

May 9, 2023

Blair Edl
Director, Compliance and Enforcement
Elections Alberta

Dear Mr. Edl,

I am writing to follow up on our letter dated May 5, 2023 to request Elections Alberta commence an investigation into the coordinated campaign by NDP-affiliated union organizations to benefit Rachel Notley and the Alberta NDP. We are concerned that no action appears to have been taken by Elections Alberta. The harm being caused by these illegal activities is irreparable and they must be immediately addressed.

We also note that the CBC has recently published a news article with comments from the Alberta Federation of Labour (“AFL”) and the Alberta Teachers Association (“ATA”).¹

The comments from AFL President Gil McGowan are particularly alarming. Mr. McGowan suggests that the NDP-affiliated AFL is running an ad campaign that it is paying for through “existing funds”. Put another way, the AFL seeks to run an advertising campaign that benefits Rachel Notley and the Alberta NDP without disclosing the source of the contributions that will pay for it. This is clearly contrary to the spirit of the law and should be prohibited.

Even if Mr. McGowan’s scheme were permitted (which it should not be), the AFL has quite obviously exceeded the \$17,388 surplus that was reported in their 2019 election return.²

Alberta Teachers Association

We also request that Elections Alberta investigate the ATA who is another NDP-affiliated union that appears to be running an illegal third party advertising campaign.³

Like the AFL and CUPE Alberta, the ATA has deep structural connections to the NDP. We understand the ATA is an “affiliated organization” under the NDP’s Constitution, and are given remarkable powers and privileges, including the right to submit resolutions directly to a provincial convention (3.07), automatic delegate status (4.02), and 25% of the votes in a leadership contest (6.01(a)(i)).⁴

The ATA claim to be “sitting this one out” in the CBC news article, but that is clearly not the case. Public education is quite clearly a major issue that is associated with both the UCP and NDP. The issue has been the topic of announcements and news releases by both parties.

¹ <https://www.cbc.ca/news/canada/edmonton/donations-from-wealthy-individuals-more-important-under-new-alberta-election-ad-rules-1.6826569>

² <https://efpublic.elections.ab.ca/ofsf/OFSFViewEFPublicFS.cfm?FID=%289JA%27%3ECBF%23%3B%2C%20>

³ <https://teachers.ab.ca/advocacy/campaigns/stand-education>

⁴ https://www.albertandp.ca/sites/default/files/alberta_ndp_constitution_0.pdf

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Further, the ATA campaign does not take a neutral position. The campaign is designed to make voters believe that public education is “under attack” by the UCP government, which in addition to being easily refuted by the facts, also means these materials constitute election advertising as defined in the *EFDA*.

Requested Action

Given that the election period has commenced it is imperative that Elections Alberta take immediate action.

We ask that you confirm that Elections Alberta are investigating this matter at your earliest opportunity and that Elections Alberta will demand the AFL, CUPE (Alberta), and the ATA to immediately **cease and desist** all advertising activities.

In the event you require any further information, please contact me by email.

Thank you for your prompt attention to this matter.

Sincerely,

Dustin Van Vugt, Executive Director
United Conservative Party of Alberta