

Section 12.1 of the Municipal Elections Act, 1996:

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.

Declaration

In accordance with Section 12.1 the Municipal Elections Act, 1996, as amended, I hereby certify on April 6, 2022 that the appended Accessible Election Plan shall be followed in conducting the 2022 Municipal Elections in the Town of Whitby.

Christopher Harris, Clerk and Returning Officer
The Corporation of the Town of Whitby

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1. Introduction

The Town of Whitby is committed to making the 2022 Municipal Election accessible by understanding and accommodating the needs of electors with disabilities and through the removal of barriers to vote.

The 2022 Accessible Election Plan supports and strengthens the Town's commitment and efforts to respond to the needs of persons with disabilities. The focus of this Plan is to ensure that the election is accessible to all electors and candidates, to identify and eliminate barriers for persons with disabilities, and to create a positive voting experience.

2. Legislative Requirements

The Clerk is responsible for the proper legislative and administrative oversight of municipal elections in the Town of Whitby. In accordance with the Municipal Elections Act, 1996, the Clerk is authorized to establish procedures and provide measures to ensure that persons with disabilities have the opportunity to participate fully in the 2022 Municipal Election.

a. Municipal Elections Act, 1996, as amended

The Municipal Elections Act states the following with respect to conducting an accessible election:

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.

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).

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

45 (9) To allow an elector with a disability to vote, a deputy returning officer shall attend on the elector anywhere within the area designated as the voting place.

b. Accessible Customer Service

The Office of the Town Clerk is committed to making our services accessible to everyone, including people with disabilities. Further, we shall comply with the Town's Accessible Customer Service Policy, as required under O. Reg. 191/11, Integrated Accessibility Standards, made under the Accessibility for Ontarians with Disabilities Act, 2005. The Town's Accessible Customer Service Policy CA 170 and Procedure CA 170-001 are attached as Appendix 1 and 2 respectively.

In fulfilling this Plan, the Office of the Town Clerk will at all times provide services in a way that respects the dignity and independence of people with disabilities.

3. Alternative Voting Method

For the 2022 Municipal Election, should the traditional in-person voting method pose challenges for an elector to attend a voting location to cast their ballot, electors will have the option to request a Special Mail-in Ballot (SMB). SMB are an alternative voting method that allows a person to vote from their own home, using assistive devices if needed, during the designated mail-in voting period.

4. Voting Assistance

In addition to the Special Mail-in Ballot option noted above, electors attending any advance vote or voting day location will have access to assistive devices and may request the assistance of a certified election staff to mark their ballot anywhere in the area designated as the voting place in accordance with Section 45 (9) of the Municipal Elections Act (e.g. to allow for curbside assistance). To provide opportunities for expanded curbside voting, each voting place will have a designated poll supervisor, which is an additional position added for the 2022 Municipal Election. The poll supervisor will be in charge of managing the voting place and ensuring that any specific needs for persons with disabilities are met.

a. Assistive Devices

Election staff will make available assistive devices that will aid persons with disabilities in marking their ballot. The following aids will be made available to electors:

- Magnifiers for people with low vision
- Pads of paper and pens for people with impaired hearing

- Easy grip pens

b. Support Persons and Service Animals

Persons with disabilities may be accompanied by a support person and/or service animal within a Voting Location. Support persons may mark the ballot for them, or read the ballot aloud subject to taking the prescribed oath administered by an election official. Support persons must take the oath before marking the ballot. If necessary, the support person may also assist the elector in delivering the ballot, in the secrecy folder, to election staff.

c. Assistive Transportation to the Voting Location

If an elector faces a mobility disability and cannot attend the Voting Location without transportation assistance, election staff can refer the elector to Durham Region Transit (DRT) Specialized Services, if the elector has prequalified for the DRT service, or to one of the Town's licensed taxicab companies to arrange for an accessible taxicab.

d. Curbside Voting at the Voting Location

If an elector has a mobility disability and attends a voting location, but cannot easily enter the Voting Location from a vehicle without assistance, an election official shall be permitted to take the necessary steps to provide a ballot and receive the completed ballot by the curb or parking lot of the voting location. Signage related to this service will be provided at the Voting Location.

5. Assistance to Candidates

All candidates will be provided with a copy of the Candidate's Guide to Accessible Elections produced by the Ministry of Municipal Affairs in partnership with the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO).

6. Voting Locations

The Office of the Town Clerk will undertake the following actions to ensure that Voting Locations are accessible and barrier free for all electors as required by the Municipal Elections Act:

- Conduct site visits to inspect each location ensuring that the facility has:
 - a barrier free path of travel from the parking lot/sidewalk into the main entrance of the voting location;
 - barrier free access into the voting room from the main entrance of the voting location;
 - barrier free parking with designated accessible parking spaces;

- accessible doors with buttons to automatically open doors; and,
- adequate lighting.
- Ensuring adequate and appropriate signage to direct voters;
- Meet with the Accessibility Advisory Committee to receive feedback on this Plan;
- Ensure disruption of service or last minute changes to Voting Locations are posted in real time on:
 - The Town's website and social media; and
 - At the site of disruption, if applicable.

7. Voting locations at institutions, retirement homes, and multi-residential buildings

Voting Locations shall be established at institutions and retirement homes in accordance with Section 45 (7) of the Municipal Elections Act. Furthermore, the hours of voting at the above locations shall be held at the discretion of the Clerk in accordance with Section 46 (3) of the Municipal Elections Act.

Beyond the legislated requirements, additional multi-residential buildings or complexes will be identified as Roving Polls during the advance vote period in order to provide additional opportunities to vote. In consultation with building administrators, election staff will determine a day and time to attend each residence to provide voting assistance to residents. Notices of the date and time for voting will be posted in the residence, and sufficient notice will be provided so that voting information can be added to calendars that may be maintained by the home for residents. If deemed necessary, Deputy Returning Officers may provide voting assistance to residents in their specific living areas or at their bedside.

8. Information - Alternative Formats

Election information will be made available through a range of mediums and in diverse formats, including:

- Information available in HTML on the Town's website;
- Large print documents (upon request);
- Material in plain language for electors, service providers, candidates and others who may provide assistance to an elector.

- Notices posted on community bulletin boards in municipal and private facilities for public awareness.

Note: Election information does not include the composite ballot or special mail-in ballot voting kit.

9. Accessibility Training for Election Staff

Accessibility training will be developed and provided to all election staff. All staff carrying out election duties will be trained to recognize and ensure that persons with disabilities are served in a way that accommodates their needs. Training shall include:

- How to interact and communicate with persons with various types of disabilities;
- How to interact with persons with disabilities who use assistive devices or require the assistance of a service animal or support person;
- How to use voting equipment and supplies in an accessible manner to deliver election services; and,
- Steps to take if a person is having difficulty accessing election information or services.

10. Post-election Reporting

In accordance with section 12.1 (2) of the Municipal Elections Act, the Clerk shall submit a report to Council, within 90 days after voting day in a regular election, about the identification, removal and prevention of barriers that affect electors and candidates with disabilities. The report will be posted on the Town's website in a format accessible to persons with disabilities.

11. Feedback

Public feedback about the manner in which election services are provided to persons with disabilities may be submitted to the Office of the Town Clerk through a variety of methods:

- Telephone: 905.430.4315
- E-mail: elections@whitby.ca
- Mail or in person: 575 Rossland Road East, Whitby, ON, L1N 2M8

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 providing election services.

12. Additional Information

The Town of Whitby's website is continuously updated to reflect the most recent election developments and information. Visit the site for an up-to-date list of candidates, voting information, and other important messages or events throughout the election year at www.whitby.ca/vote.

Please note that the Clerk, at any time, has the right to amend this Plan to facilitate the vote, count and tabulation of the votes, and security of the vote. The Clerk's ruling on any interpretation of this document is final.

13. Attachments

Attachment 1: [Accessible Customer Service Policy CA 170](#)

Attachment 2: [Accessible Customer Service Procedures CA 170-001](#)