



COMMITTEE OF THE WHOLE AGENDA REPORT

TO: Chair Nishikawa and Members of Committee of the Whole
MEETING DATE: January 17, 2019
SUBJECT: 2018 ACCESSIBLE ELECTION REPORT

RECOMMENDATION: Be it resolved that Committee of the Whole recommend to Township Council that the 2018 Accessible Election Report dated January 17, 2018, be received.

<u>APPROVALS:</u>	Date	Signature
Submitted by: C. Mortimer, Clerk	<u>14/01/19</u>	<u>Original signed by C. Mortimer</u>
Acknowledged: S. McDonald, CAO	<u>14/01/19</u>	<u>Original signed by S. McDonald</u>

SUMMARY: It is recommended that pursuant to the Municipal Elections Act, 1996, (MEA), this report be received for information purposes.

ORIGIN: Requirement of the MEA. This requirement also applies to the Township's Multi-Year Accessibility Plan for an Accessible Election in 2018 pursuant to the Accessibility for Ontarians with Disabilities Act, 2005 (AODA). It is the Province's vision to achieve accessibility for Ontarians with disabilities by the year 2025.

BACKGROUND: Pursuant to section 12.1 (2) of the MEA, the clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the plan available to the public before voting day in a regular election.

The Township's 2018 Municipal Election Accessibility Plan was prepared in accordance with the MEA. It outlines the actions taken to ensure that candidates and electors were able to participate in the 2018 Municipal Election. The Plan was made available to the public at the municipal office and online. A copy of the Plan is attached for information purposes.

The 2018 Municipal Election Accessibility Plan provides the following:

"Introduction: The Corporation of the Township of Muskoka Lakes will continue to make reasonable efforts to ensure that its policies, practices and procedures are consistent in providing quality goods and services that are accessible to all persons. We will continue to promote an inclusive community that is dedicated to pursuing healthy and balanced lifestyles for everyone.

Objectives: The 2018 Municipal Election Accessibility Plan will ensure that:

- Individuals with disabilities, without exception, are able to independently and privately cast their vote;
- Individuals with disabilities will have full and equal access to all information concerning the 2018 Municipal Election;
- Individuals with disabilities can fully participate in the Municipal Election as volunteers, electors and/or candidates; and
- The Township of Muskoka Lakes will make the plan available to the public before voting day in a regular election.

This plan will be improved and updated as new opportunities are identified or become available.

The Township of Muskoka Lakes' 2018 Municipal Election Accessibility Plan will be made available through the Township's website. The plan will also be made available in an alternate format, upon request."

Pursuant to section 12.1 (3) of the MEA, within 90 days after voting day in a regular election, the clerk shall prepare a report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the report available to the public.

This report focuses on and evaluates the actions taken. As such, a summary of the identification, removal and prevention of barriers that affect electors and candidates with disabilities is provided below;

Internet and Telephone Voting

Internet and Telephone voting was selected for the 2018 Municipal Election. Electors were able to cast votes from October 12 at 10:00 am up to October 22 at 8:00 pm. Due to the system slowdown, voting was extended to October 23 at 8:00 pm.

Internet and Telephone voting enabled electors to cast their votes from anywhere in the world with telephone or internet service or from their own home. Travel to polling stations was not required. This also ensured that all electors had an extensive period of time to cast their vote using an accessible and convenient method. Voters were also able to use devices/software that they owned and were familiar with on their computer or mobile device in order to cast their vote.

The flexibility of Internet and Telephone voting presented opportunities for persons with disabilities to participate in the election while being consistent with the principles of independence, dignity, integration and equality of opportunity.

Voting assistance was also available at the Election Help Centre located at the Township Municipal Office with the assistance of an Election Official or a support person of their choosing. At the election help centre, the voting method was via internet or telephone. The Election Help Centre was open during regular office hours and on additional extended hours up to the close of voting.

The election software supported a minimum WCAG 2.0 Level A accessibility standards. Text size options, as well as view options (colour print, black on white print or white on black print) were provided.

Internet voting was accessible using a variety of devices including laptops, desktops, tablets, and smartphones. Voters were able to vote on a mobile device of their choice, at any time within the voting period. Telephone voting allowed voters to cast their votes using any point-to-point telephone connection (home, cell).

Voter Information Letter

Eligible electors received a Voter Information Letter (VIL) containing instructions on how to vote online or by telephone providing the website address or phone number along with the access information required. Accessible features of the VIL were the use of black text on white paper to achieve optimum colour contrast, minimal use of italics or underlining, left-aligned text, and minimum print using 11 point in Helvetica Font. Voters were able to request their VIL in an alternate format.

Election Help Centre

A site audit of the election help centre was conducted in order to ensure that it was accessible to all electors. Every effort was made to ensure that the identified election help centre was accessible using the following considerations; exterior paths of travel, parking, entrances, fire safety, emergency preparedness, signage, accessible washrooms, noise and lighting.

Township staff, including those appointed as Deputy Returning Officers and Elections Officials, and those who worked at the election help centre, completed the following required training pursuant to the AODA:

- Accessible Customer Service
- Integrated Accessibility Standards
- Ontario Human Rights Code as it relates to people with disabilities

Support Persons and Service Animals

Appointed Election Officials were available to assist an elector who required assistance in casting their vote after the completion of the oral oath. If an elector did not desire assistance from an Election Official, they were permitted to be accompanied by a designated support person and/or a friend to provide assistance following the administration of the oral oaths. Election Officials or Deputy Returning Officers administered the oral oaths.

Electors requiring the assistance of a service animal were permitted to bring their service animal into the election help centre. No requests were received.

Unexpected Service Interruptions

Pursuant to section 6 of the Township's of Muskoka Lakes Accessible Customer Service Policy, in the event of an unexpected service interruption, notice will be provided (where applicable) as quickly as possible.

In addition to declaring an emergency pursuant to section 53 of the MEA, a notice and a press release were posted online (website, twitter, facebook) and at the municipal office (election held centre), explaining that due to an extreme volume of activity on the internet and telephone voting systems, the voting period was extended to 8:00 pm on October 23.

Election Feedback

As outlined in the Township's Accessible Customer Service Policy, a member of the public may provide feedback regarding Election accessibility to the Clerk, or designate. None have been received.

LEGISLATION:

The Municipal Elections Act, 1996, provides the following:

Duties of clerk

11 (2) Responsibility for conducting an election includes responsibility for, (d) in a regular election, preparing and submitting the report described in subsection 12.1 (2).

Electors and candidates with disabilities

12.1 (1) A clerk who is responsible for conducting an election shall have regard to the needs of electors and candidates with disabilities.

Plan re barriers

12.1 (2) The clerk shall prepare a plan regarding the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the plan available to the public before voting day in a regular election.

Report

12.1 (3) Within 90 days after voting day in a regular election, the clerk shall prepare a report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities and shall make the report available to the public.

Variations for electors with visual impairments

41 (3) The clerk shall make such changes to some or all of the ballots as he or she considers necessary or desirable to allow electors with visual impairments to vote without the assistance referred to in paragraph 4 of subsection 52 (1).

Accessibility

45 (2) In establishing the locations of voting places, the clerk shall ensure that each voting place is accessible to electors with disabilities."

Below is a list of other plans/policies and a summary that link to this report.

Township 2018 Municipal Election Procedures

"A. INTRODUCTION

Principles Guiding Municipal Elections

The following principles were considered during the development of the MEA, its amendments and the planning and delivery of the 2018 Municipal Election by Municipal agencies:

- The secrecy and confidentiality of the individual vote is paramount.
- The election should be fair and non-biased.

- The election should be accessible to the voters.
- The integrity of the process should be maintained throughout the election.
- There be certainty that the results of the election reflect the votes cast.
- Voters and candidates should be treated fairly and consistently within a municipality.

I. ACCESSIBILITY

The Township of Muskoka Lakes is committed to ensuring that all qualified electors have the opportunity to vote. The use of Internet and Telephone Voting provides the most accessible access to the electoral process as it eliminates the need for electors to attend a polling station and provides for an extended period of time to participate in the election process. Any questions or comments regarding accessibility should be directed to the Clerk.

The Clerk shall ensure that the election help centre is accessible to electors with disabilities. At the discretion of the Clerk (during regular business hours up to and including October 18, 2018), special requests will be considered for an election official to travel to a location with a mobile voting kiosk (i.e. laptop, table) to assist electors who require accommodations.

The Clerk is required to prepare a plan regarding the identification, removal, and prevention of barriers that affect electors and candidates with disabilities and make the plan available to the public before voting day. The Clerk is also required to provide a follow-up report to the public within 90 days after voting day.”

Township 2014-2018 Multi-Year Accessibility Plan

“Pursuant to Ontario Regulation 191/11, designated public sector organizations shall establish, implement, maintain and document a multi-year accessibility plan, which outlines the organization’s strategy to prevent and remove barriers and meet its requirements under the Regulation, post the accessibility plan on their website, provide the plan in an accessible format upon request, and review and update the accessibility plan at least once every five years. Designated public sector organizations shall prepare an annual status report on the progress of measures taken to implement the strategy, including steps taken to comply with the Regulation, post the status report on their website, and provide the report in an accessible format upon request. Designated public sector organizations shall establish, review and update their accessibility plans in consultation with persons with disabilities and if they have established an accessibility advisory committee, they shall consult with the committee. Pursuant to Section 29 of the AODA, the Township is not required to establish an accessibility advisory committee as the Township’s population is less than 10,000.

Through the development of this Plan, barriers within the organization have been identified. Below is a list of the identified barriers, and anticipated steps to remove them. As this is a multi-year plan, projects have been identified which are beyond the formally approved budget process. As such, the projects may be amended, added or removed. The needs of the municipality will continue to evolve which may shift identified priorities. Third-party funding may become available in the future which could adjust the timelines of the identified projects. Projects will continue to be reviewed and updated through the annual budget process as well as the annual report.”

Township Policy C-GG-21, Accessible Customer Service

“POLICY: It is the policy of the Corporation of the Township of Muskoka Lakes that persons with disabilities achieve accessibility to the provision of goods and services provided by the Municipality that are consistent with the following core principles of independence, dignity, integration, and equal opportunity as set out in the Accessibility for Ontarians with Disabilities Act, 2005 regulations.”

Township Policy C-GG-25, Integrated Accessibility Standards

“POLICY: This policy shall apply to every person who deals with members of the public or their agents on behalf of the Township of Muskoka Lakes, whether the person is an employee, agent, volunteer or otherwise.

This policy is implemented in accordance with the Integrated Accessibility Standards, Ontario Regulation 191/11 (IASR) as they relate to the General Requirements, Information and Communications, Employment, Transportation, and Built Environment (Design of Public Spaces), and identified within the Township of Muskoka Lakes Multi-Year Accessibility Plan and the phased in timelines.”

Township Policy C-PD-03, Accessibility

“POLICY: When new construction of public buildings owned by the Township is undertaken or when significant renovation to existing Township facilities occurs, it will be the policy of the Township to make those facilities fully accessible to the public.”

Township 2015-2018 Strategic Plan

“Strategic Priority Area: Township Communication

Goal: Improve Public Access to Information and Enhance Quality and Timeliness of Communications

Objectives: Expand use of digital or new communication and service delivery tools (i.e. social media, online payment and bookings)”

FINANCIAL:

The conduct of the Municipal Election is funded through the Township’s election reserve fund that receives an annual allocation through the Clerks Department operating budget.