



Accessibility and Diversity Strategy



Accessibility & Diversity Strategy for the 2018 Municipal Election

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Accessibility and Diversity Strategy

Accessibility and Diversity Strategy for the 2018 Municipal Election

As the City Clerk and Returning Officer for the City of Markham, I am committed to providing excellent customer service to all eligible voters in the City of Markham, and to treating everyone with dignity and respect. This means providing all eligible voters with a barrier-free Municipal Election process. In accordance with the *Municipal Elections Act, 1996*, the *Ontarians with Disabilities Act, 2001* and the *Accessibility for Ontarians with Disabilities Act 2005*, I am authorized to establish policies and procedures that ensure persons with disabilities have the opportunity to participate fully in the 2018 Municipal Election.

In preparation for the 2018 Municipal Election being held from October 12-22 the City Clerk's Office has developed an Accessibility and Diversity Strategy. The document outlines the City of Markham's plan to ensure accessibility and easy access to election information for all eligible voters. It provides the strategy that assists with election decision making, the selection of accessible Voter Assistance Centres (VACs), and the general conduct of the Municipal Election.

The Strategy was created recognizing the importance of making voting accessible to all eligible voters. The document addresses the provisions taken to provide an accessible voting process for all eligible voters.

Kimberley Kitteringham
City Clerk and Returning Officer



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Accessibility and Diversity Strategy

1. INTRODUCTION

The City Clerk/Returning Officer is responsible for the proper legislative and administrative conduct of Municipal Elections in the City of Markham. In accordance with the *Municipal Elections Act, 1996*, the *Ontarians with Disabilities Act, 2001* and the *Accessibility for Ontarians with Disabilities Act, 2005*, the City Clerk/Returning Officer is authorized to establish policies and procedures that ensure persons with disabilities have the opportunity to participate fully in the 2018 Municipal Election. Accordingly, the 2018 Municipal Election will ensure:

- Persons with disabilities have full and equal access to election information and services;
- Persons with disabilities have full access to VACs;
- Persons with disabilities can independently and privately mark their ballot; and,
- Persons with disabilities can receive assistance with voting using alternative methods.

After the 2018 Municipal Election, the City Clerk/Returning Officer will submit a report to Markham City Council outlining the steps taken to identify, remove and prevent all access barriers for eligible voters and candidates with disabilities, as required by the *Municipal Elections Act*.

Staff will also provide core election information in the languages most widely represented in Markham (when possible). Eligible voters will be directed to the Contact Centre's Language Line when information is unavailable in their language.



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2. ACCESSIBILITY

Staff Training and Election Assistance

Election Officials carrying out election duties will be trained to ensure that persons with a disability are served in a way that accommodates their needs. This training will include:

- How to interact and communicate with persons with various types of disabilities; and,
- How to interact with persons with disabilities who use assistive devices, or require the assistance of a service animal or support person; and,
- How to use voting equipment, and assistive devices to deliver election services; and further,
- What to do if a person is having difficulty accessing election information or services.

Provision of Election Information

Candidates and/or eligible voters with disabilities will be able to receive election information in an accessible format. This will be indicated on Markham's Election Website (markhamvotes.ca), and on election notices in the local media. Election information can also be accessed on Markham's Election Website using technologies such as screen readers.

Notice of Temporary Service Disruption

If there is a temporary disruption of election information or services the City Clerk/Returning Officer shall post a public notice:

- on Markham's Election Website;
- at the physical site of the disruption; and,
- in the local media (when possible).

The notice shall include:

- the reason for the disruption;
- the anticipated duration of the disruption; and,



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- the alternative methods of delivering the information or service.

Every effort shall be made to provide the information or service to persons with disabilities in an alternate format.

Staff Assistance

The Clerk's Office and Election Officials are available to assist with issues that arise with respect to providing a barrier-free election. They can be contacted as follows:

1. Telephone 905.475.4744
2. In Person Clerk's Office, Main floor or the Election Office, Lake Level
101 Town Centre Blvd, Markham
3. Fax 905.479.7771
4. Email clerks@markham.ca or vote@markham.ca
5. Mail Clerk's Office, 101 Town Centre Blvd,
Markham ON L3R 9W3

The following members of our Election Team can also be contacted directly for assistance:

Kimberley Kitteringham, City Clerk/Returning Officer
905.477.7000 Ext 4729, Email: kkitteringham@markham.ca

Martha Pettit, Deputy Clerk
905.477.7000 Ext 8220, Email: mpettit@markham.ca

Carlie Turpin, Manager, Elections
905.477.7000 Ext 2083, Email: cturpin@markham.ca

Scott Chapman, Election Assistant
905.477.7000 Ext. 2097, Email: schapman@markham.ca

Josh Machesney, Council/Committee Coordinator
905-477-7000 Ext 2211, Email: jmachesney@markham.ca

Grace Lombardi, Legislative Coordinator
905-477-7000 ext. 4290, Email: glombardi@markham.ca



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3. ASSISTANCE TO CANDIDATES/ELECTORS

Service Animals

Candidates, scrutineers, and eligible voters are permitted to be accompanied by a service animal at all VACs and designated election areas. Election Officials will be trained how to:

- interact with guide dogs;
- provide assistance to persons with a disability attending a voting place;
- address the voter, not the interpreter; and,
- avoid touching service animals and assistive devices.

Campaign Expenses

Expenses that are incurred by a Candidate with a disability are excluded from their permitted spending limit when the expense:

- is directly related to their disability;
- would not have otherwise been incurred; and,
- is related to the election.

On Site Assistance

Staff will assist eligible voters with disabilities in their homes when they require help completing and submitting forms and are unable to leave their homes. They will also assist eligible voters at retirement homes and institutions.

VACs

A list of all VACs is available on markhamvotes.ca or at the Election Office, 101 Town Centre Blvd. The accessibility of each VAC is determined by evaluating them against criteria established by the Election Office. The inspection results for each VAC is documented by the City.



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Transit to VACs

In selecting VACs for the 2018 Municipal Election, the City Clerk/Returning Officer and Election Officials took into consideration whether the VAC:

- is close to accessible transit routes;
- is located on the same street as a transit stop;
- is clearly visible from the street;
- has a sign; and,
- has an accessible entrance.

Parking

Designated parking for persons with mobility challenges will be provided close to the entrance of the VAC, where possible. Accessible parking spaces will be clearly marked with the International Symbol of Accessibility and will be easily seen from the road. A greater number of accessible parking spots will be provided at VACs than legally required, where possible. The curb cuts at VACs will be identified so users of mobility aids (such as wheelchairs, scooters, canes, or crutches) can easily enter the facility. Routine checks of routes to the entrance of the VACs will be made throughout the day during scheduled voting times.

Entrance to VACs

The entrance to the VACs for people with disabilities will be clearly marked using the International Symbol of Accessibility. Every effort shall be made to ensure that the door into the VACs is wide enough for a wheelchair or scooter to pass through, and that its hardware can be operated by a person using a closed fist. Staff will help open doors that are difficult to open or an alternative entrance will be provided.

Inside the VACs

Inside the VACs the voting area shall be easily accessed. Any doormats or carpeting shall be leveled with the floor to prevent potential tripping hazards. All voting areas are to be well lit and seating shall be made available.



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Accessible Voting Booths

Accessible voting booths will be available at each VAC. Voting screens 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. Magnifying sheets and pen grips will also be available to assist individuals with low vision, or that require assistance holding the ballot marking pen.

Accessible Voting Technologies – Voting Period (Oct. 12-19)

VACs will be equipped with a ballot marking device for eligible voters with disabilities. The ballot marking device marks ballots printed by certified printers and in accordance with the printing methods which produce the same ballots for every eligible voter regardless of impairment. The device then simply produces a human and machine readable marked paper ballot, completely indistinguishable from a ballot marked by hand. Once marked, the ballot is then inserted into the same voting unit for all eligible voters.

To operate the accessible voting technology the eligible voter will use headphones to hear the ballot presentation and a handheld controller device to control the voting session and to select candidates. The controller can also be operated by assistive devices such as sip and puff, and paddles, for eligible voters who are unable to use their hands.

The ballot marking device produces a marked ballot that is completely indistinguishable from a ballot marked by hand, ensuring the voter's privacy. The marked ballot is inserted into the tabulator like a regular ballot.

The process Election Officials will follow when an eligible voter chooses to use the ballot marking device is attached as Appendix "A".

Online Voting

The City of Markham will be offering online voting during the entire Voting Period, up to and including the final Voting Day (Oct. 22), for the 2018 Municipal Election. This allows eligible voters with disabilities to vote on a computer or smart phone in the comfort of their own home.



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Voter Assistance

The City of Markham offers the following types of voter assistance:

- *Assistance from a Support Person within the VACs* - Persons with disabilities may be accompanied by a support person within the VAC.
- *Assistance from Election Officials at each VAC* - Election Officials at each VAC can assist the eligible voter in casting their ballot. The type of assistance provided will be determined by the eligible voter prior to entering the ballot marking area and may include the actual marking of the ballot.
- *Assistance from Election Official in an Institution or Retirement Home* - Election officials can assist eligible voters in their living areas or at their bedside with voting, when a VAC is located in an institution or retirement home.

All Election Officials are sworn to an oath of secrecy and receive training on the “TALK” principle during their mandatory training, which is:

- **T – Take the time to ask “May I help you?”**
- **A – Ask don’t assume**
- **L – Listen attentively & speak directly to voter**
- **K – Know what aids are available to help voters**

Election Officials - Training and Awareness Program

Election Officials will provide training and promote awareness of the City of Markham’s Accessibility and Diversity Strategy for the 2018 Municipal Election by undertaking the following actions:

- Presenting the strategy to the City of Markham Seniors’ Advisory Committee, Race Relations Committee, and Advisory Committee on Accessibility;
- Presenting the strategy to various Markham Seniors organizations in the community; and,
- Providing all Election Officials with a brochure entitled “**Accessibility Standards for Customer Service – Ontario Regulation 429/07**”.



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1. DIVERSITY PLAN

Given the potential for barriers to participation and the scale and scope of the election, it is staff's desire to provide eligible core election information in the languages most widely represented in Markham, when possible. Eligible voters will be directed to the Contact Centre's Language Line when information is unavailable in their language.

Election Officials will be reaching out to the community to ensure all eligible voters are aware of their right to vote, the requirements to vote and their responsibilities as an eligible voter.

Translation of Election Information - By-Law 2010-30

Section 9 of the *Municipal Elections Act, 1996* requires the City to pass a by-law to provide information to eligible voters in languages other than English and French. . On March 24, 2010 Markham Council passed By-law 2010-30, attached as Appendix "B", which provided authority to provide notices, forms and information in languages other than English and French. This by-law is still in effect.

By-law 2010-30 applies to any election or referendum event. It is written broadly to allow the Clerk to determine the languages the election information will be translated into, and the types of information that will be translated.

Core election information will be translated into French, and the top 6 non-English languages spoken in Markham, based on the 2016 Census Profile for Markham. These languages are:

1. Cantonese
2. Mandarin
3. Punjabi
4. Tamil
5. Persian (Farsi)
6. Urdu



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Core Election Information

A list of core election information to translate was developed by the Election Team and Corporate Communications, which includes:

- Voter Information Package (VIP) that provides information to each eligible voter on:
 - how to vote online;
 - qualifications to vote;
 - ID requirements;
 - voting regulations; and,
 - provisions for accessibility.

A sample of the package will be posted on markhamvotes.ca.

- Election posters listing the following will be posted at all VACs:
 - the identification requirements for a voter on the list and not on the list;
 - how to mark the ballot; and,
 - the number of candidates that the voter is entitled to vote for on each ballot.
- Language information on the back of the Voter ID requirement cards; and,
- Newspaper ads in local cultural newspapers.

VAC Staffing

Recognizing the possible need for translation assistance at VACs, Election Officials are asked on their employment application what other languages they speak. This information will be used to appoint Election Officials to voting places where their language skills will be best used. The Manager of each voting place will be provided with a list of languages spoken by the Election Officials.



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2. FEEDBACK PROCESS

Feedback about the manner in which election services are provided to eligible voters may be submitted to the Clerk's Office through a variety of methods including:

1. Telephone 905-475-4744
2. In Person Clerk's Office, Main floor,
101 Town Centre Blvd, Markham
3. Fax 905-479-7771
4. Email clerks@markham.ca or vote@markham.ca
5. Mail Clerk's Office, 101 Town Centre Blvd,
Markham ON L3R 9W3
6. Website markhamvotes.ca

Complaints and requests regarding the service may be made in person, via e-mail or telephone:

- to the Director of the department where services were provided, or
- to the City of Markham Contact Centre

The feedback should include:

- the contact information of the person providing the complaint or request;
- the date the complaint or request is being made;
- a description of the complaint or request; and,
- how they would like to resolve the complaint or request.

The information and complaint/request will be recorded in the City's Customer Request Management software. The department will attempt to resolve complaints or requests in a timely manner. The person submitting the complaint will be contacted once a resolution has been reached.

The feedback received provides Election Officials 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.



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3. ADDITIONAL INFORMATION

Markham Clerk's Office

The City Clerk's Office is located at Markham Civic Centre on the main floor and the Election Office is located on the lake level, 101 Town Centre Blvd, Markham. Staff can answer questions about running for office, the election in general, specific provisions for persons with disabilities and the community outreach program for the election.

Markham Election Website

Markham's Election 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 markhamvotes.ca.

Ministry of Municipal Affairs and Housing – Election Website

This website contains information about municipal elections, the Province of Ontario's "2018 Municipal Elections Candidates Guide", and the Ministry's Commitment to promote greater accessibility for eligible voters and candidates with disabilities. www.mah.gov.on.ca/page219.aspx

Ministry of Community and Social Services

The Ministry of Community and Social Services has developed several quick reference guides with respect to the overall management of an accessible election campaign, for more information candidates can visit:

<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.on.ca.



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Appendix “A”

Process for Using the Ballot Marking Device at VACs

1. The Election Official directs the voter behind privacy screens near the ballot marking device.
2. The Election Official inserts the ballot paper into the printer slot of the device and provides the voter with headphones and the handheld controller.
3. The voter hears the audio ballot and uses the controller to:
 - adjust the volume;
 - adjust the speed of the audio presentation;
 - move between contests (i.e., Mayor, Regional Councillor, Ward Councillor, and School Trustee); and,
 - select candidates from each contest.
4. The voter then listens to who they voted for and confirms their selections.
5. The voter then uses the handheld controller to activate the printer to mark the ballot.
6. The paper ballot printed by the ballot marking device is placed in a secrecy folder.
7. The voter then provides the completed ballot to the Election Official who inserts the ballot into the ballot feeder tray to verify the vote.
8. The voter will then perform a second independent review of the ballot. The scanner will interpret the vote markings and playback the selections over the headphones for the voter to confirm. Once the marked ballot is verified by the voter, it is removed from the ballot feed tray.
9. The ballot is then given to the Election Official to be inserted into the Vote Tabulator to be counted.
10. If there was an error, a new ballot must be requested and the voting process is restarted.



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Appendix “B”



BY-LAW 2010-30

A by-law authorizing the provision of election information
in languages other than English and French

WHEREAS Subsection 9.1 (3) of the Municipal Elections Act, 1996 provides that a municipal council may pass a by-law allowing the use of languages other than English and French in notices, forms (other than prescribed forms) and other information related to an election, by-election or referendum.

AND WHEREAS the Town of Markham is represented by many diverse cultures and language groups;

AND WHEREAS the Clerk/Returning Officer has an obligation to engage voters in the electoral process by providing relevant and comprehensible information.

NOW THEREFORE, the Council of the Corporation of the Town of Markham enacts as follows:

1. Election, by-election and referendum information may be made available in languages other than English and French at the discretion of the Clerk.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
24TH DAY OF MARCH, 2010.

KIMBERLEY KITTERINGHAM
TOWN CLERK

FRANK SCARPITTI
MAYOR