

CUPE VOTES

TO ALL CUPE CHARTERED ORGANIZATIONS

Dear sisters, brothers and friends,

In the 2019 federal election, CUPE members, elected officials and staff will be active in many ways - as candidates, volunteers, voters and trade unionists. Here is a guide to navigate the Canada Elections Act as it relates to our union's political participation in the election. This legislation requires organizations that wish to communicate about the election to register as a third party and report specific spending and activity. It has seen many modifications this year, and now captures a broader array of activities over a greater period of time.

Please review this guide closely, and contact us if you have questions.

1. There are very strict new rules around election – i.e. communicating to the public.

There are now two periods where CUPE's political participation with the public must be registered with Elections Canada and is subject to spending limits. The first period is the **pre-election period**, which begins on June 30th and concludes when the writ drops and the official campaign begins. The second period is the **election period** which begins when the writ drops and concludes on election day.

2. From June 30th until election day, CUPE National will be registered as a third party on behalf of all of its chartered bodies, including all locals, divisions, councils, etc.

CUPE National, as the registered third party, must pre-approve all spending associated with regulated activities under the *Canada Elections Act*. As in previous federal elections, it is critical that locals, divisions and councils do not engage in third party advertising without pre-approval. Any such advertising could tip CUPE National's total spending over our limit. Overspending carries large financial and other penalties. During this time, third party spending includes political activities in support of or against a candidate or political party. Issue-based campaigns (messages in support of an issue, such as universal pharmacare, that may be associated with a candidate or party) don't count toward third-party limits during the pre-election period but will count, and require reporting, during the election period.

3. Unions – including locals, divisions and councils – can distribute partisan print materials to their members without impacting spending limits. However, distributing the same material to the public is subject to spending limits. It is critical that you check your mailing lists to make sure they only have CUPE members on them. CUPE recommends that you also include a disclaimer ("Produced by CUPE for CUPE members.") on all election-related print materials.

4. **Calls to members and the public in support of a party or candidate count as a regulated activity and could push CUPE over its spending limit.** However, issue-based calls made during the pre-election period don't count towards our spending limits. All calls must also identify clearly where they are coming from. CUPE locals, divisions and councils who make such calls need to identify as such and provide a website for more information. We must keep a copy of each unique script used and a record of every date on which the script was used, together with a list of every telephone number called, for a period of one year after the end of the election period. We must also register with the CRTC within 48 hours of the first call.
5. **The creation and distribution of partisan online materials are regulated and subject to CUPE National's spending limits.** This includes supporting candidates, parties or taking positions on issues on your website, social media and through email.
6. **No collusion.** The rules also prevent us from working with other third parties or registered parties (i.e. the NDP) to circumvent the spending limits. We also can't collaborate with others to influence their activities related to the federal election. For example, a party **can't** ask us to share a specific message with our members. But if they share their platform points with us, we **can** write to our members about why we support the party and their platform.
7. **Union staff, elected officials and members can volunteer on any campaign.** Volunteering means you are using your own time (including non-working hours, vacation or casual days) to support a candidate or campaign. If a campaign wants you to work full-time, the campaign must reimburse your employer for all your wages and benefits. For CUPE staff, all such requests must go through CUPE National.
8. **Union staff, elected officials and members are allowed and encouraged to become party members and to make donations to candidates or a political party.** Unions – including locals, divisions and councils – cannot make donations to parties or candidates, whether monetary or "in kind". "In kind" donations include material, property or services. This means, for example, that a local union cannot donate office space or printing services to a campaign – the campaign would have to pay for them.
9. **Union staff, elected officials and members can run for nomination and be candidates for election.**
10. **As a union, our staff, activists and members have every right to – and should – be politically engaged and involved!** Although there are some restrictions on how we can do that, we have the opportunity to make a real difference in this election. We have provided you with some ideas to get you started. Look for information online at cupe.ca/cupe-votes and in CUPE Today. There's more to come!

Remember, it's better to be safe than sorry. If you have any questions or are at all uncertain about how the new and existing rules impact your work and activism for the election, please consult CUPE National. Send your election-related questions to politicalaction@cupe.ca.

Produced by CUPE for CUPE members