



Corporation of the Municipality of Bayham

2022 Municipality of Bayham – Municipal Election Accessibility Plan

Section 1 - Overview

The *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)* is a provincial statute that allows the government to develop and enforce specific standards for accessibility. The standards, or regulations, are intended to achieve accessibility for persons with disabilities with respect to customer service, transportation, built environment, information/communication and employment.

The Corporation of the Municipality of Bayham is committed to providing quality goods, services and facilities that are accessible and inclusive to all persons that it serves. In order to meet the needs of persons with disabilities the Municipality of Bayham will:

- i. Ensure policies, practices and procedures address dignity, independence, integration, inclusiveness and provide for equal opportunity for persons with disabilities;
- ii. Allow persons with disabilities to use their own personal assistive devices to obtain, use or benefit from the services offered by the Municipality;
- iii. Strive to meet the needs of persons with disabilities in a timely manner, at a cost no greater than that for persons without disabilities;
- iv. Accommodate the accessibility needs of persons with disabilities to ensure they can obtain, use or benefit from the Municipality's goods, services, programs and facilities.

The CAO|Clerk is responsible for the proper legislative and administrative conduct of municipal and school board elections in the Municipality of Bayham. In accordance with the Municipal Elections Act, 1996, the Ontarians with Disabilities Act, 2001 (ODA) and the Accessibility for Ontarians with Disabilities Act, 2005 (AODA), the CAO|Clerk is authorized to establish procedures and provide appropriate measures to ensure that persons with disabilities have the opportunity to participate fully in the 2022 Municipal Elections.

Accordingly, the 2022 Municipal Elections will be conducted in such a manner to ensure that:

- i. Candidates and Electors with disabilities have full and equal access to all election information and services;
- ii. Persons with disabilities have full access to Voting Places;
- iii. Persons with disabilities are able to independently and privately mark their ballot and have access to alternative methods of voting assistance.

Section 2 - Municipal Election Act, 1996

The CAO|Clerk is responsible for conducting Municipal Elections and establishing policies and procedures to ensure that all electors have the opportunity to fully participate in the 2022 Municipality of Bayham Municipal Elections.

The Municipal Elections Act, 1996, as amended states the following:

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.

Section 3 – Scope

The scope of this plan applies to all facilities utilized by the Municipality of Bayham during Municipal Elections.

The Municipality of Bayham Municipal Election Accessibility Plan clarifies the application of the Human Rights Code *and* Accessibility for Ontarians with Disabilities Act, 2005 and complies with Section 45(2) of the Municipal Elections Act.

The principle of this plan includes the respect and dignity of electors and integrates election procedures regarding accessibility into the regular election process; providing an equal opportunity for persons with disabilities.

Section 4 - Definitions

- i. '*Assistive Device*' shall mean a device used to assist persons with disabilities in carrying out activities or accessing the services of persons or organizations;
- ii. '*Barrier*' shall mean an obstacle 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;
- iii. '*Disability*' shall be as defined in the Ontario Human Rights Code and the Accessibility for Ontarians with Disabilities Act, 2005 and include 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 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; a condition of mental impairment or a developmental disability; a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language; a mental disorder; or an injury or disability for which benefits were claimed under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*.

- iv. '*Discrimination*' shall mean unequal treatment based upon any of the prohibited grounds as outlined in the Human Rights Code: Race, Ancestry, Creed, Place of Origin, Colour, Sex (including pregnancy), Ethnic Origin, Citizenship, Sexual Orientation, Age, Record of Offences, Marital Status, Same-sex Partnership Status, Family Status or Disability.
- v. '*Municipality*' shall mean the Corporation of the Municipality of Bayham.
- vi. '*Nurse*' shall mean a Registered Nurse, Registered Practical Nurse or Nurse Practitioner who is a registered member in good standing with the College of Nurses in Ontario.
- vii. '*Physician*' shall mean a physician who is a registered member in good standing with the College of Physicians and Surgeons of Ontario.
- viii. '*Service Animal*' shall include:
 - a. A 'guide dog', as defined in Section 1 of the *Blind Persons Rights' Act*; or
 - b. an animal used by a person with a disability if it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or the person provides a letter from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:
 - A member of the College of Audiologists and Speech-Language Pathologists of Ontario.
 - A member of the College of Chiropractors of Ontario.
 - A member of the College of Nurses of Ontario.
 - A member of the College of Occupational Therapists of Ontario.
 - A member of the College of Optometrists of Ontario.
 - A member of the College of Physicians and Surgeons of Ontario.
 - A member of the College of Physiotherapists of Ontario.
 - A member of the College of Psychologists of Ontario.
 - A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario
 - c. As defined within legislation
- ix. '*Support Person*' shall mean a person who accompanies a person with a disability in order to assist them with communication, mobility, personal care, or medical needs or with access to goods or services.

Section 5 - Alternate Formats

The Municipality will provide alternate formats of information and communication that is produced or in direct control of the Municipality. Alternate formats will be provided upon request, in a timely manner and at a cost that is no more than the cost charged for the original format. When it is not practicable to provide an alternate format, the Municipality will provide an explanation and a summary of the document in an accessible format.

The Municipality will provide communication supports to members of the public upon request. If the Municipality is unable to obtain the requested communication support, the Municipality will work with the individual to determine an appropriate alternative method of communication.

In accordance with applicable legislation, the Municipality will ensure that websites and web content are created in a manner keeping with the expectations of the Web Content Accessibility Guidelines 2.0 (WCAG).

In the event that it is not practicable to remediate a third party document, for which the Municipality is not in direct control through a contractual relationship, a member of the public may contact the Municipality to arrange for the information to be provided in an accessible format, upon request. The Municipality will consult with the requesting individual to determine suitability of format.

Section 6 - Training

Training will be provided to Election Officials in accordance with the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*. The Municipality will retain records of training, including the date on which training is provided, the number of individuals to whom it is provided and the nature of the training that is provided. The names of the individuals trained will be recorded for municipal administrative purposes and all personal information collected will be managed in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.

The training will be appropriate to the duties of the Election Officials and may include:

- An overview of the *Ontario Human Rights Code*
- A review of the *Accessibility for Ontarians with Disabilities Act, 2005*
- A review of the *Integrated Accessibility Standards Regulation (O. Reg 191/11)*
- Specific review of *Integrated Accessibility Standards Regulation* requirements, based on the duties associated with the employee.
- How to interact and communicate with persons with various types of disabilities
- How to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog or other service animal or the assistance of a support person.
- How to use equipment or devices available on the Municipality's premises or otherwise provided by the Municipality that may help with the provision of goods, services or facilities to a person with a disability.
- What to do if a person with a disability is having difficulty accessing the Municipality's goods, services or facilities.

Section 7 - Service Disruptions

The Municipality will make reasonable effort to provide notice of a disruption to the public, including information about the reason for the disruption, its anticipated duration, and a description of alternative facilities or services, if any, that may be available. The Municipality will make reasonable effort to provide prior notice of planned disruption whenever possible, recognizing that in some circumstances such as in the situation of unplanned temporary disruption, advance notice will not be possible. In such cases, the Municipality will provide notice as soon as practicable.

The notice will be placed on the Municipal website and by any other method that is reasonable and applicable under the circumstances.

Section 8 - Support Persons

The Municipality is committed to welcoming persons with disabilities who are accompanied by a support person. Any person with a disability who is accompanied by a support person will be allowed to enter the Municipality's premises with their support person. At no time will a person with a disability who is accompanied by a support person be prevented from having access to their support person while on Municipal premises.

Persons with disabilities may be accompanied by a support person within the Voting Place. 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. All Deputy Returning Officers are sworn to an oath of secrecy.

Section 9 - Service Animals

Electors requiring service animals are permitted to be accompanied by a service animal at all voting locations.

The Municipality is committed to welcoming persons with disabilities who are accompanied by a service animal on those parts of Municipal premises that are open to the public and other third parties provided the animal is not otherwise excluded by law. If a service animal is excluded by law, the Municipality will ensure that alternate means are available to enable the person with a disability to obtain, use or benefit from the Municipality's goods and services.

If it is not readily apparent that the animal is a service animal, the Municipality may ask the person with the disability for a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability. The Municipality may also, or instead, ask for a valid identification card signed by the Attorney General of Canada or a certificate of training from a recognized guide dog or service animal training school. If proper documentation is not produced, the person with the disability may be asked to remove the animal from the premises.

It is the responsibility of the person with the disability to ensure that their service animal is kept in control at all times. This will include controlling the behavior of the animal (e.g. barking or growling), cleaning up after the animal (e.g. defecation) and being responsible for any damage the animal may cause to Municipal property.

Section 10 - Use of Assistive Devices

A person with a disability may provide their own assistive device for the purpose of obtaining, using and benefiting from the Municipality's goods and services. Exceptions may occur in situations where the Municipality has determined the assistive device may pose a risk to the health and safety of a person with a disability or the health and safety of others on the premises. In these situations, the Municipality may offer a person with a disability other reasonable measures to assist him or her in obtaining, using and benefiting from the Municipality's goods and services where the Municipality has such other methods available.

It should be noted that it is the responsibility of the person with a disability to ensure that his or her assistive device is operated in a safe and controlled manner at all times.

Section 11 - Accommodation

The following accommodation principle is applicable to 2022 Municipal Election Officials.

The Municipality of Bayham is an equal opportunity employer. The Municipality's commitment to a holistically inclusive work environment and universal accommodation extends to all employment activities: recruitment and selection, orientation, working conditions, promotion, training, performance management, career development and workforce transition. It also includes the purchase and management of information technology and communication systems, development and management of information services, decisions relating to real property, purchases of internal fittings, and decisions related to conferences, seminars and training.

The Municipality of Bayham is an Equal Opportunity Employer

If you require accommodation at any time throughout the employment activities process, please contact us at: 519-866-5521, accessibility@bayham.on.ca or by visiting www.bayham.on.ca and we will make every effort to provide appropriate assistance pursuant to the Municipality of Bayham Employment Activities Accommodation Policy.

Section 12 – Assistance to Electors

VOTING BY PROXY

A person with a disability that is unable to attend a Voting Place 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 at the Municipal Office. The person being appointed as a proxy will be required to take a statutory declaration before a Commissioner of Oaths. Once completed, the voting proxy may be exercised at any advance voting location or on Voting Day. The appointment of a proxy may only be made after 2:00 p.m. on Nomination Day, August 19, 2022 and does not remain in force after Voting Day.

VOTING LOCATIONS

A checklist has been created to ensure that each voting location has been properly inspected and that the voting location is adequately suitable to conduct an election taking into consideration accessible features.

PARKING

Designated parking for persons with disabilities will be available close to the entrance of voting locations, where possible. Accessible parking spaces will be clearly marked and will be on firm and level ground. Routine checks will be made to ensure all entrances remain barrier free through the course of the day.

Section 13 - Campaign Expenses

Expenses that are incurred by a candidate with a disability that are directly related to the disability, and would not have been incurred but for the election to which the expenses relate are excluded from the permitted spending limit for the candidate in accordance with the Municipal Elections Act.

Section 14 - Feedback Process

The ultimate goal of the Municipality is to meet and surpass public expectations pertaining to public service. Comments on Municipal services regarding how well those expectations are being met are welcome and appreciated on the [Municipal Website](#) as they may identify areas that require change and encourage service improvements.

The Municipality is committed to developing accessibility policies that respects and promotes the dignity and independence of persons with disabilities. Therefore, no changes will be made to this policy before considering the impact on persons with disabilities.

This policy exists to achieve service excellence to persons with disabilities. If questions exist about the policy, or if the purpose of a policy is not understood, an explanation will be provided by the Administration of the Municipality of Bayham.

Section 15 - Post-Election

Within 90 days of voting day, the CAO|Clerk shall submit a report to Council about the identification, removal and prevention of barriers that affect electors and candidates with disabilities

Section 16 - Contact Information

For additional information or clarification please do not hesitate to contact the Municipality of Bayham Election Resource Staff:

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