



COLLEGE OF THE NORTH ATLANTIC

OPERATIONAL PROCEDURE

TOPIC: POLITICAL ACTIVITY

Procedure No.	HR-408-PR	Division	Human Resources
Supersedes	n/a	Board Policy Ref.	GP-R-701
Related Policy	HR-408	Effective Date:	November 4, 2016 (R3)

PROCEDURE

1.0 Definitions

Political Activities	Political activities include seeking nomination or being a candidate in an election or participating in any activity which supports or opposes a political candidate and/or political party.
Politically Restricted Employees	Politically restricted employees are employees who meet one or more of the following conditions: <ul style="list-style-type: none">• executive of the College;• report directly to, speak on behalf of, or provide advice, opinions or recommendations to the President;• have contact with the media. Please refer to the Assessment Tool to determine whether a position is politically restricted.
Politically Non-Restricted Employees	Politically non-restricted employees are all other employees who are not politically restricted employees as defined above.
Political Party	Political party is a registered organization formed in accordance with provincial or federal law for the purpose of contesting an election of members of a legislative assembly.

2.0 Responsibilities

2.1 President

It is the responsibility of the President to ensure that:

- Adherence to this policy is monitored;
- Any breaches of this policy are addressed; and
- Disciplinary action is imposed for contraventions of this policy.

2.2 Employees

It is the responsibility of all employees to ensure that:

- They adhere to this policy;
- Their participation in a political activity does not impair their impartiality in the performance of their duties;
- They do not engage in any form of political activity at the workplace or during work hours, with the exception of voting in an election; and
- Prior to engaging in a political activity, employees are uncertain as to whether they are restricted or non-restricted, they are required to seek a determination by the Director of Human Resources.

3.0 Provisions Regarding Political Activities

3.1 Right to Vote

All employees have the right to vote in an election.

3.2 Impartiality

Political activities include a range of activities from being a candidate in an election to engaging in activities to support or oppose a political candidate or party. Limitations on employees' participation in political activities are in place to protect the impartiality of the public service. Employees' participation in political activities must not impact their impartial performance, and the perception of the impartial performance, of their duties and responsibilities.

3.3 Assessment

Employees who are considering engaging in political activity should complete an assessment to assist in determining whether they would be considered politically restricted. Please refer to Appendix A to determine whether a position is politically restricted.

3.4 General Guidelines

- a) No employee shall be in any manner compelled to take part in any political undertaking.
- b) No employee shall be compelled to make any contribution to any political party.
- c) No employee shall in any manner be threatened or discriminated against in the workplace for refusing to take part in any political activity.
- d) No employee shall directly or indirectly use or seek to use the authority of official influence of their positions to control or modify the political actions of any other person.
- e) No employee shall engage in any form of political activity during work hours, with the exception of voting in an election.
- f) No employee shall at any time take part in political activities as to impair their usefulness to the positions in which they are employed.

4.0 **Prohibited Activities**

All employees are prohibited from the following activities:

- 1) Engaging in any form of political activity at the workplace or during work hours, with the exception of voting in an election.
- 2) Wearing or displaying at the workplace anything that supports or opposes a candidate or party.
- 3) Using College premises, supplies, equipment, email or services for the purposes of any political party.
- 4) Soliciting funds for a party or candidate.
- 5) Participating in other political activities that are deemed inappropriate by the President, in consultation with the Human Resource Secretariat.

5.0 **Politically Non-Restricted Employees – Political Activities**

Politically non-restricted employees may participate in the following activities, provided they maintain impartiality in the performance of their duties, do not publicly criticize the policy decisions and directions of the employer and do not perform political activities at the workplace:

- Belong to a political party;
- Sign nomination papers;
- Perform administrative tasks for a party or candidate (such as stuffing envelopes or answering or receiving telephone calls);
- Make a financial contribution to a party;
- Display a sign at their personal residence;
- Serve as a campaign manager;
- Attend or speak at public rallies and meetings;
- Attend political conventions as a delegate or observer;
- Serve as an executive with a political party;
- Canvas door to door;
- Write speeches or promotional materials;
- Publish or publicly broadcast partisan statements (including newspaper, radio, television, and media comments);
- Use blogs, social networking sites (i.e. Twitter, and Facebook), video sharing (i.e. YouTube), and websites to express personal views in support of or in opposition to a political party or candidate;
- Wear or display, outside of the workplace, signs, buttons, etc. that support or oppose a candidate or party; and
- Other political activities that are deemed appropriate by the President, in consultation with the Human Resource Secretariat.

6.0 Bargaining Unit Employees

All bargaining unit employees who are politically non-restricted employees and wish to announce their intention to campaign for nomination as candidates in a federal or provincial election shall, upon written application to the President, be granted **leave of absence without pay** subject to the provisions of the relevant collective agreement.

This leave of absence will be granted unless the absence is considered to have an unreasonable impact on the program or service in which the person is employed and an accommodation cannot reasonably be made in the time available.

6.1 Bargaining Unit (Faculty)

- a) In accordance with the Faculty Collective Agreement, faculty members who wish to stand for election to the Provincial House of Assembly or to the Federal House of Commons shall inform the President (in writing) and request **leave of absence without pay** effective from the date of the writ of the election up to and including the final election results.

- b) If elected to House of Assembly, the employee shall resign immediately (in writing) from the College effective on the date the election is confirmed.
- c) If elected to the House of Commons, the employee will be granted leave of absence without pay for the term for which the employee has been elected, effective on the date election is confirmed. At the end of this time, if the employee contests a second election and is successful, the employee's employment will be automatically terminated.
- d) If unsuccessful, the employee shall inform the President (in writing) of intent to return to work with the College.
- e) During this period of leave without pay, the employee shall maintain all earned benefits but shall not accrue any new benefits.
- f) This period of leave without pay must start, at the latest, the date on which the nomination is sought (usually the nomination meeting) and end no later than the date on which the nomination or elections results are finalized.
- g) Employees who withdraw as nominees or candidates may resume their positions at a date agreed to by their immediate supervisor.

6.2 Bargaining Unit (Support Staff)

- a) In accordance with the Support Staff Collective Agreement, an employee who wishes to run as a candidate in a provincial or federal election will be granted, upon request, **leave without pay** for up to four (4) consecutive weeks during the period immediately preceding the election date.
- b) If unsuccessful, the employee will be permitted to return to the former position without any loss of accumulated benefits.
- c) Successful candidates in an election must resign their positions effective the date that the election results are finalized.

7.0 **Management & Non-Bargaining Units**

- 1) Management and non-bargaining employees, including those identified as politically restricted, who wish to campaign for nomination, run for elected office in provincial or federal elections or engage in partisan political activities, other than those related to a municipal election, will be required to

resign their position effective the date they announce their intention to engage in such activities.

- 2) Employees who resign their positions but fail to gain nomination or be elected and those for whom partisan political activities have ended, may subsequently apply to the President for reinstatement to their former positions with the understanding there is no obligation to reemploy.
- 3) Where employees are reappointed, the period of absence will not be considered a break in service but it will not count as service.

8.0 Politically Restricted Employees – Prohibited Political Activities

In addition to the activities that all employees are prohibited, politically restricted employees are also prohibited from participating in the following political activities:

- Belonging to a political party;
- Signing nomination papers;
- Performing administrative tasks for a party or candidate (such as stuffing envelopes or answering or receiving telephone calls);
- Making a financial contribution to a party;
- Displaying a sign at their personal residence;
- Serving as a campaign manager;
- Serving as an executive with a political party;
- Attending or speaking at public rallies and meetings;
- Canvassing door to door;
- Writing speeches or promotional materials;
- Publishing or publicly broadcasting partisan statements (including newspaper, radio, television, and media comments);
- Using blogs, social networking sites (i.e. Twitter, and Facebook), video sharing (i.e. YouTube), and websites to express personal views in support of or in opposition to a political party or candidate;
- Attending political conventions as a delegate or observer;
- Wearing or displaying, outside of the workplace, signs, buttons, etc. that support or oppose a candidate or party; and
- Publicly criticizing the policy decisions and directions of the College; and
- Other political activities that are deemed inappropriate by the President, in consultation with the Human Resource Secretariat.

9.0 Politically Restricted Employees – Political Activities

- 1) Politically restricted employees who choose to engage in political activity, including candidacy for elected office, are required to resign prior to carrying out such political activity. They should resign when they publicly announce that they are seeking the nomination or on the day the employee files the necessary documentation with a political party, whichever date is earliest.

- 2) Politically restricted employees who resign their positions but fail to gain nomination or be elected and those for whom partisan political activities have ended may subsequently apply to the President for reinstatement to their former positions. There is no guarantee that reinstatement will be approved. In order to facilitate this process, their former positions will not be advertised on a permanent basis until the election results are finalized.
- 3) Where politically restricted employees are reappointed, the period of absence will not be considered a break in service but it will not count as service.

10.0 Political Activities – Municipal Elections

With the exception of the President and College Executive, all employees including politically restricted employees may, with the written consent of the President, participate in municipal elections and hold municipal office. This is provided they maintain impartiality in the performance of their provincial public service employment duties, do not publicly criticize the policy decisions and directives of the College, and do not perform political activities at the workplace. Should occasions arise in their municipal work that place them in a conflict because of their role with the College, the employee would be expected to remove themselves from such discussions and decisions.

11.0 Consequences of Improper Political Activities

Contravention of this policy may result in disciplinary action.

12.0 Related Legislation and Policies

Conflict of Interest Act, 1995
Elections Act, 1991

Approval History	
Approved by President	January 23, 2007
Revision 1	September 7, 2011
Revision 2	October 21, 2015
Revision 3	November 4, 2016

APPENDIX A

Assessment Tool for Determining Politically Restricted Positions

This assessment tool can be used by employees and managers to analyze employees' current responsibilities and to consider whether their participation in political activities will impact their ability to perform their duties in an impartial manner.

Employees are also encouraged to discuss their political activities with the Executive Director of Human Resources.

1. Are you paid on the executive pay plan or hay plan?
 - a) No, I am not paid on the executive or hay plan.
 - b) Yes, I am paid on the hay plan.
 - c) Yes, I am paid on the executive pay plan.

If you answered a) or b) you may be politically restricted.

If you answered c) you are politically restricted.

2. In your current role, how much influence to your decisions, opinions and/or recommendations have on decision makers (President, Executive, or other Senior Management)?
 - a) No influence
 - b) Low influence (I provide information)
 - c) Moderate influence (I develop and analyze options)
 - d) Considerable influence (I recommend decisions)

If you answered c) or d), you may be considered politically restricted.

3. How involved are you in developing, implementing and/or advising on internal policy?
 - a) No involvement
 - b) Minor involvement (I provide information)
 - c) Moderate involvement (I develop and analyze options)
 - d) Considerable involvement (I recommend policy options)

If you answered c) or d), you may be considered politically restricted.

4. Do you have contact with the media on behalf of the College?
 - a) No.
 - b) Yes, I am part of the communications staff for the College
 - c) Yes, I am a designated media spokesperson for the College.

If you answered b) or c) you may be considered politically restricted

5. Do you have access to confidential information related to development of College policy?
 - a) No.
 - b) Yes, I have access to confidential information related to the development of College policy.

If you answered b) you are politically restricted.

6. Have you been delegated discretion over, or provide advice regarding the allocation of College funds?
 - a) No.
 - b) Yes, I have discretion over, or provide advice regarding the allocation of College funds and/or program budgets for my department.

If you answered b) you are politically restricted.

7. Have you been delegated discretion in regard to the provision of services to persons, businesses, or other organizations?
 - a) No.
 - b) Yes, I have discretion in regard to the provision of services to persons, businesses or other organizations.

If you answered b), you are politically restricted.