



Code of Professional Conduct for Election Administrators

June 2019

When in doubt, election administrators should contact the Field Support Network by phone at 1-888-677-0301 or by email at rsr-fsn@elections.ca.

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Message from the Chief Electoral Officer

As a team, our objective is very clear: organize accessible and inclusive elections that uphold the trust of Canadians. The *Code of Professional Conduct for Election Administrators* was updated to make it easier to interpret and apply in your daily activities.

The Code reflects the ethical standards that drive each action of our large integrated team. We are aware that the public's scrutiny of our work presents various challenges. This is why the Code is a tool to help you carry out your responsibilities between electoral events and during an election. Rest assured that you can always count on Elections Canada staff for support. Since the 42nd election, we have implemented new work methods to put field staff at the centre of our projects. We have seen that the relationship between headquarters and field personnel is closer than ever. Election administrators from across the country helped to update the Code so that we could benefit from their expertise. I am pleased to note the high level of commitment across the board in this new era of collaboration.

Thank you for your continued dedication, which helps Canadians exercise their democratic right to vote and to run as a candidate.

Stéphane Perrault

Notice to Readers

The Code shall take effect June 1, 2019, and replaces the *Code of Professional Conduct for Election Administrators* EC 10044 (10/17).

Unless otherwise specified, words and phrases in the *Code of Professional Conduct for Election Administrators* have the same meaning as in the *Canada Elections Act*.

The obligations set out in the *Code of Professional Conduct for Election Administrators* apply in the context of a referendum with any necessary modifications.

Beyond the context of an election, the *Code of Professional Conduct* applies at all times and as soon as the election administrator is appointed.

1. Context

1.1 Application

The *Code of Professional Conduct for Election Administrators* (Code) applies to the following election officers: returning officers (ROs), assistant returning officers (AROs), additional assistant returning officers (AAROs) and field liaison officers (FLOs). In the Code, these election officers are referred to as election administrators (EAs).

1.2 Instruction of the Chief Electoral Officer

The Code is an instruction issued by the Chief Electoral Officer (CEO) pursuant to paragraph 16(c) of the *Canada Elections Act* (CEA), with which you must comply in all your duties. Failure to comply with the Code could lead to disciplinary action up to and including removal from office.

1.3 Purpose

The *Code of Professional Conduct for Election Administrators* (Code) has been developed to reflect the mission and values of Elections Canada (EC) and to guide the behaviour and day-to-day activities of EAs. In adhering to the Code, you, as an EA, ensure that EC maintains the public's trust and serves Canadians with the highest degree of integrity and transparency.

1.4 Elections Canada's mission and values

EC's mission involves ensuring that Canadians can exercise their democratic rights to vote and to be a candidate. Day-to-day activities and decision-making processes are guided by the following key values:

- a knowledgeable and professional workforce
- transparency in everything we do
- responsiveness to the needs of Canadians involved in the electoral process
- cohesiveness and consistency in administering the CEA
- continuously earning and maintaining the public's trust
- stewardship and accountability in how we manage our resources

1.5 Guiding principles

As an EA, you must act in such a manner as to:

- to uphold **EC's mandate and core values**, preserve and increase the **public's confidence and trust** in EC and in the integrity, objectivity, impartiality and transparency of the electoral process
- ensure that all the financial or commercial transactions in which you take part (whether public, private or otherwise) bear the closest **public scrutiny**
- ensure the **safety** of individuals, information and technology
- comply with the **official languages** policy

2. Obligations

2.1 Expected behaviours

In each interaction, EAs must respect human dignity and recognize the value of each person by:

- treating every person with respect and fairness
- valuing diversity and the benefit of combining the unique qualities and strengths inherent in a diverse workforce
- help to create and maintain safe and healthy workplaces that are free from bias, prejudice, harassment and discrimination
- working together in a spirit of openness, honesty and transparency that promotes engagement, collaboration and respectful communication

2.2 Avoiding real or perceived conflicts of interest

To minimize the possibility of conflicts of interest, or the appearance of such conflicts, arising between private interests and public duties, upon appointment and throughout your tenure as an EA you must arrange your private affairs in a manner that will prevent real or potential conflicts of interest, or the perception of a conflict of interest, from arising.

In addition, you must NOT:

- solicit or accept gifts as a result of being an EA
- appoint your family member to any position in the RO or AARO office in your ED, unless prior approval of EC has been sought and received (see information to that effect in section 2.5 text box);

- use any influence resulting from your position as an EA to assist private entities or persons in their dealings with any public body where this may result in preferential treatment toward someone
- knowingly take advantage of, or benefit from, information that is obtained in the course of your official duties and that is not generally available to the public
- directly or indirectly use, or allow the use of public or private property (including funds) of any kind, including the property that is leased for the purpose of an election other than exclusively as required in the exercise of your mandate

2.3 Ensuring impartiality

Impartiality, non-partisanship and neutrality are fundamental pillars in the administration of an election and are central to the performance of your duties as an EA. These principles, along with the relevant restrictions and obligations, apply to your interactions with federal, provincial, territorial, municipal, and indigenous governments and school boards. If you are ever in doubt during a particular situation, please consult Election Canada headquarters.

Therefore, you must not behave in a manner or capacity, take part in any activity (other than voting), or make a statement in any form, directly or indirectly, that may be reasonably construed as supporting or opposing any political entity or a candidate in an election. Without limiting the previous statement, as an EA you must:

- observe strict impartiality and neutrality, as your behaviour will affect the confidence of electors and political stakeholders
- make available to all political parties and candidates all information relating to electoral matters that you provided to any single political party or candidate
- be transparent and fair in all your dealings with political entities

You must NOT:

- run for any elected office or attempt to run for one
- be a member (active or otherwise) of any political party or electoral district association, of any of their component elements or its equivalent,
- contribute money, goods or services to any political party (or one of their component elements), electoral district association, candidate, leadership contestant, or nomination contestant
- participate in any fundraising activities for or organized by any political party (or one of their component elements), electoral district association, candidate, nomination contestant, or leadership contestant
- attend meetings of any political party (or one of their component elements), electoral district association, candidate, nomination contestant, or leadership contestant unless mandated to do so by EC

- provide advice to any political party (or one of their component elements), electoral district association, candidate, leadership contestant, or nomination contestant (except as required by the mandate of your office)
- be part of the leadership or participate in any activities of an association or organization that supports political ideologies, whether directly or indirectly
- wear, carry or display obvious partisan signage, logos, symbols, clothing, or paraphernalia that might be perceived as being representative of a political party or candidate

2.4 Managing an office

When you are managing an office as an EA, you must behave in an irreproachable manner to ensure that:

- all staff and EAs perform their duties in a neutral and impartial manner, as required by their oaths
- no political activity is conducted inside your office
- EAs and office staff understand that they cannot participate in political activities and have to perform the duties of their position in a non-partisan manner during the period that they perform those duties
- the training of staff includes a component on the principles of impartiality and neutrality
- you avoid all conflicts of interest which may arise between the management of the office and your personal activities
- all financial or commercial transactions must be performed according to the CEO's expectations as presented in this document, in the guides provided to EAs and their staff and in other instructions issued to that effect to EAs.

ROs must ensure that office work continues during their absence by advising EC and their ARO every time that they will be unable to perform their duties.

You should however ensure everyone demonstrates respect for one another.

2.5 Appointing election officers and office staff

EAs and office staff must possess the necessary skills and qualifications to perform the duties that their position requires.

No family members are permitted to work together in an RO or an AARO office if this places them in a supervisory relationship, either in a subordinate or supervisory role to each other.

Family members of any EA (FLO, RO, ARO, AARO) in the electoral district cannot be appointed to any position in that electoral district, other than as poll workers without written authorization from EC prior to their appointment. Before you request permission to hire a family member, you must clearly document your efforts to hire another qualified person on the basis of merit.

For the purposes of the Code, a "family member" refers to any person related to another by blood, adoption, marriage or a legally recognized common-law relationship. This definition includes a father, mother, son, daughter, brother, sister, husband, wife, common-law partner and children, grandparents, grandchildren, uncles, aunts, cousins, nephews and nieces, as well as any person having such equivalent family ties by reason of an alliance, remarriage or foster family and any person living with the election administrator.

2.6 Using social media

EC uses social media to communicate with or respond to enquiries from the public. Designated officials have been authorized to use social media to officially represent EC. As an EA, you are not a designated social media spokesperson and, therefore, you must not use social media to represent EC unless you have been authorized in writing by EC to do so. It is important to note that the reach of social media goes beyond an electoral district and is in most cases monitored at the national level by different stakeholders, political or otherwise, including the media.

As an EA, however, you can nonetheless use your own social media accounts to share information that is pertinent to the electors within your electoral district. When using your social media accounts for personal and professional use, you must use good judgement in all your actions and you must follow the guidelines provided by headquarters.

More specifically, you must NOT:

- express opinions that could impair your ability to be seen as performing your duties as an EA in an objective and impartial manner
- assume that a post is private, even when using a pseudonym, but rather treat online posts as permanent, publicly available and attributable information
- use or disclose any confidential, sensitive, third-party or personal information
- respond to requests for media statements or interviews related to your work as an EA, unless you are authorized to do so

2.7 Business transactions and contracting

All business transactions and contracting related to the management of your office must be based on impartiality, transparency and neutrality. As an EA, you must

- comply with the acquisition card policy and any other relevant financial policies and ensure the proper, effective and efficient use of public funds
- this also applies to transactions for which payment is made with an acquisition card or from a petty cash fund.

You must not

- use the acquisition card for personal transactions.

Business transactions must be conducted in a manner that complies with the applicable laws and government policies. They must withstand public scrutiny in matters of prudence and honesty, facilitate access to opportunities to do business with EC, encourage competition and reflect fairness while achieving best value. As such:

- commercial transactions must be based either on an open and competitive bidding process or on a documented comparison when this is required by the *Field Contracting Considerations Checklist*
- a contract cannot be concluded for the purchase, lease or supply of goods, or for services with an EA in their private capacity or with members of their family, without prior written consent from EC
- a contract cannot be concluded with companies or other entities that EAs or members of their families own, control, represent or have an interest in as shareholders, administrators, officers or employees, without prior written consent from EC
- a contract cannot be concluded with a supplier or a commercial entity controlled by a political party or any of their component elements or its equivalent, an electoral district association, a candidate, a leadership contestant, a nomination contestant, a member of the House of Commons, a senator, a member of a legislature of a province or a territory, or a member of a municipal council or school board

3. Code infractions

EAs are required to comply with the rules set out in this Code, otherwise they risk suspension, if not dismissal. If the CEO considers you have violated the Code and if the nature of the offense and the immediacy of the impact warrants it, a suspension could be made against an RO pursuant to subsection 24 (8) of the CEA. Depending on the severity of the offense, a revocation process may be initiated against an RO, pursuant to subsection 24 (7) of the CEA, or a FLO pursuant to subsection 23.2 (9).