

Accommodations for electors	City Clerk's Office – Toronto Elections
	Policy No.: POL-EEMO-001-BE

This policy has been revised from the general election policy approved June 2022.

1. Policy

The City Clerk is committed to ensuring that elections are accessible and that eligible electors have an opportunity to exercise their right to vote in Toronto municipal elections and/or by-elections. This includes, but is not limited to, considering the needs of electors with disabilities.

2. Application

This policy applies to election officials designated by the City Clerk, electors, proxy voters, appointed staff in institutions, interpreter(s) for an elector, and/or friends or family members assisting an elector during a Toronto municipal election and/or by-election.

3. Authority/Legislative reference(s)

Section 12(1) of the Municipal Elections Act, 1996 enables the City Clerk to provide for any matter or procedure that is not otherwise provided for in an Act or regulation and that, in their opinion, is necessary or desirable for conducting the election.

Section 12.1(1) of the Municipal Elections Act, 1996 provides that the City Clerk shall have regards to the needs of electors and candidates with disabilities.

4. Accommodations for Electors

To meet the needs of electors, the City Clerk provides the following accommodations and alternative voting methods:

4.1. Appoint a Proxy Voter

If an elector is unable to attend a voting place to cast their ballot, they may appoint a proxy to vote on their behalf by completing an application after the Clerk has certified

all qualified candidates. Refer to the City Clerk's procedure on *Issuing, certifying and processing voting proxies*.

4.2. Accessible Voting Equipment

The Voter Assist Terminal is a ballot-marking device that allows electors with disabilities to mark their ballot privately and independently. Features include a touch screen, an audio component, a braille key pad, a sip/puff tube device, a rocker paddle/foot switch and screen customization features to adjust font sizes, screen brightness and colour contrast.

A voter assist terminal shall be available at every voting place during the advance vote and on election day. Voting place staff will be available to assist electors who wish to use the Voter Assist Terminal.

4.3. Personal Assistance to Electors

As outlined in the City Clerk's *Customer Service Standards*, all election officials are required to take mandatory customer service training. This training will focus on promoting a positive, inclusive and accessible experience for all electors. Election officials will also be trained to interact with people with disabilities who are accompanied by either a support person or a service animal.

Access Officers are placed at sites with physical barriers to provide personal assistance to electors when required.

If an elector requires assistance inside the voting place, they may bring a friend along or ask an election official for assistance. Refer to section 4.7 for rules around accompanying an elector behind the voting screen.

4.4. Translated Materials and Language Services

If an elector requires assistance in a language other than English, key election information will be available in other languages on the Toronto Elections website (www.toronto.ca/elections).

If an elector requires assistance in a language that is not listed on the website, electors may call 311 for greater access to over-the-phone interpretation in more than 180 languages.

Efforts are made to place voting place staff with second language skills in areas where they will be most helpful but specific translation services are not provided on advance vote days or on voting day. An elector may ask anyone who is not a candidate or a scrutineer to act as an interpreter for them. Refer to section 4.7 for rules around acting as an interpreter at the voting place.

Brochures on 'How to Vote' will also be available in 25 languages and in braille at all voting places.

4.5. Curbside Voting

If an elector is able to travel to a voting place but is physically unable to go inside, they can request to have their ballot brought to their vehicle, outside of the building or to another area within the voting place boundaries. Someone will need to go inside the voting place to let the election official(s) know that the elector requires curbside voting. Refer to the City Clerk's procedure for *Voting place management during the 2023 by-election* and the City Clerk's policy for *Voting place boundaries*.

4.6. Voting Place Accommodation Declarations

The City Clerk requires a declaration (see Appendix "A") to be taken at the voting place in the following scenarios:

- (1) Declaration #2 - An interpreter for an elector is required to interpret communications between the elector and election official.
 - An interpreter may be anyone who the elector asks to assist them in translating communications in order to vote, but cannot accompany the elector behind the voting screen to assist with marking the ballot unless they are a friend and have taken the appropriate declaration.
 - A child may act as an interpreter if they are 6 years of age or older and the designated election official is satisfied that they are competent to act as an interpreter on behalf of an elector (see Appendix "B").
 - An interpreter may act more than once, but a declaration must be made each time.
 - An election official who acts as an interpreter is not required to take a declaration.
 - An interpreter cannot be a candidate or scrutineer.
- (2) Declaration #3 - A friend of an elector who is required to assist and accompany the elector behind the voting screen area to mark the ballot as directed by the elector.
 - A friend of an elector may be anyone who the elector asks to assist them in order to vote, including accompanying the elector behind the voting screen area to mark the ballot.
 - A friend may act only once, except if that person is an election official, working in an institution, and/or a family member.
 - An election official who acts as a friend of an elector is not required to take a declaration.

- A friend of an elector cannot be a candidate or scrutineer.

The City Clerk is responsible for deciding whether declarations are to be made orally or in a written format. Where oral declarations are required, they shall be recorded on the voters' list.

4.7. Voting in institutions

Section 45 of the Municipal Elections Act, 1996 requires the City Clerk to provide voting places at institutions on voting day. In an institution, where an elector's mobility is impaired or where the institution is in full or partial lockdown, one or more Ballot Deputy Returning Officers may be required to process electors by going bed to bed.

Where there is a matter of a public health nature, like an infectious disease outbreak at the voting place on voting day, the City Clerk shall use their powers to provide for any matter or procedure that is not otherwise provided for in the Municipal Elections Act, 1996. Full details of voting in institutions can be found in the City Clerk's procedure on *Voting place management at institutions: long term care homes and retirement homes*.

4.8. Further Accommodation

An elector may contact Toronto Elections by email or phone to discuss further accommodations beyond those outlined in this policy.

Email: AccessibleElections@toronto.ca
Phone: 416-338-2020
TTY: 416-338-0889 (OTTY)

5. Related Policies/Procedures/Guidelines/Information

City Clerk's Customer Service Policy [Providing Services to People with Disabilities](#).

City Clerk's [Customer Service Standards](#)

City of Toronto's [Multilingual Information Provisions Policy](#)

Date Approved: December 2022

Appendix "A" – Voting Place Accommodation Declarations

Declaration #2 – Interpreter

Use:

- When a voter requires the assistance of another person to communicate with the election official

Restrictions:

- A person may act as an interpreter more than once but must take the declaration each time
- Interpreters cannot go behind the voting screen with the voter
- A candidate or scrutineer cannot be an interpreter

Declaration:

I, _____, declare I will, in my role as interpreter, truthfully translate any declaration, document or question put to the elector and the answer.

Declaration #3 – Friend of a Voter

Use:

- When a voter requires the assistance of another person to mark their ballot

Restrictions:

- A friend may go to the voting screen area with the voter to mark the ballot
- A person may act as a friend only once, except in nursing homes or for family members
- A candidate or scrutineer cannot act as a friend of a voter

Declaration:

I, _____, declare I will:

- Mark the ballot as directed by the voter
- Not try to influence the voter in making their choice
- Keep secret how the voter has voted

Appendix "B" – A Child Acting As An Interpreter

A child 6 years of age or older may act as an interpreter for an elector at the voting place. The designated election official must be satisfied that the child in question is competent to act as an interpreter on behalf of an elector.

- (1) If a child is acting as an interpreter at a voting place, the designated election official shall:
 - (a) Greet the elector and the child.
 - (b) Ask the child their age:
 - (i) If the child is less than 6 years old, explain to the elector that children must be at least 6 years old to act as an interpreter and proceed to step 3(b)(ii)
 - (ii) If the child is 6 years old or older, proceed to step 1(c).
 - (c) Ask whether the child understands:
 - (i) That an interpreter must translate everything honestly and that it is against the law to break any of the voting rules and to lie.
 - (d) Read Declaration #2 (see Appendix "A") to the child and ask if they understand it.
- (2) If the child understands the declaration sufficiently, the designated election official will read the declaration aloud once again and ask the child to repeat it.
- (3) During the dialogue, the designated election official will use their judgement to assess whether the child understands what is being said.
 - (a) If the child does understand, the designated election official will:
 - (i) Continue, following the ballot-issuing steps outlined in the *Voting place management during the 2023 by-election* procedure.
 - (ii) Write Declaration #2 in the Comments section of VoterView.
 - (b) If the child does not understand, the designated election official will:
 - (i) Not continue, and explain to the elector that they cannot proceed in having the child act as a translator because the child does not seem to understand what is being said.
 - (ii) Work with the elector to identify other tools and resources to address language barriers to help enable them to vote, including:
 - The *How to Vote Booklet*, available in 25 languages and braille at all voting places.

- The Language Line, available to all voting day workers via 311, providing over-the-phone interpretation in over 180 languages.
 - Other election workers at the voting place who may speak the elector's language.
 - Friends or family members who may be able to attend the voting place to act as an interpreter.
- (4) A child may act as an interpreter more than once, but must take the declaration each time.