



municipal and school board **election**
élections municipales et scolaires

**City of Greater Sudbury
2018 Municipal and School Board Election
Post-Election Accessibility Report**

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1.0 Introduction

“Voting is one of the most sacred rights of citizenship and that includes the right to do so in an accessible context.”

James Peter Hughes v. Elections Canada. 2010 Canadian Human Rights Tribunal 23.

The City of Greater Sudbury is a community of communities that respects the dignity and rights of persons with disabilities and endeavours to promote a barrier-free and inclusive community.

The focus of the Post-Election Accessibility Report is to evaluate the accessibility of the electoral services offered to all electors and candidates in the 2018 Municipal and School Board Election. This report outlines the actions taken regarding the identification, removal, and prevention of barriers that affected electors and candidates with disabilities and how these actions impacted their voting experience.

The City of Greater Sudbury's Clerk's Services Department will continue to learn, develop, and adjust our approaches in order to meet the needs of persons with disabilities. The review of accessibility issues and initiatives and addressing barrier prevention and removal is an ongoing practice.

2.0 Governing Legislative and Policy Framework

Under the *Municipal Elections Act, 1996, (The Act)* the City Clerk is legislatively responsible for conducting Municipal and School Board Elections and establishing policies and procedures to ensure that all electors have the opportunity to participate fully in the election. The *Act* requires the Clerk to have regard for the needs of electors and candidates with disabilities and to ensure that all voting places are accessible to electors with disabilities. The Clerk is also required, within 90 days after a regular election, to prepare a report on the identification, removal, and prevention of barriers that affect electors and candidates with disabilities and make the report available to the public.

In addition to the *Municipal Elections Act, 1996*, the Clerk must also comply with the requirements of the following legislation:

- The *Ontario Human Rights Code, 1990* provides that all persons have the right to equal treatment without discrimination, including on the basis of disability, and that persons with disabilities be provided with accommodation short of undue hardship.
- The *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)* was enacted in 2005 and sets out clear goals and timeframes for making Ontario accessible by 2025. Under the AODA, private and public sector organizations across Ontario are required to comply with Regulations established by the Province. These Regulations include the Customer Service Standard and the Integrated Accessibility Standards.
 - The Integrated Accessibility Standards Regulations (IASR) brings together accessible standards for Information and Communications, Employment, Transportation, and Design of Public Spaces under one regulation and harmonizes the requirements common to each standard. Each of the standards

articulates specific requirements and compliance deadlines, which will be phased in across Ontario between 2011 and 2025.

Additionally, the *City of Greater Sudbury's 2017-2021 Multi-Year Accessibility Plan* highlights the City's planned strategies for identifying, removing, and preventing barriers within the community. This Plan also outlined strategies to be used to enhance the overall accessibility of the 2018 Municipal and School Board Election.

3.0 Election Preparation

In preparation for the 2018 Municipal and School Board Election, staff reviewed the relevant legislation and implemented a number of initiatives to ensure compliance. Significantly, as required under the *Act*, the Clerk prepared a plan regarding the identification, removal, and prevention of barriers that affect electors and candidates with disabilities and made the plan available to the public before Election Day by posting it on the City's website. Notably, the proposed plan was provided to the City's Accessibility Advisory Panel to confirm that needs were being met.

To elaborate, the City of Greater Sudbury 2018 Municipal and School Board Election Pre-Election Accessibility Plan highlighted the planned strategies and actions for the identification, removal, and prevention of barriers in the 2018 Municipal and School Board Election. After the plan's development, the City's Clerk's Services Department continued to monitor the applicable legislation, standards, and deadlines and look to relevant court decisions to ensure that any new requirements were incorporated in the Pre-Election Accessibility Plan and considered in the implementation of the 2018 Municipal and School Board Election.

4.0 Strategies and Actions for the Identification, Removal, and Prevention of Barriers

4.1 Method of Vote and Electronic Voting System

On May 30, 2017, City Council approved a change to the method of vote for the 2018 Municipal and School Board Election. City Council determined that electronic voting would be utilized as the sole method of vote for the entire voting period of this election. This decision greatly enhanced the overall accessibility of the election, as it allowed electors to cast their electronic ballot using a smartphone, tablet, or laptop anytime from Monday, October 15, 2018 to Tuesday, October 23, 2018.

The City's Clerk's Services staff worked closely with the electronic voting system service provider, Dominion Voting Solutions Inc., to evaluate the system and ensure that it was fully secure and accessible for persons with disabilities. Electors with disabilities had the option to use the system's built-in accessibility features to enlarge the font size, adjust the colour contrast, and have the security text read aloud. As well, they could use their personal assistive technologies to interact with the electronic voting system anywhere and a demo of the electronic voting system was available on the City of Greater Sudbury's election website.

Significantly, electronic voting provided electors with the ability to cast their ballot from home if they so chose. This allowed increased rights of privacy to electors with disabilities who may find voting at traditional paper based voting locations more difficult, as they had the ability to vote

with little or no assistance required from others. Electronic voting from home proved to be particularly effective as 81.79% of voters who cast their electronic ballot did not do so from a voting location. Adding to this, for voters with disabilities who were unable or uncomfortable with using the electronic voting system from home and unable to physically attend a voting location, the permitted use of proxy voting enabled them to appoint another person to cast their electronic ballot on their behalf at a voting location.

4.2 Staff Training

Election Officials were mandated to attend a training session hosted by Clerk's Services staff. These sessions highlighted best practices on how to assist voters in voting locations, including voters with disabilities, and the accommodations and special services available to assist voters. Before the close of each session, Election Officials participated in a hands-on voting location simulation where they rotated scenarios acting in the various Election Day roles, including Greeters, Revision Clerks, and Helpers. This was extremely beneficial as it demonstrated to Election Officials how and when to offer assistance to voters at each stage of the voting process. Scenario-based training also allowed Election Officials to practice scenarios specific to persons with disabilities, including voters bringing a service animal or support person to a voting location and voters having visual and mobility disabilities and requiring assistance in reading and signing oaths.

Significantly, all Election Officials were City of Greater Sudbury employees. One of the key reasons that Clerk's Services chose to use only internal staff as Election Officials is because they received formal accessibility training upon hiring, which includes training on the *Accessibility for Ontarians with Disabilities Act, 2005*. This formal accessibility training outlined the customer service standard and how to serve persons with disabilities. It is also important to note that information pertaining to the customer service standard and serving persons with disabilities was included in the Election Worker Manual, training session presentation, and scenario-based training. The Election Worker Manual specifically contained accessibility guidelines and tips for interacting with persons with a variety of disabilities.

4.3 Voting Locations

The 2018 Municipal and School Board Election offered a variety of voting locations to ensure that accessibility was a primary consideration in choosing where voters could cast their electronic ballot. In terms of site selection, Clerk's Services staff used an accessibility checklist to conduct site visits of each voting location prior to confirming their use in the election. This was critical in ensuring that each facility had a barrier-free path of travel from the parking lot and sidewalk, barrier-free path of travel inside the voting location, barrier-free parking, door operators or accessible doors, adequate lighting, and adequate slope and surface.

Regarding the various types of voting locations, from Monday, October 15, 2018 to Sunday, October 21, 2018, Voter Help Centres were set-up at all 13 of the City's Citizen Services Centres and Libraries for voters who requested additional assistance in casting their electronic ballot. Each Voter Help Centre had dedicated voting booths as well as trained Election Officials to provide assistance to electors as needed. Also available from Monday, October 15, 2018 to Saturday, October 20, 2018 was a voting booth on board the Election Bus, a Mobile Electronic Voting Location that attended key locations and events throughout the City, such as the New Sudbury Shopping Centre, Health Sciences North, and Keeping Seniors Warm event. The Election Bus was an extremely accessible voting location as it was brought directly to these

locations' parking lots and the bus itself contained accessible features for persons with disabilities to easily enter and exit the bus.

On Election Day, Monday, October 22, 2018, Election Officials set-up Electronic Voting Locations at hospitals, retirement homes, and long-term care homes to provide voting opportunities specifically for residents and their families in these institutions. For electors who did not reside at these homes but wished to cast their electronic ballot in-person, there were 23 Electronic Voting Locations established all throughout the city on Monday, October 22, 2018 and Tuesday, October 23, 2018. Due to the vote anywhere model adopted by the City Clerk, voters were able to vote at any of these locations, regardless of the Ward they reside in. It should also be emphasized that free transit was available on Election Day for anyone wishing to attend an Electronic Voting Location.

Before the opening of all voting locations, Election Officials performed final accessibility checks to ensure that the locations were set-up in an accessible manner. They prioritized the identification of voting location access routes and entrances by providing appropriate internal and external signage, ensuring that voters with accessibility needs were directed to the accessible voting entrance through prominent signage, and making the accessible entrance the same as the main entrance where possible. Clerk's Services staff also ensured that all Election Officials responsible for setting-up voting locations were aware of legislative accessibility requirements in the event that last-minute changes needed to be made to voting locations.

During the entire voting period, personal assistive devices were permitted in all voting locations, such as wheelchairs and walkers. Support persons and service animals were welcomed and assistance was offered to voters at every stage of the voting process, including being greeted at the door, making any necessary amendments to their information on the Voters' List, and casting their electronic ballot. Election Officials treated all voters with dignity and respect, being sensitive to the individual needs of voters and recognizing that some required unique attention. While forms and oaths were printed in large font, magnifying sheets were also present to assist voters with low vision and Election Officials read and signed oaths upon voters' requests. Bilingual Election Officials were staffed in each voting location and numerous chairs were available for voters with disabilities to sit at while they waited in line. It is important to also note that there was a mix of both laptops with mice and touch screen iPads at Electronic Voting Locations in an effort to offer various accessible technologies to voters.

4.4 Information and Communication

The City of Greater Sudbury considered accessibility in all information and communication strategies for the 2018 Municipal and School Board Election. Upon requests from persons with disabilities, Clerk's Services staff provided copies of election documents, or the information contained in the document, in a format that took into account the person's disability. Specific to candidates, the new DataFix VoterView Candidate Access Portal granted candidates the ability to download the Voters' List electronically once it became available in September and throughout each day of the voting period. This prevented candidates from having to physically attend Tom Davies Square to obtain their copies of the Voters' List.

The City's election website was designed to be both informative and accessible. All information for voters, candidates, and third parties was placed in distinct sections on the website and they were directed to access all documents and forms through the website in an effort to promote accessibility and transparency. The information available online used clear and simple language and was continuously updated to reflect the most recent election developments and information.

Additionally, the website was compliant with WCAG 2.0 Level A guidelines. It allowed for personal assistive technologies to be utilized with the website and for users to adjust the website font within the browser's functionality to aid them in reading the information. Notably, the election website contained an accessible voting section that outlined the various accessible voting locations and accessible features of the electronic voting system.

Election information was communicated through various channels and alternate formats including regular candidate emails, social media, and radio, billboard, newspaper, and Silver City advertisements. Voter Information Letters were mailed out to all eligible electors on the Voters' List as well as pamphlets explaining where and when to vote in the election and have elector information on the Voters' List amended. Election information sessions were hosted by Clerk's Services staff in an accessible location for all voters, candidates, media, and third parties wishing to attend. These sessions were livestreamed and made available on the City's election website for persons unable to attend the session in-person. For election-related inquiries, all residents were able to call 3-1-1 or Clerk's Services directly or email Clerk's Services through the election email.

Furthermore, the Election Team worked with persons with disabilities and community advocates to disseminate election information to persons with disabilities. Community Action Network meetings and nursing and long-term cares homes were attended by Election Officials to present key information regarding the 2018 Municipal and School Board Election and showcase accessible voting technology. Election outreach booths were also made available at all of the City's universities and colleges and the Sudbury Wolves' hockey game. It should be emphasized that Election Officials offered to perform revisions to electors' information on the Voters' List while attending all of these locations.

In the event of disruptions to electoral services or unforeseen circumstances that affected the accessibility of voting locations, a process was in place to facilitate notification. For example, when the City Clerk declared an emergency, information regarding the extension of voting hours and voting locations was updated in real-time on social media, the City's election website, and communicated to all Election Officials present at voting locations. Additionally, a Public Service Announcement was issued and a media briefing was held by the City Clerk and Chief Administrative Officer. Lastly, comment boxes were available for feedback at all voting locations and each comment is in the process of being read and logged by Clerk's Services staff.

Conclusion

It was the goal of the City of Greater Sudbury's Clerk's Services Department to ensure that electors within the municipality who required accessibility services were provided with the best opportunity to vote as independently as possible in the 2018 Municipal and School Board Election. Clerk's Services staff also strived to make the nomination and registration process as accessible as possible for candidates and third parties.

The 2018 Municipal and School Board Election total voter turnout was 45.00%, far exceeding the provincial average of 37.60%. Remarkably, the highest voter turnout by age group was the 65-74 age group with a voter turnout of 63.14%. Debriefs have been conducted with all Election Officials and both resident and staff feedback regarding the accessibility of the election will be considered by Clerk's Services staff in preparation for the next City of Greater Sudbury Municipal and School Board Election.

Appendix A: City of Greater Sudbury 2018 Municipal and School Board Election Total Voter Turnout and Voter Turnout per Voting Location Statistics

Total Number of Ballots Cast	52,087
Total Voter Turnout (%)	45.00%
Total Voter Turnout (% Provincial Average)	37.61%

Ballots Cast by Location		
<u>Voting Location</u>	<u>Total Number of Ballots</u>	<u>Voter Turnout (%)</u>
Online (No Location)	42,602	81.79%
Voter Help Centre	2,588	4.97%
Election Bus	133	0.25%
Long-Term Care/Nursing Home	714	1.37%
Election Day Electronic Voting Location	6,050	11.62%

Ballots Cast by Voting Date		
<u>Voting Date</u>	<u>Total Number of Ballots</u>	<u>Voter Turnout (%)</u>
Ballots Cast at Advance Voting Location (VHC/Election Bus October 15-21)	2,721	5.22%
Ballots Cast at Election Day Electronic Voting Location October 22 & 23 (LTCN/Regular EVL)	6,764	13.00%
Total Number of Ballots Cast Online During Advance Voting Period (No Location Attendance)	27,127	52.08%
Total Number of Ballots Cast Online Election Day October 22&23 (No Attendance at EVL)	15,475	29.70%

Appendix B: City of Greater Sudbury 2018 Municipal and School Board Election Voter Turnout by Age Statistics

Voter Turnout by Age			
Age Group	Number of Voters	Number of Ballots Cast	Voter Turnout %
18-24	8,332	2,204	26.45%
25 - 34	17,187	4,622	26.89%
35-44	16,890	6,461	38.25%
45-54	19,463	9,016	46.32%
55-64	22,387	12,531	55.97%
65-74	16,360	10,331	63.14%
75-84	9,047	5,432	60.04%
85-94	3,303	1,397	42.29%
95-104	375	94	25.06%
105-114	14	0	0.00%

Appendix C: City of Greater Sudbury 2018 Municipal and School Board Election Voter Turnout by Ward Statistics

Voter Turnout by Ward			
Ward	Number of Voters	Number of Ballots Cast	Voter Turnout %
1	9,350	4,384	46.89%
2	10,153	4,761	46.89%
3	9,106	3,467	38.07%
4	9,128	3,999	43.81%
5	9,062	3,673	40.53%
6	10,331	4,526	43.81%
7	9,775	4,565	46.70%
8	8,307	4,039	48.62%
9	10,321	5,206	50.44%
10	10,745	4,992	46.46%
11	10,214	4,841	47.40%
12	9,291	3,635	39.12%