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Human Resources Policies  
Employees Seeking Election to Political Office



Category: **Absence From Work**

**Policy Statement**

The City of Toronto gives leaves to employees who are running for elected political office.

**Application**

All City of Toronto employees.

**Definitions**

Political Office: An elected office of a school board, municipal, regional, provincial or federal government.

**Conditions**

*Employees seeking election to City of Toronto Council*

An employee of the City of Toronto is eligible to be a candidate for and to be elected as a member of the City of Toronto Council.

Any employee who is a candidate for office for the City of Toronto Council must take an unpaid leave of absence. The leave begins before the employee files his/her nomination papers and ends on voting day.

The employee shall give his/her manager written notice at least two weeks in advance of his or her intention to take unpaid leave.

These conditions are mandated by subsections 30(1), (2) and (3) of the *Municipal Elections Act, 1996*.

*Employees seeking election to other municipal councils and school boards*

An employee of the City of Toronto is eligible to be a candidate for and to be elected as a member of any school board or of any municipal council other than the City of Toronto Council.

If an employee needs time off work, he/she may use available vacation or lieu time as well as unpaid time.

If the employee intends to take unpaid leave, he/she must give his/her manager written notice at least two weeks in advance.

*Employees seeking election to provincial and federal office*

An employee of the City of Toronto is eligible to be a candidate for and to be elected as a member of the provincial or federal parliament.

If an employee needs time off work, he/she must take an unpaid leave of absence. In this instance, the leave would begin before he/she files his/her

nomination papers and ends on voting day.

The employee shall give his/her manager written notice in advance of his or her intention to take unpaid leave.

#### *Employment Status after election*

If the employee is elected to the City of Toronto Council, he or she shall be deemed to have resigned from employment immediately before making the declaration of office referred to in subsection 186 of the *City of Toronto Act, 2006*.

If an employee is elected to another municipal council or school board that employee is not required to resign but is subject to the City's Conflict of Interest and other employment policies and performance expectations, in addition to any external codes, policies, rules or regulations that may apply to them as elected officials.

If an employee is elected to provincial or federal office he/she is required to resign.

#### *Use of corporate resources*

Corporate resources and funding may not be used for any election campaign purposes.

Under the terms of the Conflict of Interest Policy, employees may not use, or permit the use of, items of City property, facilities, equipment, supplies or other resources for activities not associated with their work.

Under the terms of the City's Policy on Employee Participation in Municipal Election Campaigns, staff who are working on behalf of a municipal candidate may not use any of the City's resources (e.g. office equipment, supplies etc.) for campaigning activities at any time before, during or after the election. This prohibition also applies to the City employee if he/she is the candidate.

City staff who are on leave seeking election to any elected office cannot use, or act in a manner that could reasonably give rise to a presumption that they are using, any City resources during their campaign period. All access to City resources, including security, parking, voice-mail, and computer access will be temporarily disabled during the employee's leave.

## **Salary & Benefits**

As mandated by subsection 30(3.1) of the *Municipal Elections Act, 1996*, any employee who is a candidate for office for the City of Toronto Council and is required to take an unpaid leave, is entitled to be paid out any vacation pay or overtime pay owing to the employee, during the period of the unpaid leave of absence. Employees wishing to have their vacation and lieu time paid out must give Payroll advance notice.

If an employee wants to maintain pension service credits he/she must pay both the employee's and City's pension contributions for the duration of the leave.

#### ***Non-union employees***

Employees do not receive salary or benefits during an unpaid leave taken by the employee while seeking election to political office. If they wish to continue benefits coverage, they are required to pay both the City's and employee's

health and insurance benefit premiums.

*Sick pay*

No sick time is accrued during the leave.

*Vacation*

Service is not affected by this leave for vacation entitlement purposes.

*Performance Pay*

Employees receive no across the board (ABI) increase or performance pay increase while on unpaid leave of absence. When the employee returns, he/she receives a prorated performance pay increase for the time worked prior to his/her unpaid leave based on his/her performance. Payroll adjusts the employee's pay to reflect any missed ABI increase(s), effective on the employee's return date.

***Bargaining Unit employees***

Bargaining unit employees' salary, benefits coverage, service, seniority, sick pay and vacation for unpaid leaves of absence are treated in accordance with their respective collective agreements.

**Implementation**

An employee who is taking an unpaid leave of absence shall submit a Leave of Absence form at least two weeks before the leave begins to his/her manager. The reason for the leave of absence, i.e. seeking election to political office, shall be stated in the Comments section. The employee's manager submits the form to the Payroll Manager's attention in order to place the employee on an inactive status. Payroll addresses any payment and pension issues with the employee.

**Approved by** Executive Management Team

**Date Approved** July 29, 1999

**Revised** September 7, 2007

**Related links - internal**

[Conflict of Interest](#)

[Employee Participation in Municipal Election Campaigns](#)

[Use of Corporate Resources during an Election Year](#)

**Related links - external**

[Municipal Elections Act, 1996](#)

[City of Toronto Act, 2006](#)



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