

New Ontario Election Law affects local unions and union members

Being employed in the public sector, CUPE Ontario members know that elected public officials make the policy and set the budgets that govern their working lives. And as such, it makes sense that CUPE Ontario members pay attention to the municipal, provincial and even federal elections that can all have a profound impact on them and their families.

In that context, and knowing the a provincial election in Ontario is coming on June 07, 2018, it's important for CUPE members, local leaders and staff in Ontario to be aware of the new laws governing, and actually restricting how unions can engage in election campaigns, speak out on issues and support the parties and candidates of their choice.

The Ontario Liberal government passed Bill 02, the Election Finances Statute Law Amendment Act in December 2016. Here are the critical things that every CUPE Local leader, CUPE staff rep and politically active CUPE member needs to know about how that law affects them.

1 Union locals and central bodies can no longer make any contribution whatsoever of money, goods or services, including paid work time by a union member, to a political party or candidate either during a campaign or outside election time.

2 Individual union members can make financial donations to a party or a candidate, but this cannot be a donation of money supplied by their union. The allowable maximum donations are \$1,200 to a party, \$1,200 to a local party constituency association and \$1,200 to one or more individual candidates in a calendar year.

3 Local unions or central union bodies are allowed to use paid advertising to address the issues in an election, but they are not allowed to use paid advertising to advocate voting for or against any particular party or candidate. This may include putting material on a web site that can be accessed by the general public. CUPE Ontario is seeking further clarification on this point.

4 Central and/or local union bodies that want to use paid advertising to speak out on the issues during an election must register as a Third Party with Elections Ontario and must limit their advertising spending to a maximum of \$4,000 in any one given riding.

5 Individuals are free to volunteer to help a party or candidate in an election but may not do so on paid work time or paid union leave. Volunteering on your day off, when you are not at work, or on vacation is entirely permissible.

6 Local unions, local elected union leaders and CUPE staff that wish to communicate internally in CUPE with only CUPE members and staff about an election, including about supporting a party and candidates, are entirely free to do so and to spend union money to do so. E.g. A local union could print a flyer about the election, supporting a party and candidate, and mail that flyer to each local member paid for by the local. A local union could book off a member full time to phone union members to talk about the election and about supporting a party and candidate. A Union can organize an internal union phone banks to call members at home. Inviting a candidate to speak at a local membership meeting, or sending emails to union members or broadcast phone messages is OK too. Internal communication about supporting a party or candidate must only be sent to other CUPE Ontario members and staff, and not directed to the general public.

7 If we are only communicating internally, CUPE speaking to CUPE, we can pretty much say and do, and spend, whatever we please about an election including encouraging one another to support a given party and candidates, to volunteer on their campaigns and even to donate to them as individuals.