

FEDERAL ELECTION RULES

GUIDE FOR LOCALS AND DIVISIONS

The rules for how unions can participate in an election are different depending on whether the election is federal, provincial or municipal. At the federal level, regulations are set up in the Canada Elections Act and they encompass advertising, contributions, partisan activities, and election surveys.

This document will help you identify ways for locals and divisions to participate in the upcoming federal election and in the National Union's **CUPE Votes** campaign during the election period. That is, after an election has been called (i.e. the writ drops).

Political activities are not regulated outside the pre-election and election periods. Locals and Divisions, therefore, do not have to register or report any partisan activities until either an election is called, or the official pre-election period starts on June 30th (whatever happens first).



ADVERTISING DURING AN ELECTION PERIOD

According to federal legislation, any election advertising after an election has been called should be reported to Election Canada as third-party advertising. Advertising expenses should be paid from a dedicated bank account and are subject to a spending cap (\$602,700 as of March 2025).

Election advertising is defined as the transmission to the public of an advertising message that promotes or opposes a registered party or the election of a candidate, including advertising about issues that are clearly associated with a party or candidate even when no party or candidate are mentioned.

CUPE will register as a third-party advertiser and open a specific account for advertising expenses. If your local wants to buy advertising about political issues during the election—whether the advertising mentions parties and candidates or not—please reach out to your provincial Political Action Coordinator to ensure that all advertising follows federal regulations. This includes paying influencers or promoting posts in social media.

POLITICAL ORGANIZING DURING AN ELECTION PERIOD

During the election period, third-party activities to promote or oppose a party or candidate are defined as “partisan activities”. According to Election Canada, this category includes outreach to our members.

Locals and Divisions can (and should) do member outreach about political issues during the election. Such outreach is not regulated if it only communicates CUPE’s position on an issue to our members. But if outreach to members promotes or opposes a party or candidate, it is considered to fall under regulated activities and should be tracked and reported.

To ensure compliance, CUPE is asking Locals and Divisions that want to promote or oppose a party or candidate during the election to use the resources provided by the National Office through **CUPE Votes**. Alternatively, Locals and Divisions can register as a separate third party, but should then undertake all expenses, reporting, and compliance without support from CUPE national.

Please reach out to your Regional Political Action Coordinator to ensure that all our partisan activities are in compliance with federal legislation.

CUPE
VOTES



**I'M READY TO
GET INVOLVED!**

DO'S DURING AN ELECTION

Non-Regulated Activities (Do not need to be reported)	Regulated Activities (should be reported)
<p>My local can encourage members to vote.</p>	<p>My local can encourage members to vote for the NDP but should use the materials provided by CUPE Votes.</p>
<p>My local can contact members about any issue or policy, as long as the communication does not mention a party or a candidate.</p>	<p>My local can contact members and mention parties or candidates but should use the materials provided by CUPE Votes.</p>
<p>In social media, my local can post original content about issues that are not associated with a specific candidate or party.</p>	<p>In social media, my local can post CUPE Votes materials that mention parties and candidates.</p>
<p>My local can call or text members if it does not mention candidate or parties. But it should keep appropriate records for a year (transcript, dates of calling, lists of telephone numbers). Please do not use calling services.</p>	<p>My local can call or text members and mention candidates or parties, but this outreach should be coordinated with the regional PAC, since it must be registered and reported as a third-party partisan activity.</p>
<p>My local can organize canvasses, rallies, or demonstrations that take a position on any issue or policy if it does not mention a party or candidate.</p>	<p>My local can participate in canvasses, rallies, or demonstrations that mention parties or candidates, but members should participate in their own time. Communications regarding such events should be coordinated with the regional PAC since they have to be reported as partisan activities.</p>
<p>My local can continue to work with labour councils and other labour organizations outside of CUPE concerning non-federal election matters.</p>	<p>My local can participate in partisan activities organized by another third-party (rallies, meetings, etc.). But it should not influence or participate in the decision-making process of a different (i.e. non-CUPE) third-party.</p>
<p>My local can continue to send members to join or deliver political action training, so that they develop campaign and leadership skills.</p>	<p>My local can participate in CUPE training that falls under partisan activities, but such training must be reported as a third-party activity.</p>

DONT'S DURING AN ELECTION

- Unions are **not permitted to make contributions** to a political party or candidate, neither in money, nor in kind (e.g., donate staff or member labour time). For federal elections, only individuals can contribute to parties or candidates.
- Unions are **never allowed to “book-off” members to work on behalf of a political party** or candidate. This prohibition holds regardless of whether there is an election or not. Locals should make sure that their members understand that working on a political party’s campaign is a volunteer activity.
- Unions are **prohibited from sharing information** they gather about union volunteers with a political party or candidate, or with another third party. For example, if a union develops a list of volunteers, such a list cannot be shared with a political party or candidate.
- During an election period, unions **are not permitted to coordinate activities** with a party or candidate for the purpose of promoting such party or candidate. Communications about logistics are acceptable, provided that these communications are not strategic discussions on content, timing, activities to maximize the benefit to the party’s or candidate’s campaign.

