



Elementary Teachers' Federation of Ontario (ETFO)

Fédération des enseignantes et des enseignants
de l'élémentaire de l'Ontario (FEEO)

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M E M O R A N D U M

TO: Local Presidents
Executive Members (For Information)

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DATE: March 7, 2025

RE: **Federal Election 2025**

On January 6, Prime Minister Justin Trudeau announced that he will be resigning as leader of the Liberal Party and prorogued Parliament until March 24. The Liberal Party leadership contest will conclude on March 9, when the new leader is expected to be announced. Mark Carney is widely seen as the front-runner, facing a challenge from Members of Parliament Chrystia Freeland and Karina Gould, and businessman Frank Baylis.

It is possible that the new Liberal leader will not wait until the return of Parliament on March 24 to call an election, which means that the election could be called anytime after March 9 with voting day taking place sometime in April or early May.

This memorandum discusses some of the restrictions in place that could impact union activities during the election, as well as some of the resources available to locals in the lead up to the federal election. The rules that apply to federal elections are different than those that apply to provincial elections. Locals should consider these election rules before embarking on election-related activities.

Election Restrictions for Third Parties

The Canadian Labour Congress (CLC) has provided its affiliates an updated analysis of the changes to election rules and their impact on union activities during the upcoming election. These rules apply to ETFO and its locals. The CLC analysis is attached to this memorandum (Appendix A). Additional information can be found in Elections Canada's *Political Financing Handbook* for third parties which can be downloaded from the following link:

elections.ca/pol/thi/ec20227/ec20227_e.pdf

Following is a summary of these election restrictions and some additional information for locals to consider as the federal election approaches.

Summary of Restrictions

- Unions cannot donate money, materials or services to political parties. This means union staff or union members cannot receive paid release time to work on campaigns.
- Unions must register as third parties with Elections Canada in order to conduct “election advertising” during the election period.
- Unions who engage in “partisan activities” and or conduct election polling (related to the federal election) must register as third parties with Elections Canada.
- “Partisan activity” has been interpreted very broadly by Elections Canada and it includes activities directed at members or the public in support or opposition of a political party or candidate, or of an issue associated with a political party or candidate.
- Issue-based campaigns are not considered “partisan activity” as long as the issue is not directly tied to a party or candidate.
- Unions can endorse political parties or candidates.
- Unions can communicate with their members and encourage them to vote for a particular party or candidate. However, depending on the method of communication used and the amount of money spent they may need to register as a third party.
- If unions use live calls or robocalls to contact their members, they are required to register with the Canadian Radio-television and Telecommunications Commission (CRTC) Voter Contact Registry.
- If the federal election is called, as expected, prior to the fixed election date of October 20, 2025, there will not be a pre-writ period for third parties. The restrictions that apply, including spending limits, correspond to the election period only.

Mobilizing Members for the Federal Election

The upcoming federal election will be a close contest, and Ontario will once again be a key battleground. Unions can encourage members to play an active role during the election.

Locals may choose to engage with members in a variety of ways, including live calls, robocalls, email, newsletters and through social media. Any methods that locals use to communicate with members would need to comply with election regulations.

If locals are planning to spend more than \$500 on “partisan activities” as defined by Elections Canada, directed at either their members or the public, they will need to register as third parties. Some examples of “partisan activities” include endorsing a candidate or political party, encouraging voting for “progressive” candidates or encouraging people to vote against a particular party. Expenses that need to be tracked and declared include the use of internal resources i.e. staff/released member time.

Partisan activities may include but are not limited to:

- making telephone calls to members
- sending text messages or using other messaging services to members
- creating and sending out organic social media content, whether done by humans or bots
- websites

- emails and newsletters
- organizing a membership canvass door-to-door
- holding get-out-the-vote activities and rallies
- creating a campaign website

Depending on the methods chosen to outreach to members, and independent of whether or not locals decide to register as third parties with Elections Canada, additional requirements may exist to comply with CRTC rules. Locals should consider the following guidelines when planning election-related activities.

Live Calls and Robocalls

In the case of live calls and robocalls, unions are required to register with the CRTC Voter Contact Registry, even if they are contacting members only. In such cases unions are required to maintain copies of the scripts used, as well as the dates when they were used and the numbers that were contacted, for a period of one year after the end of the election period.

Email and e-newsletters

The restrictions placed on live calls and robocalls do not apply to email, e-newsletters, or text messaging. Locals are allowed to communicate directly with members during the election period using these means, but if they engage in “partisan activity” and incur expenses of at least \$500, they will be required to register as a third party with Elections Canada.

Websites and Social Media

Locals may use their websites and social media to communicate directly with members and the public about the federal election, but if they engage in “partisan activity” or advertising (including boosted or promoted posts) and incur expenses of at least \$500, they will be required to register as a third party with Elections Canada.

Tracking Staff / Released Member Time

To assist locals who choose to engage in “partisan activities” during the federal election campaign, a template to track paid time spent by staff, released members and local leaders has been developed and is attached to this memorandum (Appendix B). This would apply to any paid time, but not to volunteer time.

For clarity, the release time incentive funding that was made available by ETFO provincial during the provincial election **does not** apply to the federal election campaign.

Advertising

If a union engages in advertising and expends more than \$500 (on all its regulated activity), it must register as a third party with Elections Canada. This applies to all paid advertising including online, radio, TV, newspaper, out-of-home and digital. In addition to registration and reporting requirements there are spending limits on third-party advertisement (and other regulated activities) during the election.

Spending Limits for Third Parties

The current legislation provides separate spending limits for third parties during the pre-election and election periods. If as expected the next federal election is not a fixed-date

election, the limits that would apply are the election period limits. The legislation establishes an overall spending limit as well as the maximum amount that can be spent on any individual riding. Third parties must not exceed either of these spending limits outlined below.

Period	Total Expense Limit	Per-riding Expense Limit
Election	\$602,700	\$5,166

Voting by Mail

Voters are required to register in advance to vote by mail, they can do so by visiting elections.ca/votebymail or by contacting any Elections Canada office once the election campaign is underway.

After registering to vote by mail, voters will receive a voting kit by mail. Once, they have completed their ballot, they must mail it back to Elections Canada. The completed ballot must arrive at the designated Elections Canada location by the set deadline.

Once a voter has registered to vote by mail, they will be crossed off from the list of voters at their polling location. In cases when voters do not receive their voting kit or are unable to complete their mail-in ballot, they will be able to vote at their local polling location after swearing an oath asserting that they are only voting once. Elections Canada has implemented steps to prevent duplicate votes from being counted.

Election Resources

The CLC has produced resources to support unions in their mobilizing efforts ahead of the federal election. These resources are available in the ETFO members website in the 'Political Action' section, at the following link: members.etfo.ca/etfo/political-action/resources-for-action

Additional Information and Support

Any local who is considering registering as a third party for the federal election or has any questions about planned activities during the federal election campaign is encouraged to contact Federico Carvajal at fcarvajal@etfo.org or James Taylor at jtaylor@etfo.org for additional support.

SO:LL:FC:CP:JT:MG

Attachments - Appendix A: CLC FAQ Playing by the Rules
- Appendix B: Staff Time Tracker Template 2025