

POLICY – PO301

Employees Running for, and/or Elected to, Public Office

Area: Human Resource Services
Source: Superintendent of Human Resource Services

Approved: Jan. 5, 1998
Revised: Nov. 9, 2015; Nov. 5, 2018

1. Introduction

The Board recognizes that public service to our municipality, province and nation is a worthwhile endeavour and the important contribution to society made by those who serve in public office. Service to others in one's community is aligned with Gospel values and the teachings of the Catholic Church and is aligned with the Board's constitutional, denominational and management rights.

2. Definitions

By-Election – an election other than the regularly scheduled election day that occurs when an elected official has vacated their seat.

Candidate – a person who has been nominated under section 33 of the *Municipal Elections Act* (Municipal Council or Board of Trustees) or is a person who, after the writ is issued, has either had their nomination paper accepted by a returning officer or has been registered as a candidate under the *Elections Finances Act* (Member of Provincial Parliament-MPP) or is a person seeking election in a federal election under the *Canada Elections Act* (Member of Federal Parliament-MP).

Election Day – the final day to vote in an election.

Employee of the Board – for the purposes of this policy any person eighteen (18) years or older who is an employee of the Board and eligible to vote in a municipal, provincial or federal election.

Poll – a voting location for electors who want to vote in person before election day.

3. Purpose

The purpose of this policy is to provide a framework to allow employees leaves of absence without pay for the purpose of campaigning for public office and for fulfilling elected terms of office.

4. Application / Scope

This policy applies to all employees of the Durham Catholic District School Board seeking election to public office.

5. Principles

5.1 The Board:

- 5.1.1 believes that employees should be allowed the necessary time to campaign and to complete their term of office knowing that their position as it may exist at the time of the approved leave of absence is secure upon their return.
- 5.1.2 will, where possible, make every attempt to place the employee back to his/her pre-leave of absence work location upon returning to work.
- 5.1.3 will encourage employees to seek public office in order to be collaborative contributors to the democratic process.

6. Requirements

- 6.1 The Director of Education shall issue administrative procedures to support this policy and amend them thereafter as the need arises.
- 6.2 An employee running as a candidate seeking public office may request a leave of absence without pay from his/her immediate supervisor for the purpose of campaigning. The immediate supervisor will report the request for leave of absence without pay to the Director of Education. This request must be made at least two weeks prior to the commencement of the leave.
- 6.3 Where an employee seeks public office, the interests of this office shall be aligned to and not inconsistent with the Board's constitutional and denominational rights.
- 6.4 The leave of absence without pay shall be granted from the day before the last day of nominations to the second day after the elections.

- 6.5 The time off granted for the leave of absence without pay will depend on the position for which the employee is contesting.
- 6.6 The length of the leave of absence without pay would be up to a maximum of two (2) months.
- 6.7 If elected, the employee shall be granted, if so requested, a leave of absence without pay for the term of office to which the person was elected.
- 6.8 During the leave of absence without pay, the employee will be responsible for the full cost of any benefits that are to be carried on behalf of the employee.
- 6.9 At the end of the elected term, the employee on leave of absence without pay will be offered a position for which the employee is qualified.
- 6.10 Employees seeking election to public office may not distribute election campaign material to Board owned sites or via email or social media controlled by the Board to an employee in the Board.
- 6.11 Employees of the Board seeking election to public office may not erect election signs on Board owned property or in front of Board owned sites.
- 6.12 If the employee is elected to a second term of office and requires a leave of absence without pay to fulfill the mandate, the employee must immediately request another leave of absence.
- 6.13 If the employee does not return to staff at the completion of the elected term, the employee shall resign from the employ of the Board or be considered to have abandoned their employment.
- 6.14 The employee shall not use the schools or students as a means of distributing election materials while campaigning for public office.
- 6.15 The employee shall not use Board or its school's equipment, supplies or facilities for the purpose of preparing or distributing election materials.
- 6.16 This policy is in effect subject to the terms of the applicable collective agreement or the terms and conditions of the employment contract as the case may be.

7. Sources

- 7.1 APSSP Collective Agreement
- 7.2 CUPE Local 218 Secretarial/Clerical/Technical Collective Agreement
- 7.3 CUPE Local 218 Custodial/Maintenance Collective Agreement
- 7.4 CUPE Local 218 Educational Assistants Collective Agreement

- 7.5 ETFO (DECE) Collective Agreement
- 7.6 OECTA Durham Elementary Unit Collective Agreement
- 7.7 OECTA Durham Secondary Unit Collective Agreement
- 7.8 OECTA Occasional Teachers Collective Agreement
- 7.9 Non Union Terms and Conditions of Employment
- 7.10 Middle Management Terms and Conditions of Employment
- 7.11 Chaplains Terms and Conditions of Employment
- 7.12 Principal/Vice Principal Terms and Conditions of Employment
- 7.13 Municipal Elections Act, 1996
- 7.14 Canada Elections Act, 2000

8. Related Policies and Administrative Procedures

Nil