

Report from: Legal and Clerks Services, Office of the City Clerk

Report Date: November 4, 2022

Meeting Date: November 28, 2022

Report Number: LCS-185-2022

File: 10.50.99

Subject: Post-Election Accessibility Report

Strategic Pillar:

This report aligns with the following St. Catharines Strategic Plan pillars: N/A

Recommendation

That Report LCS-185-2022, regarding Post-Election Accessibility Report, be received for information.

Summary

In accordance with the *Municipal Elections Act, 1996*, and in compliance with *Ontarians with Disabilities Act, 2001* (ODA) and the *Accessibility for Ontarians with Disabilities Act, 2005*, (AODA) the City Clerk is authorized to establish procedures and provide appropriate measures to ensure that persons with disabilities have the opportunity to participate fully in the 2022 Municipal Elections.

Relationship to Strategic Plan

This report does not relate directly to the Strategic Plan.

Background

The *Municipal Elections Act, 1996*, provides the authority to the City Clerk to conduct municipal and school board elections and establish policies and procedures to ensure that all electors have the opportunity to participate fully in the election. The *Act* requires that the City Clerk have regard to the needs of electors and candidates with disabilities and ensure that all voting places are accessible to electors with disabilities.

The *MEA, 1996* also requires the City Clerk to prepare an [Accessibility Plan](#) specific to the election prior to voting day that identifies potential accessibility challenges for both electors and candidates. Further within 90 days after voting day, the Clerk is required to prepare a subsequent report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities.

In preparation for the 2022 Municipal and School Board election, staff reviewed the legislation to ensure compliance. Under the *MEA, 1996*, the Clerk is required to prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities. The proposed plan was reviewed by our Human Resources Consultant, Accessibility to ensure compliance with all applicable legislation prior to it being made available to the public on the City's website.

Report

Although the Accessible Election Policies and Procedures document was completed in Q1 of 2022, the Clerk's Office continued to monitor applicable legislation and standards to ensure any new requirements were incorporated in the plan.

Actions Taken to Identify, Remove and Prevent Barriers

Method of Voting

Since 2006 the City has used vote tabulators at voting locations for the municipal and school board election. Utilizing tabulators provides the added benefit of offering fully accessible voting equipment for those requiring accommodation. The fully accessible voting equipment was available for nine days during the advance voting period at City Hall. The availability of this machine was noted on the municipal website, social media, on voter notification notices and in the water bill inserts.

On November 15, 2021, City Council approved the use of Vote-by-Mail as an alternative method of voting for this election. This provided electors with an option to vote from the comfort of their home. This also allowed for an increased right of privacy to electors with disabilities who may find voting at a traditional voting location more difficult or for individuals who were not comfortable visiting a voting location due to the ongoing pandemic.

Vote-by-mail also proved to be a successful alternative method in long-term care homes as some homes could not provide access due to an outbreak or other precautions they were taking at the time. The participating homes provided Clerk's staff with a list of residents and vote-by-mail kits were dropped off and then picked up a few weeks later for processing.

If for any reason an elector is unable to cast their own ballot at a voting location, they can appoint a proxy to vote on their behalf. The *MEA, 1996* provides for the process for proxy voting.

Staff Training

Election Officials were required to attend a training session held at City Hall during the months of September / October. The sessions provided officials with the education that was required to successfully perform their duties on election day, and it also provided training on best practices to assist electors that may require special assistance.

At each voting location there was at least one City of St. Catharines employee who has been trained on the *Accessibility for Ontarians with Disabilities Act, 2005* and they could provide leadership at the poll. This formal training outlines the customer service standard and how to serve persons with disabilities.

Voting Locations

The 2022 municipal and school board election offered multiple advance poll days along with four election day polls in each ward. Prior to confirming use of each location, staff conducted a site visit and completed an accessibility checklist, that was approved by Human Resources Consultant, Accessibility. This was critical in ensuring that each facility had barrier-free paths of travel, accessible doors or door operators, adequate lighting and adequate slope and surface.

Prior to the opening of all voting locations, Election Officials followed a prepared site map to set-up the voting location in an accessible manner. Accessible entrances were identified at each location and prominent signage was used to direct electors to an accessible entrance if it was different from the main entrance.

Support persons and service animals were welcome, and assistance was offered to electors through the voting process, including being greeted at the door, making any necessary amendments to the voters' list and providing for Oaths of Assistance. While forms and oaths were printed in larger font, magnifying sheets were also available to assist electors with low vision and Election Officials would read the oaths upon request.

Information and Communication

Accessibility was considered in all information and communication strategies for the 2022 Municipal and School Board Election. When candidates were registering to run for office, each candidate was provided a document on how to run an Accessible Campaign. This document provided a variety of best practices to be used while campaigning. Beginning in August 2022, an election insert was included in each water bill that was mailed to residents. The selection of paper colour, content and readability were all carefully considered to ensure the brochure complied with AODA legislation.

The City's election page was designed to be both informative and accessible. All information for electors, candidates and third parties were placed in a distinct section on the website and all documents and forms provided on the website were accessible. The information available online used clear language and was continuously updated to reflect the most recent information and included a map identifying all voting locations.

Election information was communicated through various channels including social media, radio and newspaper advertisements. Voter Notification Letters were mailed out to all eligible electors on the voters' list indicating all accessible voting locations and dates / times. Clerk's staff attended the St. Catharines Farmers Market on five Saturdays to promote the election and answer any questions from electors.

Financial Implications

There are no financial implications associated with this report.

Environmental Sustainability Implications

There are no environmental sustainability implications associated with this report.

Conclusion

In alignment with the principles of the *Municipal Elections Act, 1996*, the Clerk's Office goal was to ensure that electors within the municipality who required accessible services were provided the opportunity to vote as independently as possible. Clerk's staff feel that with the variety of accessible voting options available, accessibility standards were met. Feedback received throughout the election process will be considered as staff prepare for the next election.

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