

Toronto Seniors Housing Corporation (TSHC) Elections Policy

Policy Sponsor: Director, Engagement, Partnerships, and Communications

Approver: Board of Directors

Initial Approval Date: May 18, 2022

Date of Last Revision, if applicable: N/A

Effective Date: June 1, 2022

Policy Statement

Toronto Seniors Housing Corporation (TSHC) is committed to working with tenants, candidates, political parties, and public officials at all three levels of government to facilitate elections and election activities on TSHC-managed property, in accordance with applicable legislation, by-laws, and TSHC policies.

During municipal, provincial, and federal election campaigns, TSHC will:

- ensure tenants' personal information is kept private and confidential, in accordance with applicable legislation and internal protocols
- ensure that TSHC resources are not used to promote or give advantage to any candidate, political party or registered third party
- ensure that inquiries from candidates, political parties, or their agents are managed by the Communications Team
- support employee participation in political activities by granting unpaid leave to those seeking election

Policy Objectives

The objectives of this policy are to:

- outline TSHC's responsibilities during elections
- outline how TSHC resources can and cannot be used during election campaigns, and which requests can and cannot be accommodated
- guide the conduct of TSHC's employees and Board members during election campaigns in compliance with applicable legislation, by-laws and TSHC policies
- guide the conduct of TSHC's employees and Board members seeking political office

Scope

The Elections Policy (Policy) governs election-related activities on TSHC-managed property and the actions of TSHC's employees and Board members related to

elections.

The Policy applies to:

- municipal (including school board), provincial or federal elections, or by-elections and to questions on the ballot
- all TSHC employees, Board members, and tenants, including those running for political office
- TSHC resources, including, but not limited to, employees, events, facilities, funds, information, and infrastructure

Definitions

Campaign/Campaigning: any activity by or on behalf of a candidate, political party, registered third party or in support or opposition to a 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 parties at an event in their personal capacity without the display of any signage or graphic which identifies the individual as a candidate or registered third party and without the solicitation of votes.

Campaign Materials: Any advertising or promotional materials intended to influence persons to vote for or against a candidate, political party, or a question on a ballot. Materials may include literature, banners, posters, pictures, buttons, clothing, etc. Election materials also include materials in all media, including websites or social media.

Elected Official: An individual elected to the House of Commons, the Legislative Assembly of Ontario, Toronto City Council, or a school board.

Election: An election or by-election at the municipal, provincial, or federal level, or the submission of a question on a ballot to the electors.

Election Officials: Employees of Elections Canada, Elections Ontario, Toronto Elections, or their agents.

Election Period: The official campaign period of an election.

- For municipal elections, the election period commences on May 1 of an election year and ends on election day.
- For provincial and federal elections, the election period commences the day that the election writ is issued and ends on election day.
- For by-elections, the election period commences when the by-election is called and ends on election day.
- For a question on a ballot, the election period commences when the respective level of government passes legislation or a by-law to put a question to the electorate. It ends on election day.

Employee: Includes management and exempt employees, contract-managed employees, and all members of TSHC bargaining units.

Leadership Team (LT): Team of senior leaders responsible for the strategic management of the corporate and operational functions of TSHC.

Official Election Materials: Any materials provided to voters by Elections Canada, Elections Ontario, Toronto Elections, or their agents to facilitate voting.

Personal Information: As defined in the *Municipal Freedom of Information and Protection of Privacy Act*, includes recorded information about an identifiable individual.

Political Office: The elected offices of municipal, provincial, or federal government.

Question on a Ballot: Any question submitted to electors by the municipal, provincial, or federal government.

Registered Third Party: In relation to a municipal election, an individual, corporation, or trade union that is registered with the City Clerk, in accordance with the *Municipal Elections Act*, section 88.6, 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.

Toronto Seniors Housing Corporation (TSHC) Resources: Including, but not limited to, employees, funds, events, facilities, information, and infrastructure, as defined below:

- **“Election Day”** means the day on which an election is held. This is the day most people go to vote.
- **“Events”** means events funded or organized by TSHC, including events that may be jointly organized with tenants, community organizations, and/or external sponsors.
- **“Facilities”** means common areas or grounds of any facility which is managed by TSHC.
- **“Information”** means any information in the custody and control of TSHC, including databases that may be the repository of names, contact information, business records, financial information, personal information, or other identifiers compiled and used by TSHC employees to carry out TSHC business. This information is considered TSHC property, and in most cases, it is not known to the public and may be confidential. It must not be used or disclosed without proper authorization, and in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.
- **“Infrastructure”** means any physical or technological systems and equipment that support the operation of TSHC, including, but not limited

to, fleet vehicles, computer networks, telecommunications systems, wireless equipment, mobile phones, computer hardware, software and peripherals, internet, and intranet.

Roles and Responsibilities

- **Communications Team:** As policy owner, the Communications Team is responsible for the administration of this policy. All issues with respect to this policy and guidelines should be directed to the Communications Team.
- **Department Leads:** Department Leads are responsible for the application of this policy and guidelines to TSHC resources, facilities, and employees they manage.
- **TSHC Employees:** Employees are responsible for understanding and applying the Elections Policy and guidelines and for seeking clarification and advice from Department Leads if required.

Policy Content

The Elections Policy provides detailed information in the following areas:

- election activities on TSHC-managed property
- election signs
- protection of tenant privacy
- election-related inquiries
- use of TSHC resources during an election campaign
- workplace conduct during an election campaign
- employees seeking political office

Election Activities on TSHC-Managed Property

TSHC employees must ensure that:

- election officials, candidates, and their agents provide proper identification and display that identification to gain access to TSHC-managed property for election-related work
- election officials, candidates, and their agents have reasonable access to TSHC-managed property to perform their duties in accordance with the *Residential Tenancies Act*

TSHC employees will not:

- discard or tamper with official election materials (e.g., voter registration, voter identification cards, polling location information, etc.) delivered to tenants by election officials or their agents
- discard or tamper with campaign materials (e.g., pamphlets, flyers, letters, etc.) delivered to tenants by candidates, political parties, registered third

parties or their agents

Election Signs

The City of Toronto's Municipal Code provides rules and regulations regarding election signage that candidates must observe for any election in the City of Toronto.

- Signs cannot be illuminated or attached to trees.
- Signs cannot be placed between the curb and the sidewalk.
- Signs cannot interfere with the safe operation of vehicular traffic or with the safety of pedestrians.
- Signs cannot be located adjacent to a voting place.
- Signs may only be erected with the consent of the tenant.
- Signs may be higher than two meters above ground level provided they are displayed indoors. They cannot be attached to the outside of a balcony or terrace.
- No person is allowed to deface or willfully cause damage to a lawfully erected election sign.

Election signs may be erected on TSHC-managed property subject to compliance with the City's rules and the following conditions:

- Tenants are permitted to post election signs anywhere considered to be within their personal unit. This includes fenced-off yards and ground-level fences attached to their unit.
- Tenants are not permitted to post election signs on their balconies.
- Election signs cannot be posted in common areas.

TSHC employees are required to remove election signs from common or prohibited areas, or signs that do not comply with City rules.

Protection of Tenant Privacy

TSHC is committed to protecting personal information consistent with the principles outlined in the *Municipal Freedom of Information and Protection of Privacy Act* and the *Housing Services Act*. TSHC employees must not provide tenant lists or other personal information about tenants to election officials, candidates, political parties, registered third parties, or their agents.

Election-Related Inquiries

- All election-related inquiries to employees or Board members from political parties, candidates, registered third parties, and/or their agents must immediately be directed to the Communications Team. Employees should also inform their managers of the inquiry.
- TSHC will share information with candidates, political parties, and/or their

agents provided it contains no confidential information or personal information about tenants.

- Information that is provided by TSHC to one candidate or political party during an election period will be provided to all others, either by posting the information online or through other means.
- Requests made by a candidate, political party, or registered third party for a personal meeting or tour with an Officer, Board member, Leadership Team member or other TSHC employee during an official election period will not be accommodated.

Use of Toronto Seniors Housing Corporation (TSHC) Resources

- Elected officials may attend TSHC events and/or events held at TSHC facilities in their capacity as elected officials; however, they may not solicit votes, display election signs, or distribute campaign material.
- Candidates, representatives of political parties, and registered third parties may attend TSHC events and/or events held at TSHC-managed facilities as private citizens but may not campaign while in attendance. They may not solicit votes, display election signs, or distribute campaign material.
- Once the writ is issued for Provincial or Federal elections, Members of Parliament (MPs) and Members of Provincial Parliament (MPPs) are no longer elected officials and should not be invited to attend TSHC events in their capacity as elected officials.
- TSHC cannot make a contribution including money, goods, and services to any candidate, political party, or registered third party.
- TSHC resources cannot be used to promote one candidate, political party, or registered third party over another during an election period.
- TSHC supports tenant engagement in elections. To facilitate this engagement, all-candidates meetings may be held at TSHC-managed facilities, where practicable, provided that all registered candidates are invited to attend.
- After August 1 in a municipal election year, TSHC will not reference the name of members of City Council in:
 - advertising and other communications materials paid for or distributed by TSHC
 - event signage, including banners and posters
 - media releases issued by the Communications Team
- If it is necessary to reference a specific member of City Council or the Mayor in TSHC communications or media materials after August 1 in a municipal election year, the generic term "Councillor Ward XX" or "Mayor of Toronto" must be used.
- TSHC communications materials, including websites or domain names funded or administered by TSHC, and social media, blogs, or other new media created and managed by TSHC employees, whether for internal or

public distribution, must not:

- profile (name or photograph), refer to, and/or identify any individual as a candidate, or any individual or entity as registered third party, in any election
- profile any slogan or symbol associated with a candidate, political party, or registered third party during the election period
- advocate for or against a particular candidate, political party, or ballot question position during an election period
- Photographic or video materials created by TSHC employees or with TSHC resources cannot be used in any campaign materials.
- TSHC's logo cannot be used in any campaign material.

Workplace Conduct During an Election Campaign

TSHC recognizes the right of employees to participate in political and election activities balanced against the corporation's legitimate interest in both being and appearing to be non-partisan.

TSHC employees are not permitted to:

- use or allow the use of TSHC resources for campaign activities. TSHC resources include, but are not limited to, employee time, as well as events, facilities, funds, information, and infrastructure.
- engage in campaign activities during working hours. Working hours do not include vacation time or time on leaves of absence.
- display election campaign items at work.
- attend campaign events or undertake campaign activities while in TSHC clothing.
- solicit funds for a candidate from co-workers, either at work or outside of work.

The Chief Executive Officer of TSHC and members of the Leadership Team are not permitted to campaign for a candidate or political party before or during municipal, provincial, and federal elections.

Employees Seeking Political Office

TSHC employees seeking to run for political office must first declare a potential conflict in writing to their Department Lead and receive authorization prior to filing their candidacy. The employee must provide written notice to their manager at least two weeks in advance of their intention to take unpaid leave.

- For municipal elections, the leave must start the next working day after the employee files their candidacy.
- For provincial and federal elections, the leave must start the next working day after the employee receives the nomination.

Conflict of Interest

- Employees on an approved leave of absence from TSHC remain employees of the organization and are bound by all TSHC policies.
- While campaigning, employees on political leave must clearly state at all times that the views they express are personal views, and not those of TSHC.

Salary and Benefits

- Political leave is unpaid, and benefits can be continued at the employee's expense.
- For management and exempt employees, continuous service and vacation entitlement are not affected by a leave without pay, where the leave is for twenty (20) business days or less.
- Bargaining unit employees are subject to the provisions in their existing collective agreement.

Election to Political Office

- An employee who is elected to political office within the geographical boundaries of the City of Toronto must resign from TSHC.
- An employee who is elected to political office outside of the geographical boundaries of the City of Toronto must resign from TSHC if the political office will interfere with their ability to perform their regular duties, as determined by their Department Lead.
- The resignation must take effect no more than two weeks after the election and prior to the commencement of the term of office.

Rehiring

- TSHC has no obligation to rehire employees who have resigned their position to take political office. Rehiring would be subject to TSHC's hiring policies.

Board Members Seeking Political Office

TSHC Tenant Directors (Board members) seeking political office should refer to the rules set out in the Board of Directors Conflict of Interest Policy.

Related Legislation, Regulations, and TSHC Policies:

Legislation and Regulations

- *Federal Elections Act*
- *Election Act*
- *Municipal Elections Act*
- City of Toronto Municipal Code

- *Residential Tenancies Act*
- *Housing Services Act*
- *Municipal Freedom of Information and Protection of Privacy Act*
- *Personal Information Protection and Electronic Documents Act*

TSHC Policies and Procedures:

- Board of Directors Conflict of Interest Policy
- Board of Directors Code of Ethics and Conduct Policy
- Employee Code of Conduct Policy
- Employee Conflict of Interest Policy
- Guidelines for Elections Policy
- Media and Issues Protocol
- Voluntary Leave without Pay Policy

Amendments (Revision History):

N/A

Next Scheduled Review Date: 2027

This policy will be reviewed once every 5 years.

Policy Contact

Manager, Communications and External Affairs

Appendices

Guidelines for Elections Policy