

Corporate Report

REPORT NUMBER 024-2023-City Manager's Office-Office of the City Clerk

DATE

PREPARED

January 3, 2023

FILE

MEETING DATE

January 23, 2023

SUBJECT

Election 2022 - Municipal and School Board Elections Accessibility Review

RECOMMENDATION

This Report is for information only.

EXECUTIVE SUMMARY

This report highlights measures taken to achieve the goals outlined in the City of Thunder Bay 2022 Municipal Election Accessibility Plan to ensure the 2022 Municipal and School Board Elections were as barrier-free as possible for everyone. This report provides its review through an accessibility lens, and fulfills the statutory requirement for reporting on accessible elections in *Municipal Elections Act, 1996*.

DISCUSSION

The *Municipal Elections Act, 1996* (MEA) has accessibility requirements in the legislation to ensure that all Ontarians have the ability to cast a ballot on Voting Day.

As per Section 12.1

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

As per Section 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 make the plan available to the public before voting day in a regular election.

Administration consulted with the Municipal Accessibility Advisory Committee (AAC) at their meeting on April 14, 2022 to confirm that barriers from the 2018 election were addressed and that all reasonable steps were taken to ensure the election would be accessible for all electors and candidates. The AAC reviewed the 2022 Municipal

Election Accessibility Plan and supported the plan presented. Following consultation with the AAC, the Plan was released to the public on May 2, 2022.

As per Section 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.

This report seeks to fulfil the statutory requirements as mandated through the Act.

Objectives of the 2022 Municipal Election Accessibility Plan included:

- That persons with disabilities are able to independently cast their vote and verify their selection.
- That persons with disabilities have full and equal access to all information on where and when to vote and on eligible candidates.
- That persons with disabilities can fully participate in the municipal election as an elector, candidate, or election official.
- That efforts are made to ensure that electors with disabilities are aware of the accessibility measures available via channels such as the City of Thunder Bay election website, social media and by contacting the Municipal Elections Office.
- That all polling locations and Voter Help Centres are accessible.
- That all elections staff are trained in providing accessible customer service and that they recognize that an elector's needs shall be accommodated.

Access to information

Election information, such as nomination information for potential candidates, information for electors, and information for those interested in working the election, was communicated through various channels including the City's election website, social media, radio, newspaper, electronic billboards, and regular candidate emails. The design procured, otherwise known as the 'look and feel' of the messaging was created with accessibility in mind. Using only black and white images and references of local architecture and clear lettering, print and digital advertising met all accessibility standards.

Voter Information Letters (VIL) were mailed to all eligible electors on the voters' list explaining where and when to vote, and providing voter helpline contacts, accessibility information, and a free transit pass.

The election website, www.tbayvotes.ca, was designed to be both informative and accessible. The information on the website used clear and simple language and was continuously updated to reflect the most recent election information. All information met the Canadian standard on web accessibility, and allowed for assistive screen-reading software to be utilized.

Printed material, such as the Voter Information Letter (VIL), was developed with accessibility in mind and was reviewed by the City's Municipal Accessibility Specialist. Printed material was available in a larger font size, upon request.

Communication of accessibility measures

The 2022 Municipal Election Accessibility Plan was available on the election website, and paper copies were available at the Office of the City Clerk in City Hall. The Plan was included in the package provided to candidates for City Council and School Board when they filed their nomination papers.

Tbayvotes.ca featured a page dedicated to accessibility. The page included the 2022 Municipal Election Accessibility Plan, details about accessible voting methods, information about a free transit pass to and from voting locations, and information for candidates regarding the needs of electors with disabilities. Candidates were encouraged to review campaign offices, election materials and canvassing procedures in order to ensure that they are fully accessible. Links were provided to three quick reference documents to assist candidates with accessible elections considerations.

Voting locations

As per Section 45

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

Pursuant to the above noted section of the Act, the following measures were taken to prevent barriers at the polling locations:

- Prior to Voting Day, a site visit team, which included election staff, Corporate Information Technology (CIT) staff and the City's Municipal Accessibility Specialist, met regularly to discuss potential poll locations, and the team visited twenty different venues to assess a number of factors, including a comprehensive accessibility review.
- The accessibility review aimed to ensure that the environment in each proposed voting location included adequate and barrier free parking, walkways, ramps, entrances, exits, hallways, interior doors, fire exits, and washrooms.
- Voting areas were confirmed to be level, easily traversed, and well lit, with sturdy seating.
- Prior to Voting Day, election staff also visited all special voting locations, such as retirement homes, hospitals and shelters to evaluate accessibility.
- Election staff identified each voting location's access routes and entrances and provided prominent internal and external signage.

Three City-owned voting locations, Kinsmen Youth Centre, North End Community Centre, and North McIntyre Recreation Centre, received capital upgrades, funded by the City's accessibility fund, to remove barriers prior to Voting Day.

Four schools were used as Voting Day polls. At these voting places, accessibility was enhanced by both school boards' decision to make Voting Day, October 24, a Professional Activity Day. The PA Day resulted in more parking, fewer people and less noise in the voting place.

Voting methods

The following voting methods were available for the 2022 Municipal and School Board Elections:

- Internet voting
- In-person paper ballot at advance poll
- In-person paper ballot at drive-thru advance poll
- In-person paper ballot at Voting Day poll
- Voting by proxy

Internet voting provided an opportunity for electors to vote via internet from their homes, or anywhere, using a computer, laptop, tablet or smartphone, along with their qualifying information and PIN provided in their Voter Information Letter. Significantly, internet voting increased privacy for individuals with disabilities who may find voting at in-person, paper-based voting locations more difficult, as they had the ability to vote with little or no assistance from others. The internet voting option maximized the opportunity for other electors to vote, as well, including seniors, families with small children, and electors who did not want to vote in person for any other reason.

The internet voting site was compliant with the Canadian Web Content Accessibility Guidelines (WCAG). Electors with disabilities had the option to use the voting site's built-in accessibility features to enlarge the font size, adjust the colour contrast, and have the CAPTCHA text read aloud. The use of CAPTCHA caused concern for some visually impaired electors. CAPTCHA was required as a security parameter for the internet voting system and is permitted under WCAG provided that text alternatives that identify and describe the purpose of the non-text content are provided, and alternative forms of CAPTCHA using output modes for different types of sensory perception are provided to accommodate different disabilities.

The opportunity to vote remotely by internet was available from 10:00 a.m. October 5, 2022 when advance voting commenced, until 8:00 p.m. when polls closed on Voting Day, October 24, 2022. For those individuals without means to access internet voting, online voting kiosks were available for public use in the lobby of City Hall throughout the voting period, and at all in-person voting locations.

For those individuals who preferred to cast their vote via paper ballot, in-person advance voting locations were open October 5, 6, 12 and 13, 2022 and thirteen in-person polls were open on Voting Day, October 24, 2022.

To remove any barriers to in-person paper ballot voting, the following actions were taken:

- The City's Municipal Accessibility Specialist reviewed all paper ballots prior to printing and provided feedback regarding font size and spacing.
- Magnifying devices were available at all voting locations.
- All voting locations had a designated accessible voting booth, which was low in height with a wide area to allow for individuals who use a wheelchair, scooter, assistive device or service animal to vote independently and privately.
- An ImageCast Accessible Voting Ballot Marker Device was available at all advance polls and two designated Voting Day polls at West Thunder Community Centre and Thunder Bay 55 Plus Centre.
- Upon request, Election Officials were available to assist any elector who required assistance in casting their vote via internet or paper ballot.
- A free transit pass was printed on the VIL to provide transportation for electors to and from an advance poll or Voting Day poll.

The ImageCast Accessible Voting Ballot Marker Device was equipped with accessory components to allow independent voting for individuals with accessibility challenges. A paper ballot marked using this device is indistinguishable from a ballot marked by hand. The device offered the following voting process:

- Election Official provided elector a hand-held vote selector device, or paddles device, or sip-and-puff device, and a set of headphones, to navigate through an audio version of the ballot.
- Elector navigated through the ballot via audio instructions.
- Elector selected their ballot choices using the vote selector device.
- When finished, the elector heard their vote choices read back via the audio interface, and either confirmed or rejected the votes.
- Following confirmation of the votes, the attached printer near the elector marked a paper ballot.
- The printed ballot was fed into the ImageCast Precinct tabulator, just as ballots marked by hand.

Four electors used assistive voting devices in 2010, six electors used the devices in 2014, three in 2018 and one in 2022.

The limitations of the devices remain primarily with the speed of voting – the ImageCast Accessible Voting Ballot Marker and previous assistive devices continue to be slow methods of voting. Another challenge is the ImageCast design connects the device directly to the tabulator. The Election Office received feedback that placement of the device near the tabulator did not allow for a comfortable level of privacy. If the same equipment is used for the 2026 election, Administration will provide a separate tabulator

be used for the accessible ballot marking device to allow for more appropriate privacy for voters.

Drive-thru voting was new for the 2022 municipal election. A drive-thru advance poll on October 18, 2022 allowed an elector with mobility challenges to cast their vote via paper ballot from the comfort of their vehicle. The drive-thru poll mirrored other in-person advance voting locations, with the added convenience of not leaving a vehicle. Feedback received from voters at the drive-thru poll was received throughout the day from individuals with mobility disabilities who were pleased not to have to leave their car and could still register their vote via paper ballot.

In addition to internet and paper ballot voting, proxy voting was available for electors who were uncomfortable with, or unable to use the electronic voting system, or physically attend a voting location. Proxy voting enabled individuals to appoint another person to cast their ballot on their behalf at an in-person voting location. The Election Office received two proxy appointment forms for the 2022 election.

Staff training

Four City staff were trained on the ImageCast Accessible Voting Ballot Marker and other election-related accessible customer service. They assisted several electors at advance polls and on Voting Day. Many other election workers were City of Thunder Bay staff who received formal accessibility training upon hiring. Elector feedback revealed that enhanced accessibility training must be extended to include all temporary staff at voting locations so that they recognize when and how an elector's needs require accommodation. Prior to the 2026 election, Administration will work with the Municipal Accessibility Specialist to develop a more comprehensive accessibility training session for all election workers.

Special voting opportunities

The MEA mandates that the City attend certain institutions (i.e. hospitals) and retirement homes within the municipality to provide special voting opportunities. Administration also identified two additional locations that were primarily occupied by vulnerable older adults. Election staff attended a total of 20 special voting locations between October 11 and 24, 2022 and served 575 electors.

Special accommodation

The VIL included a phone number for electors to call if they required special accommodations. Such requests for accommodation were met for more than 70 electors. All requests received before the October 13, 2022 deadline were met. Five requests received after the deadline were unable to be met.

FINANCIAL IMPLICATION

There are no financial implications to this Report.

CONCLUSION

It was Administration's goal to ensure that electors within the municipality who required assistance were provided with an opportunity to vote as independently as possible in the 2022 Municipal and School Board Elections. Administration also strived to make the nomination process as accessible as possible for candidates and third parties.

In preparation for the next Municipal and School Board Elections, Administration will review all resident and staff feedback regarding the accessibility of the 2022 election and use it to further remove barriers and enhance inclusivity in 2026.

REPORT PREPARED BY

Leanne Lavoie, Election Coordinator – Office of the City Clerk

REPORT SIGNED AND VERIFIED BY

Norm Gale, City Manager
01/13/2023