

4. Application

This policy applies to St. Thomas Public Library Board members and candidates including City Councillors, registered third-party advertisers and political parties during an election period. This policy also applies to employees of St. Thomas Public Library and their dealings with candidates, including City Councillors, during an election period.

This policy applies to municipal (including school board), provincial and federal elections or by-elections, and to questions on the ballot. References in this policy with respect to political parties refer to provincial and federal elections or by-elections and do not apply to the City of St. Thomas 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 St. Thomas Public Library Board continues to meet and conduct business during an election period. Nothing in this policy shall prohibit members of St. Thomas 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.

5. Policy Statement

St. Thomas Public Library supports the principle of intellectual freedom, which is the free exchange of information and ideas in a democratic society. The Library seeks to engage and encourage discussion on civic and social issues in a manner that is neutral, fair and equitable to all those seeking elected office. St. Thomas Public Library does not make contributions (including money, goods and services) or use Library resources to promote any candidate, registered third-party advertiser, political party, or supporters of a question on a ballot during an election.

6. Board Members

- 6.1 Citizen Board Members of St. Thomas Public Library Board must inform the CEO/Chief Librarian immediately 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.
- 6.2 Councillor Board Members must inform the CEO if they are running to become an MP or MPP.
- 6.3 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 St. Thomas Public Library.

7. Access to Library Facilities during an Election Period

- 7.1 Library facilities and Library infrastructure may not be used for any election-related purpose by a candidate, registered third-party advertiser or political party. In particular, signs may not be erected or displayed on a facility that is owned or operated by the Library.
- 7.2 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 Facility Policy 06-01)
- 7.3 All-candidate meetings may be held at Library facilities provided that all candidates for an office are invited to attend such meetings.
- 7.4 Candidates, registered third-party advertisers or political parties may not distribute campaign materials on or in library facilities or at library events.
- 7.5 Candidates, registered third-party advertisers or political parties cannot undertake campaign-related activities on Library property (except for facilities rented in accordance with the Facility Policy 06-01). The Library will not permit the display and distribution of materials primarily political in nature (including election campaign materials) on library property.

8. Access to Library Resources during an Election Period

- 8.1 The Library's logo, slogans, or other intellectual property may not be printed, posted or distributed on any election-related campaign materials or included on any election-related website.
- 8.2 Candidates may not post photographs of themselves with Library employees in "uniform", including nametags.
- 8.3 Photographic or video materials that have been or may be created by Library employees or with Library resources may not be used for any election purpose or in campaign materials.
- 8.4 Website or domain names 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.

9. Access to Library information during an Election Period

- 9.1 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, registered third-party advertisers or political parties. The Library will post the information on the internet or through other mechanisms to ensure equal access to information.

10. Attending Library Events during an Election Period

- 10.1 Candidates, 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 private citizens, but may not campaign while in attendance. No election signs may be posted and no campaign materials may be disseminated at Library events.
- 10.2 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.

11 Restrictions related to Services Provided to Members of Council during an Election Year

- 11.1 As Members of Council may also be candidates in a municipal election, after the first day upon which nomination papers may be filed in the municipal election year, Library Employees will discontinue the following activities for Members of Council. The same rule applies to all Members of Council, irrespective of whether they are seeking election in the new term or not:
- a) Advertising and other communications materials paid for by Library funds and distributed by the Library will not reference the name of a Member of Council. The exception is that Library publications which usually have the names of all Board Members listed as being members of the St. Thomas Public Library Board, including members who are City Councillors, will continue to list them until the new Library Board has been appointed.
 - b) Program and event signage, including banners and posters, will not reference the name of a Member of Council.
 - c) Media releases issued by the Library will not reference the name of a Member of Council.
 - d) Media releases will not be distributed on behalf of any Member of Council unless such a release is considered to be consistent with their duties as an elected official. The decision to distribute a release will be made by the CEO/Chief Librarian.

Definitions

“Campaigning” – means 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 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.

“Campaigning Materials” – means any materials used to solicit votes for a candidate or question on the ballot in an election 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” – means any person who has filed and not withdrawn a nomination for an elected office at the municipal (including school board), provincial or federal level in an election or by-election.

“Contribution” – as defined in the Act:

- For a candidate – means “money, goods and services given to and accepted by a person for their election campaign, or given to and accepted by another person who is acting under the person’s direction”.
- For a registered third-party advertiser – means “money, goods and services given to and accepted by an individual, corporation or trade union in relation to third-party advertisements, or given to and accepted by another person who is acting under the direction of the individual, corporation or trade union”.

“Elected Official” – means an individual elected to the House of Commons, the Legislative Assembly of Ontario, St. Thomas City Council or a school board.

“Election” – means 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 Period” – means the official campaign period of an election

- For a municipal (including school board) election, the election period commences on May 1 of an election year and ends on voting 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 the ballot, the period commences the day City Council passes a by-law to put a question to the electorate and ends on voting day.
- For a by-election, the period commences when the by-election is called and ends on voting day.

“Library Information” – means 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 or other identifiers compiled and used by Library employees to conduct Library business. An example of a Library database is the Library patron database.

“Library Infrastructure” – means any physical or technology systems that support the operation of library programs and services, including, but not limited to: computer network, telecommunications and email systems, wireless equipment, computer hardware, software and peripherals, internet, and intranet. Excludes public right-of-way including sidewalks, roads, laneways, and boulevards.

“Library Resources” – includes, but is not limited to, library employees, library events, library programs and services (including online services such as online and social media channels), library facilities, library equipment and supplies, library funds, library information and library infrastructure. These are further defined as follows:

- “Library employees” – means all exempt and non-union employees, and members of the bargaining unit.
- “Library events” – means events funded or organized by St. Thomas Public Library, including events that may be jointly organized with community organizations and/or with external sponsors. Library events include but are not limited to: community meetings and consultations, cultural celebrations, and special events. 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” – means any facility that is owned or leased by St. Thomas Public Library and that is directly managed and operated by the Library. Library facilities do not include public right-of-ways such as sidewalks, roads and boulevards or laneways.

“Media Event” – means 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.

“Media Scrum” – means an unplanned encounter between a candidate, a registered third-party advertiser, their staff or with media.

“Member of Council” – means the Mayor and Members of Council

“Political Party” – means 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” – means any question or by-law submitted to the electors by Council, a school board, an elected local board or the Minister of Municipal Affairs under the Act.

“Registered third-party advertiser” – means 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” – means 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.

“Voting Day” – means the day the final vote is to be taken in an election.

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