or school board by-election; the period commences on the first day nominations may be filed and ends on voting day.
- **“Municipal Facilities”** means any real property owned or under the control of the Town of Fort Frances or operated by the Town of Fort Frances local board;
- **“Office of the Clerk”** refers to the department consisting of the Municipal Clerk and the Deputy Clerk, who are the bodies responsible for overseeing the Municipal Election.

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- “Staff” includes full-time, part-time, and contract employees, paid by the Town of Fort Frances;
- “Voting Day” is the day on which the final vote is to be taken in an election.

5. STAFF

1. Per the *Municipal Elections Act, 1996*, an employee of a municipality or local board is eligible to be a candidate for and to be elected as a member of the council or local board that is the employer if they take an unpaid leave of absence beginning as of the day the employee is nominated and ending on voting day. Per section (30)(7) of the Act, this does not include volunteer firefighters, who if eligible to be a candidate, may run in an election.
2. Employees of the Town of Fort Frances are entitled to refuse a current member of Mayor and Council or a member of the public that is running in an election where the request is to support their campaign or to use Town resources for campaign purposes.
3. Town of Fort Frances Employees are not to:
 - a. engage in political activity in the workplace;
 - b. canvass or actively work in support of a municipal candidate during normal working hours unless they are on a leave of absence without pay, lieu time, float day, or vacation leave;
 - c. engage in political activity while wearing a uniform associated with a position at the Town of Fort Frances;
 - d. use government premises, equipment or supplies when engaging in political activity; or
 - e. associate their position with political activity, except if the employee is or is seeking to become a candidate in the municipal election, and then only to the extent necessary to identify the employee’s position and work experience.
4. Under the Municipal Elections Act, certain persons and entities are not to make financial contributions to a municipal election campaign. This includes trade unions that hold bargaining rights for employees in Ontario.
5. Under the Municipal Elections Act, no person shall (90) (3):

- a. Give, procure, or promise or agree to procure an office or employment in connection with the exercise or non-exercise of an elector's vote;
6. Due to the nature of their roles as election officials under the Municipal Elections Act, 1996, members of the Office of the Clerk shall maintain strict political neutrality and shall not, at any time, engage in political activity related to a municipal election for the municipality, including but not limited to:
 - a. Encouraging or discouraging any specific individual to run for municipal office;
 - b. Supporting, opposing, canvassing for, or assisting any municipal candidate or campaign; or
 - c. Engaging in political activity in or outside of the workplace that could reasonably be perceived as compromising the impartial administration of an election.

Exemptions that do not prohibit members of the Office of the Clerk are:

- a. Fulfilling their statutory duties in the administration of a municipal election or by-election in accordance with the Municipal Elections Act, 1996;
 - b. Providing neutral, broad-based public information encouraging any interested and eligible persons to consider running for office, including through advertisements, education sessions, handouts, information booths, events, or similar initiatives directed to the general public; or
 - c. Organizing or facilitating events or communications that provide all certified candidates with equal and impartial opportunities to participate.
7. The Chief Administrative Officer is the only employee of Mayor and Council. Therefore, the Chief Administrative Officer should maintain strict political neutrality and should not, at any time, engage in political activity related to a municipal election or by-election for the municipality, including but not limited to:
 - a. Encouraging or discouraging any specific individual to run for municipal office;
 - b. Supporting, opposing, canvassing for, or assisting any municipal candidate or campaign; or
 - c. Engaging in political activity in or outside of the workplace that could reasonably be perceived as compromising the impartial administration of an election.

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Where this person may be interested in political engagement, they are to seek advice from the Office of the Clerk.

8. The following persons are strongly encouraged to maintain political neutrality and not engage in political activity:
 - a. Senior Management
 - b. Statutory officers, as appointed by Council
 - c. Division and department leads
 - d. Members assigned as elections staff

These members should exercise greater caution in participating in political activity that may be perceived as partisan during election and by-election periods. Where these members may be interested in political engagement, members are to seek advice from the Office of the Clerk.

6. IMPLEMENTATION

This policy shall become effective immediately upon approval by the Municipal Council.

7. RATIONALE AND LEGISLATIVE AUTHORITY

The *Municipal Elections Act, 1996* establishes rules governing municipal elections, including restrictions related to campaign conduct and contributions.

This policy provides direction to employees to ensure that their conduct aligns with legislative requirements and maintains the integrity, impartiality, and public confidence in the municipal election process.