

# Corporate Policy

**Subject:** Accessible Election

## Purpose Statement:

This policy is based on the accessibility requirements outlined under the *Municipal Elections Act, 1996 (MEA)*, the *Ontarians Disabilities Act, 2001* and the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*.

In planning and carrying out the Town of Caledon's municipal election, staff will ensure reasonable efforts are made to provide election information and services in a manner that takes into account a person's disability and respects their independence and dignity. The provision of election information and services to those with disabilities, as well as access to election facilities, will be integrated with the provision of these to others unless an alternative measure is necessary to enable a person with a disability to obtain, use or benefit from the above. Equal opportunity shall be given to all persons to obtain, use and benefit from election information, services and facilities.

The delivery of election information and services to persons with disabilities shall be:

- emphasized through mandatory election training;
- made accessible by the use of assistive devices, support persons and service animals unless otherwise prohibited by law; and
- a component of the Town's standard election practices.

## Scope:

This policy is applicable to all election staff performing work on behalf of the Town Clerk and further applies to all facilities used by the Town for the municipal election. This policy constitutes the Accessibility Plan for the Town to identify, remove and prevent barriers that affect electors and candidates with disabilities. This document shall be reviewed by the Town's Accessibility Advisory Committee.

## Definitions:

*Barrier* is defined by the AODA and means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice.

*Disability* is defined by the AODA and means:

- (a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing



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- impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;
- (b) a condition of mental impairment or a developmental disability;
- (c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- (d) a mental disorder; or
- (e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace and Insurance Act, 1997*.

*Guide Dog* is defined by the *Blind Persons' Rights Act* and means a dog trained as a guide for a blind person and having the qualifications set out in that Act.

*Service Animal* is defined in *Ontario Regulation 191/11: Integrated Accessibility Standards (IAS)* and is a service animal for a person with a disability if the animal can be readily identified as one that is being used by the person for reasons relating to the person's disability, as a result of visual indicators such as the vest or harness worn by the animal or if the person provides documentation from a regulated health professional, set out in the regulation, confirming that the person requires the animal for reasons relating to the disability.

*Support Person* is defined in the *IAS* and means, in relation to a person with a disability, another person who accompanies the person with a disability in order to help with communication, mobility, personal care or medical needs or with access to goods, services or facilities.

### **Requirements of the *Municipal Elections Act, 1996*:**

Pursuant to the *MEA*, the Town Clerk is responsible for conducting elections within the municipality. This includes several important responsibilities as follows to support accessibility:

- 12.1 (1) A clerk who is responsible for conducting an election shall have regard to the needs of electors and candidates with disabilities.
- 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.
- 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.
- 45 (2) In establishing the locations of voting places, the clerk shall ensure that each voting place is accessible to electors with disabilities.



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## Procedures:

### 1. Staff Training

All staff carrying out election duties will be trained to recognize and ensure that persons with disabilities are served in a manner that accommodates their needs.

Training will include a review of the purposes of the *AODA* and instructions on:

- the requirements of the *IAS*;
- how to interact and communicate with persons with various disabilities;
- ways to interact with persons with disabilities who use assistive devices or require the assistance of a guide dog, service animal or a support person;
- how to use voting equipment and assistive devices to deliver election services; and
- methods to provide accessible customer service and what to do if a person with a disability is having difficulty accessing election information, services or facilities.

Training will be provided prior to voting day or any advance voting day to ensure staff carrying out election duties are knowledgeable when interacting with the public.

### 2. Election Information

#### Alternative Formats

Candidates and electors with disabilities will be able to receive information and copies of election documents in a timely manner and in a format that takes into account their disability and accessibility needs. Town staff will consult with the person making such a request to determine a suitable format or communication support. The cost for providing information or a document in an alternative format shall not be more than the regular cost charged to other persons. The format may be agreed upon between the requester and the Town Clerk.

#### Notice of Temporary Service Disruption

If there is a temporary disruption in the delivery of election information or services, Legislative Services shall provide public notice on the Town's election webpage, at the physical site of the disruption (ex. on doors and at service counters etc.) and when possible in the local media. The notice shall include the following information:

- description of the service disruption;
- reason for the disruption;
- expected duration of the disruption; and
- if available, an alternative means of obtaining the service or information.

Every effort shall be made to provide alternative methods of providing the information or service to persons with disabilities.



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Legislative Service Staff are available to assist with any issues that may arise with respect to providing a barrier-free election and can be reached by way of the following contact information:

## Telephone

905-584-2272

## In Person

Town Hall, Legislative Services  
6311 Old Church Road  
Caledon, ON L7C 1J6

## Fax

905-584-4325

## Email

[Legislative.Services@caledon.ca](mailto:Legislative.Services@caledon.ca)

## Mail

Town Hall, Legislative Services  
6311 Old Church Road  
Caledon, ON L7C 1J6

### 3. Assistance to Electors and Candidates

#### Voting by Proxy

A person with a disability that is entitled to be an elector but is homebound or otherwise unable to attend a voting location may appoint another person to act as a voting proxy to cast a ballot on his or her behalf. The appointment must be made on the prescribed form available from Legislative Services and on the Town's election webpage. The person being appointed as a proxy will be required to take a statutory declaration before a Commissioner of Oaths. Legislative Services staff can administer this oath (Town Hall, 6311 Old Church Road Caledon, ON L7C 1J6). Once completed, the voting proxy may be exercised on any advance voting days or on election day. A person cannot appoint more than one voting proxy and they may only be appointed after the later of either the expiry of the time for the withdrawal of nominations or when the clerk has certified all persons qualified to be nominated. An appointment as a proxy expires after voting day.

#### Voting Locations

Section 45 (2) of the *MEA* requires that when establishing voting places, the Clerk shall ensure that each voting place is accessible to electors with disabilities. To achieve this, a checklist will be developed to assess whether potential voting locations will meet key accessibility criteria and site inspections will be completed.

A site map of all advance voting and voting day locations will be available on the Town's election webpage. Using the site map, persons with disabilities can determine where to park and enter the voting location.



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## Signage

Signage will be placed on exterior doors to indicate the entrance to a voting location. Internal directional signage will be used as necessary to direct individuals to the voting location within a building. All election related signage used at voting locations will be placed at a low height to ensure that it is clearly visible such as for individuals in wheelchairs.

## Parking

Designated or reserved parking for people with disabilities and seniors is to be provided in close proximity to the entrance of the voting places where possible. Accessible parking spaces will be clearly marked, will be on firm and level ground and in full compliance with the Town's Parking By-law.

## Entrance to the Voting Places

All entrances to voting places will be easy to access and barrier free. Every effort shall be made to ensure that the door into the voting place is wide enough for a wheelchair, scooter or other mobility device to pass through easily. The entrances will be accessible by inclusion of a power door operator or automatic sliding door. Where applicable, the hardware is to be accessible and operable by a person using a closed fist. If these cannot be met or the doors are heavy, awkward to open or have handles that are in close reach, where possible they will be propped open in a safe manner or an alternative entrance will be provided. A greeter will be available to assist with opening doors for electors and directing them to a voting place as necessary. Routine checks will be made to ensure all entrances remain barrier free through the course of the day. Should an elector be unable to enter a voting place due to a disability for any reason, curbside voting will be provided at the individual's vehicle in accordance with Section 45 (9) of the MEA.

## Interior Voting Area

Access to the interior voting area and voting booth shall be level and easily traversed. Voting shall take place on one level of a building, where possible, with no stairs or similar obstructions creating a barrier to access. Any doormats or carpeting shall be level with the floor to prevent potential tripping hazards. All voting areas are to be well lit and chairs will be made available for individuals who may require one while waiting in line to vote. When determining the set-up of voting locations, consideration will be given to ensure that appropriate clearance is provided for elector to maneuver as easily as possible.

## Accessible Voting Booths

Accessible voting booths will be available at each voting place. Voting booths will be low in height and have a wide area to allow for individuals who use a wheelchair or scooter to vote independently and secretively. A large print Notice of Ballot shall be displayed in close proximity to the voting booth. Magnifying sheets will be made available to assist an individual with low vision and pads of paper will be provided to assist in communicating with electors who have hearing impairments.



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## Accessible Voting Technologies

Voting locations will be equipped with a ballot marking device for voters with disabilities. The ballot marker device produces a human and machine-readable marked paper ballot from a blank sheet of paper, completely indistinguishable from a paper ballot marked by hand. The voter uses headphones to hear a ballot presentation and a handheld controller can also be operated by assistive devices such as a sip and puff and paddles, for voters who are unable to use their hands to press the selection buttons.

When a voter wishes to use the accessible voting features, the poll worker positions the voter behind a privacy screen near the tabulator equipped with the ballot marking device. The poll worker then inserts a blank sheet of ballot paper into the printer slot of the device and provides the voter with the headphones and the handheld controller. The poll worker then keys in the ballot ID number on the tabulator.

The voter hears the audio ballot and uses the controller to adjust volume, speed of the audio presentation, move between contests, and select votes. The audio presentation will confirm votes selected for voter verification. When the vote has been made and confirmed all their vote selections, the handheld controller is used to print the actual paper ballot. The printer device will automatically process the blank sheet of paper, printing the full ballot on the sheet complete with the vote markings selected by the voter.

The printed ballot is indistinguishable from a ballot marked by hand. The unit has a library of random handmade marking images which it prints on the ballot so that the printed markings look just like marks made by hand with a pen. This feature ensures that if the paper ballots are later reviewed by election officials, they will not be able to determine which ballots were made by the ballot marker device, thereby maintaining voter privacy.

The paper ballot printed by the ballot marker device will emerge from the unit hidden under a covering and will be placed in a secrecy folder. The voter, or poll worker if requested by the voter, will then insert the ballot into the scanner component of the tabulator. The scanner can be configured to perform a second independent review of the ballot, by interpreting the vote markings and playing them back over the headphones for voter confirmation. This allows the voter to ensure that the paper ballot generated by the ballot marker device is correctly marked with the votes they selected. The voter can use the handheld controller to cast the ballot or return for further review.

While an accessible voting session is in progress, the tabulator can simultaneously process paper ballots inserted by regular voters, allowing the single tabulator to handle both voting channels and maintain the flow of voters.

## Service Animals

Electors requiring service animals or guide dogs are permitted to be accompanied by those animals at all voting locations. Candidates and scrutineers are permitted to be accompanied by a service animal or guide dog at all voting places and other designated election locations.



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## Support Persons

Persons with disabilities may be accompanied by a support person within all voting location and a person with a disability will not be prevented from having access to the support person while on the premises. In addition, the Deputy Returning Officer in each voting place can assist the voter in casting their vote. Prior to entering the voting booth, the Deputy Returning Officer shall, in conjunction with the person with the disability, determine the extent to which they need assistance and the best way in which this assistance can be provided. This may include actually marking the ballot as directed by the person with the disability. Where a voting place is located in an institution or retirement home, the Deputy Returning Officer can attend on voters in their specific living areas or at their bedside to assist them to vote. All Deputy Returning Officers are sworn to an oath of secrecy.

It is the responsibility of all election officials to make as many accommodations as needed to ensure an elector with a disability is able to cast a vote with comfort and ease.

## 4. Feedback Process

Feedback regarding the manner in which election services are provided to persons with disabilities may be submitted to Legislative Services by the following methods:

### Telephone

905-584-2272

### In Person

Town Hall, Legislative Services  
6311 Old Church Road  
Caledon, ON L7C 1J6

### Fax

905-584-4325

### Email

[Legislative.Services@caledon.ca](mailto:Legislative.Services@caledon.ca)

### Mail

Town Hall, Legislative Services  
6311 Old Church Road  
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### Website

[www.Caledon.ca](http://www.Caledon.ca)

In addition, the Town does offer an Accessible Customer Service Feedback process on the Town's website. Should the Feedback process pose a barrier, staff will arrange for it to be provided in an alternate format or for necessary communications supports to ensure the process for receiving and responding to feedback remains accessible. Once provided, feedback will be forwarded to Legislative Services for action. In addition, staff working in Town facilities can provide feedback on behalf of a person with a disability. Legislative Services staff will respond to feedback from candidates, electors or others within 3 business days providing an anticipated action and timeframe for a full response, where appropriate.



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The feedback process provides election staff with an opportunity to take corrective measures to prevent similar recurrences, address training needs, enhance service delivery and provide alternative methods of election information and services. The feedback process will be accessible by ensuring that alternative accessible formats and communications supports are provided to persons with disabilities on request.

### 5. Post-Election Actions

In accordance with the *MEA*, within 90 days after voting day the Clerk shall prepare a report about the identification, removal and prevention of barriers that affect electors and candidates with disabilities. The report will be made available to the public such as on the Town's website. The findings within this report will be used to further improve future election planning to ensure access to those with disabilities.



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## 6. Additional Information

### Legislative Services

Legislative Services is located at the Town Hall (6311 Old Church Road). Legislative Services staff can answer any questions you may have about running for office, the election in general or specific provisions regarding those persons with disabilities.

### Election Website

The Town of Caledon's website is continuously updated to reflect the most recent developments and information. Visit the site for an up to date list of candidates and other important messages or events throughout the election year at [www.Caledon.ca](http://www.Caledon.ca).

### Ministry of Municipal Affairs and Housing – Election Website

This website contains information about municipal elections [www.mah.gov.on.ca/Page219.aspx](http://www.mah.gov.on.ca/Page219.aspx).

### Ministry for Seniors and Accessibility

The Ministry of Community and Social Services has developed several quick reference guides with respect to accessibility legislation in Ontario. For more information visit [www.mcscs.gov.on.ca/en/mcscs/programs/accessibility](http://www.mcscs.gov.on.ca/en/mcscs/programs/accessibility).

### Service Ontario – e-Laws

This website contains all current statutes including the *Municipal Elections Act, 1996*, the *Ontarians with Disabilities Act, 2001* and the *Accessibility for Ontarians with Disabilities Act, 2005*, [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca).

## Reference and Related Documents:

Accessibility Policy



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