



ACTIVITY PLAN 2020-23

Office of the Chief Electoral Officer
& Commissioner for Legislative Standards



www.elections.gov.nl.ca

www.legislativestandardscomm.gov.nl.ca

MESSAGE FROM THE CHIEF ELECTORAL OFFICER & COMMISSIONER FOR LEGISLATIVE STANDARDS

It is with pleasure that I present the 2020-2023 Activity Plan for the Office of the Chief Electoral Officer (OCEO) and the Commissioner for Legislative Standards.

The OCEO, or Elections Newfoundland and Labrador, is responsible for exercising general direction and supervision over the administrative conduct of elections and for enforcing fairness, impartiality and compliance with the **Elections Act, 1991** ('the Act').

The Commissioner for Legislative Standards is responsible for the enforcement of the Conflict of Interest provisions under the **House of Assembly Act** (Part II – Conflict of Interest) and the Codes of Conduct provisions of Part V of the **House of Assembly Accountability, Integrity and Administration Act**. The Commissioner may provide advice and recommendations to members of the House of Assembly in the filing of their annual disclosure statements and is responsible for reporting to the Speaker annually on the affairs of the Commissioner. In addition, the Commissioner is responsible for hearing appeals of public office holders under the **Conflict of Interest Act, 1995**.

This activity plan describes the OCEO's overall work program, establishes our priorities and indicates the performance measures expected to be achieved over the next three years. Additionally, it describes the Commissioner for Legislative Standards' activity plan for the next three years, which includes facilitating member compliance with legislation.

The OCEO and the Commissioner for Legislative Standards are both considered Category 3 entities under the **Transparency and Accountability Act**. Therefore, an Activity Plan that sets a clear direction of the actions that have to be completed to fulfill the mandate of both the OCEO and the Commissioner must be prepared. As the Chief Electoral Officer and Commissioner for Legislative Standards, I am accountable for the preparation of this plan and for the achievement of its goals and objectives.



Bruce Chaulk
Chief Electoral Officer &
Commissioner for Legislative Standards

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SECTION A

Office of the Chief Electoral Officer

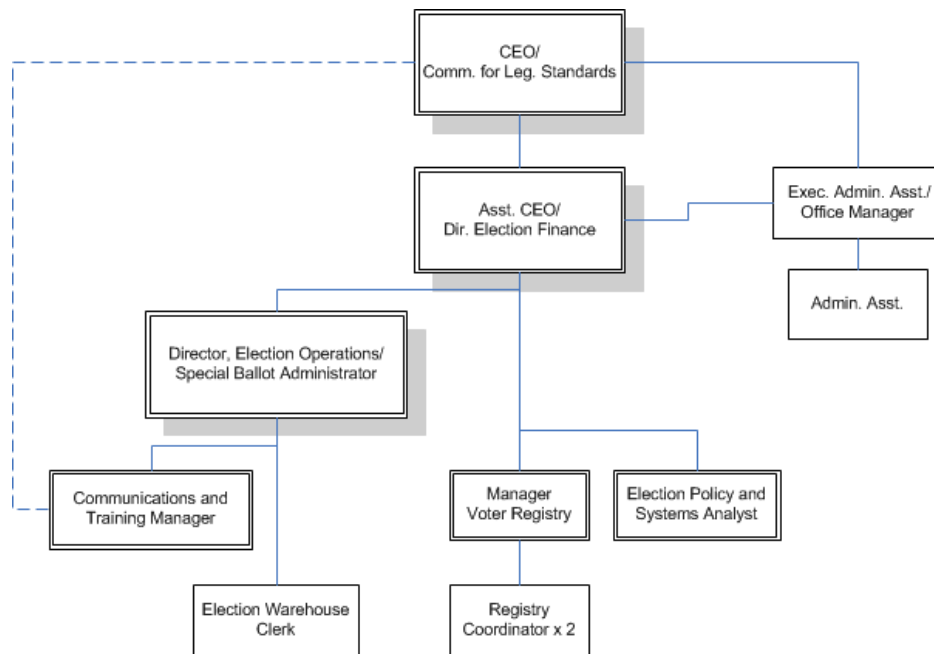
INTRODUCTION

The Office of the Chief Electoral Officer (OCEO) is a non-partisan office responsible for the conduct of provincial elections, by-elections and plebiscites. The OCEO is accountable to the House of Assembly and to the people of Newfoundland and Labrador.

The OCEO is responsible for ensuring fairness, impartiality and compliance with all aspects of the Act.

In addition to responsibilities associated with provincial elections, the OCEO works co-operatively with federal, provincial and municipal governments in the sharing of information relative to the maintenance of an accurate, comprehensive and up-to-date permanent list of electors. These initiatives are supplemented by promotional activities and educational programs aimed at encouraging voter registration.

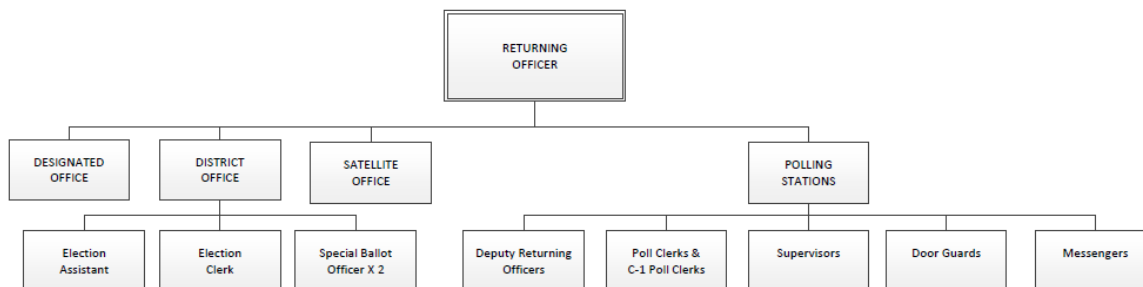
The OCEO's headquarters in St. John's has eleven permanent employees, organized throughout the following divisions: Executive, Executive Support, Election Finance, Election Operations and Voter Registry.



A significant number of temporary office employees and electoral field staff supplements this core group during electoral events. During a general election, the OCEO is responsible for hiring and training over 4,000 temporary employees from 50 field offices to deliver this event.

There are 40 electoral districts in Newfoundland and Labrador. The organizational chart below outlines the staffing requirements of a sample district head office (Returning

Officer, Election Clerk and Special Ballot Officers), as well as the district Returning Officer's responsibility in terms of hiring and training staff for each polling station:



The contributions of these temporary employees before, during, and after electoral events are invaluable to the OCEO.

The number of polls required in each district varies greatly, and is determined based on factors such as population and geography. According to the Act, a poll shall wherever practicable contain no more than 275 electors (section 28). The Act also states that where the number of names on the list of electors for a poll exceeds 325 or where he or she considers it appropriate to do so, a Returning Officer may split the poll with the permission of the CEO (section 83).

In the 2019 General Election, each electoral district in the province had between seven and 56 polls, including Advance and Special Ballot polls. A total of 1,631 polls were used during the election (147 Advance, 1,444 Regular and 40 Special Ballot polls held at each district Returning Office). In total, 580 locations were used for regular polls and 83 locations were used for Advance polls.

The OCEO is located at 39 Hallett Crescent, St. John's, in the O'Leary Industrial Park. The telephone number is 729-0712 and the fax number is 729-0679. The Elections Newfoundland and Labrador website (www.elections.gov.nl.ca) provides information about the OCEO itself, as well as information for electors about the voting process.

OVERVIEW

An Activity Plan must take into account the external and internal environments that affect the organization's ability to achieve its goals and objectives. Several factors affect the OCEO's planning.

Demographics

To effectively serve the electorate of the province, the population's demographics must be taken into consideration. The OCEO must be knowledgeable of different elector groups and their specific needs. For example, Special Ballot voting is offered to residents of personal care homes and patients in hospitals around the province on a date prior to the advance poll and regular polling day. This procedure allows residents and patients the option to vote without having to leave the premises.

In addition, Special Ballot voting is available to those electors who will be unable to vote in person at the advance poll or on regular polling day. This voting option may fit persons working at remote work sites, students who are pursuing studies either out of the province or outside their home district or incarcerated electors.

OCEO's advertising plan includes a detailed analysis of the scope of radio, newspaper, magazine and online advertising to determine which advertising mediums will most effectively communicate key messages. We actively choose varying advertising mediums to reach as many electors as possible.

Legislation

Election planning must be in line with current legislative requirements and the OCEO must be prepared to adapt to changes in legislation and the challenges those changes can present.

Technology

Technological advancement is an intricate part of today's society. As technology changes, the expectations of the electorate changes. We monitor technological advances in electoral events, in other jurisdictions in particular, and innovate to ensure that we are able to respond to electors' expectations in a way that is within the confines of our legislation.

Staff

The OCEO maintains a state of readiness for elections and by-elections. Although current legislation provides for fixed-date general elections, by-elections can occur at any time, in any district in the province. Additionally, though fixed-date legislation exists, general

elections can be called at any time if certain circumstances present themselves. An example is upon the resignation of the Premier of the province, a general election must be called a year from the swearing-in of the new Premier. It is imperative that all staff be well trained in electoral procedures to properly respond when an electoral event occurs.

Budget

Budgetary decisions at the OCEO are primarily driven by electoral events. The operating budget of the OCEO during a non-event year is approximately \$1,500,000. If a by-election is called, the cost of administering an individual by-election is approximately \$150,000, depending on the electoral district. The OCEO does not budget for these events each year as by-elections can be called at any time, multiple by-elections can be held in a given year, or there may not be any by-elections in a year. During a year in which a general election is called, the OCEO budget is approximately \$8,000,000. The OCEO appropriately prepares budget submissions in election years and in the years leading up to general elections to reflect the increased staffing, materials, and expenditures required for the administration of a general election.

MANDATE

In accordance with the **Elections Act, 1991**, it is the duty of the Chief Electoral Officer to:

- (a) exercise general direction and supervision over the administrative conduct of elections and to enforce on the part of election officers fairness, impartiality and compliance with [the Act];
- (b) issue to election officers those instructions that he or she considers necessary to ensure effective execution of [the Act]; and
- (c) perform all other duties that are imposed on him or her by or under [the Act].

VISION

OCEO's vision is to be an organization that inspires confidence on the part of all those involved in the electoral process by exercising impartiality, excellence, and professionalism.

VALUES

OCEO recognizes the importance of having formal values in place and in communicating them to staff.

VALUES	ACTION STATEMENTS
Confidence	Approach your duties with the confidence that you are knowledgeable in your field and properly trained. Pursue professional and personal development and strive to create confidence amongst your coworkers. Be proud of what you accomplish.
Integrity	Exhibit the courage to face problems, accept responsibility for your actions and work towards solutions. Take pride in the fact that you have given a fair and honest effort.
Fairness	Perform all tasks and duties with a view to ensuring the electoral process is fair for all involved.
Impartiality	Maintain a non-partisan environment in your dealings with all stakeholders.
Accountability	Hold yourself accountable for what you do and expect others to do the same.
Professionalism	Strive to maintain professionalism in your day-to-day interactions with coworkers, as well as with all other stakeholders. Use a customer service based, innovative approach to help electors find the best voting option to suit their needs, resulting in a positive voting experience.

LINES OF BUSINESS

The OCEO provides the following lines of business in carrying out its mandate.

Facilitate Electors' Right to Vote

Every Canadian citizen who is 18 years of age or older and is a resident of Newfoundland and Labrador has the right to vote. The OCEO facilitates this right by communicating to electors how, when and where to vote: 'how' encompasses the various voting methods available; 'when' details the dates and deadlines that apply to those voting methods; and, 'where' relates to the locations where voting is available. The OCEO works to ensure our headquarters and field staff are well trained in electoral processes and procedures so the electorate will have the best possible election experience.

Election Preparation

Preparation for an election is a continuous process consisting of a myriad of duties and responsibilities, including:

- organization and planning of administrative and legislated electoral events, such as opening district offices throughout the province, Special Ballot voting, the issuance of election writs, nomination deadlines, advance poll voting, voting in Personal Care Homes and Hospitals, Election Day, election results and the Official Addition of the Votes;
- procurement and maintenance of supplies for headquarters, Returning Offices and satellite offices;
- coordination and delivery of supplies throughout all parts of Newfoundland and Labrador (factoring in geographical and weather challenges);
- hiring election field and headquarters staff;
- designing and delivering training modules;
- preparing and printing voters lists and electoral district maps;
- responding to and incorporating feedback from stakeholders; and,
- maintenance of communication channels with internal and external stakeholders, including advertising and outreach campaigns.

Election Training

The staff at the OCEO is responsible for designing and delivering election training to all field staff required for the electoral event. In the case of a general election, training is delivered to approximately 170 Returning Officers, Election Clerks and Special Ballot

Officers. Training packages are also provided to the Returning Officers to use in training their own poll staff which, throughout the entire province, is in excess of 4,000 people.

The OCEO holds multiple training sessions over the course of several weeks in the lead up to an election. The content is developed in-house and is delivered and facilitated by OCEO core staff members. The OCEO updates this training as internal processes are modified to make the delivery of a voting event more efficient and voter centric.

Designing and delivering such a large training package also requires that the staff at OCEO stay up to date on adult learning principles, training and facilitation techniques. This is achieved through continuous training for internal staff and participation in interjurisdictional groups on new and innovative electoral training techniques and practices.

Communications & Outreach

Information pertinent to an electoral event must be communicated to the public clearly and in a timely manner.

For a general election, the OCEO typically launches three campaigns for advertising: 'Are you on the Voters List', Special Ballot voting, and General Election Information. These campaigns include print, radio and online advertising, as well as householder mail-outs and an addressed Voter Information Card that is distributed to all registered voters in the province. Twitter is also used to relay messages to the public.

The OCEO's website (www.elections.gov.nl.ca) is an effective tool in the communication of up-to-date information pertaining to its business operation. The website contains resources specific to electors, political parties and candidates.

Public notices, public service announcements, information brochures, news releases and media kits are also a few of the tools used to inform key stakeholders about our processes.

In terms of outreach, the OCEO works with public interest groups and community groups in an effort to better meet their needs.

Voter Registry & Boundary Issues

The Voter Registry division of the OCEO maintains voter and geographic data necessary to ensure a constant state of readiness for elections, by-elections, plebiscites and/or boundary redistribution.

The exchange of information with federal, provincial and municipal governments, as well as the continuous updating of both voter and geographic data are key functions of the Voter Registry.

In addition, the Voter Registry provides a range of services to Newfoundlanders and Labradorians during and between electoral events. This is achieved through the maintenance of voter and address data; implementation of voting area boundary adjustments; managing address resolution and collection; and responding to information requests and ensuring safeguarding of data.

Finally, voter data is exchanged with municipalities and school boards for their respective elections.

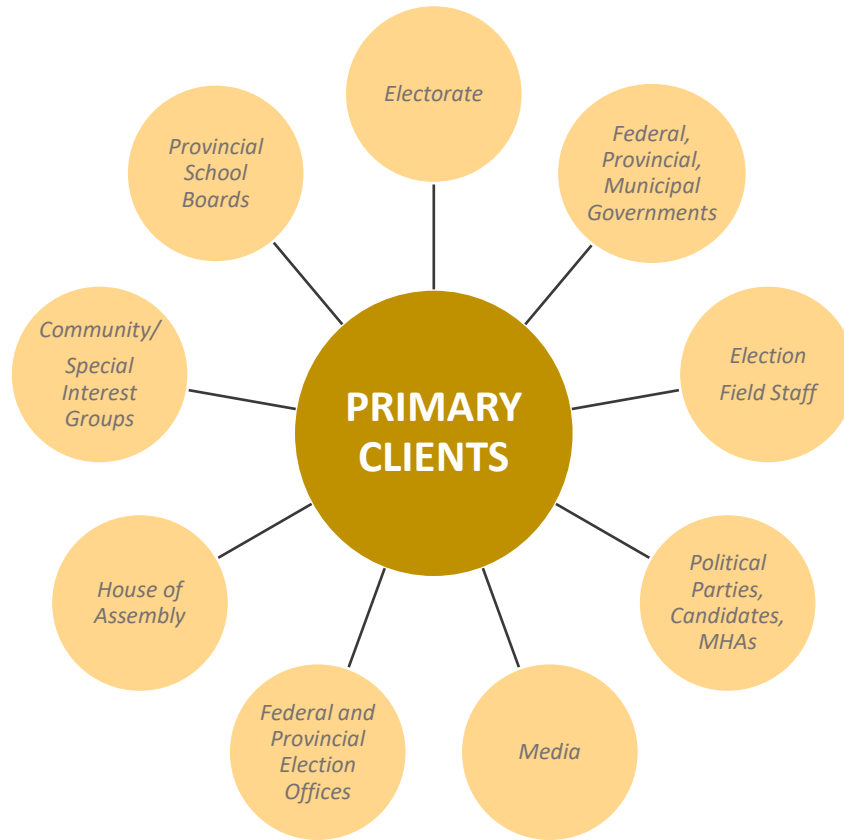
Election Finance

The Election Finance area provides education, guidance and assistance to candidates and political parties with respect to the Election Finance provisions of Part III of the **Elections Act, 1991**.

Duties in this area include examination of financial returns from political parties and election candidates, provision of guidelines respecting Part III requirements to auditors, registered candidates and political parties, reimbursement of election expenses and publishing of reports upon the affairs of the office concerning political financing.

PRIMARY CLIENTS

Primary clients are the individuals, groups and organizations that the OCEO deals with on a regular basis. Serving these groups is the office's priority and requires significant use of available resources and services.



ACTIVITIES

PREPAREDNESS

All business areas of the OCEO must work cohesively to ensure election readiness.

The Election Operations division of the OCEO is responsible for the overall administration of an election. This covers an array of areas such as Special Ballot voting, advance and regular poll voting, election training, creation and revision of election forms, ordering and distribution of election supplies, recruitment of election officials and advertising and communications initiatives.

In between general elections, work is completed to evaluate, research and amend administrative procedures; review and revise election training; ensure all supplies required to administer an election are on site and ready for distribution; and recruit election staff for district and headquarters support.

Objective #1: By March 2021, the Office of the Chief Electoral Officer will have completed all electoral readiness measures.

Indicators:

- Completed training sessions for all Returning Officers, Election Clerks and Special Ballot Officers.
- Completed assembly of election supplies for deployment to all district Returning Offices.

Objective #2: By March 2022, the Office of the Chief Electoral Officer will have completed Newfoundland and Labrador's 51st general election and will have initiated election evaluation processes.

Indicators:

- Initiated process for evaluating the performance of district Returning Officers during the 51st general election.
 - Initiated logistics and planning for election debriefing meetings throughout the province with Returning Officers and Election Clerks.
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Objective #3: By March 2023, the Office of the Chief Electoral Officer will have commenced planning procedures for the next general election.

Indicators:

- Reviewed all election forms and training materials for updates required post-election.
 - Reviewed all election procedures for improvements post-election.
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MAINTENANCE

An integral part of the election process is the maintenance of the permanent list of electors, which must be up to date to ensure an accurate elector database and properly maintained electoral boundaries and polling divisions.

The objective and indicators below will be reported on each year in the planning cycle.

Annual Objective: By March 2021, 2022 and 2023, the Office of the Chief Electoral Officer will have maintained the Voter Registry to ensure readiness for elections and by-elections, and will report on this objective each year in the planning cycle.

Indicators:

- Maintained the permanent list of electors
- Apportioned population to polling divisions within established electoral districts based on feedback from district Returning Officers
- Explored options for future developments and improvements to electoral management systems

SECTION B

Commissioner for Legislative Standards

INTRODUCTION

The Commissioner for Legislative Standards is a statutory officer of the House of Assembly. The same individual who holds the position of Chief Electoral Officer has traditionally held the position of the Commissioner for Legislative Standards.

In addition to the responsibilities assigned under the **House of Assembly Act** and the **House of Assembly Accountability, Integrity and Administration Act**, the Commissioner is also responsible for hearing appeals of public office holders under the **Conflict of Interest Act, 1995**.

The Commissioner's office is located at 39 Hallett Crescent, St. John's, NL, A1B 4C4. The telephone number is 729-0714 and the fax number is 729-0679.

MANDATE

Under the **House of Assembly Act** (Part II – Conflict of Interest), the Commissioner is responsible for the enforcement of the Conflict of Interest provisions of the Act as they pertain to current and former Members of the House of Assembly (MHAs).

On April 1 of each year, every elected MHA is required to file disclosure statements with the Commissioner. After doing so, the Commissioner prepares public disclosure statements for each member, which are then made available for viewing by the public.

The Commissioner may provide advice to members regarding whether or not steps need to be taken to ensure their obligations under legislation are fulfilled. The Commissioner may also be required to provide opinions, make recommendations or conduct inquiries on matters pertaining to the obligations of members under Part II of the **House of Assembly Act** or under the Codes of Conduct provisions of Part V of the **House of Assembly Accountability, Integrity and Administration Act**.

As an officer of the House of Assembly, the Commissioner must report annually on the affairs of the office to the Speaker of the House of Assembly, who then presents the report to the House of Assembly.

The mandate of the Commissioner for Legislative Standards is to ensure that all members follow the Conflict of Interest and Codes of Conduct legislation and to hear appeals of public office holders.

VISION

The office of the Commissioner for Legislative Standards' vision is to maintain an environment where the highest standards of integrity are in place for the House of Assembly.

LINES OF BUSINESS

The Commissioner for Legislative Standards provides the following lines of business in carrying out his mandate.

Inquiries

The Commissioner for Legislative Standards may conduct inquiries to determine whether a member has failed to fulfill an obligation under the conflict of interest provisions of the **House of Assembly Act** or the code of conduct provisions of the **House of Assembly Accountability, Integrity and Administration Act**.

Disclosure Statements

Every elected member and appointed minister is required to file with the Commissioner a disclosure statement within 60 days of his or her election or appointment, before the second April 1 following this date and before each April 1 thereafter. The disclosure must be in a form determined by the Commissioner that is a full statement of the member's private interests other than certain personal property identified under subparagraph 20(a)(iv) of the **House of Assembly Act**.

The Commissioner then prepares a public disclosure statement for each member, which is submitted to the member for review. All public disclosure statements are placed on file at the Commissioner's office and made available for public inspection during normal business hours.

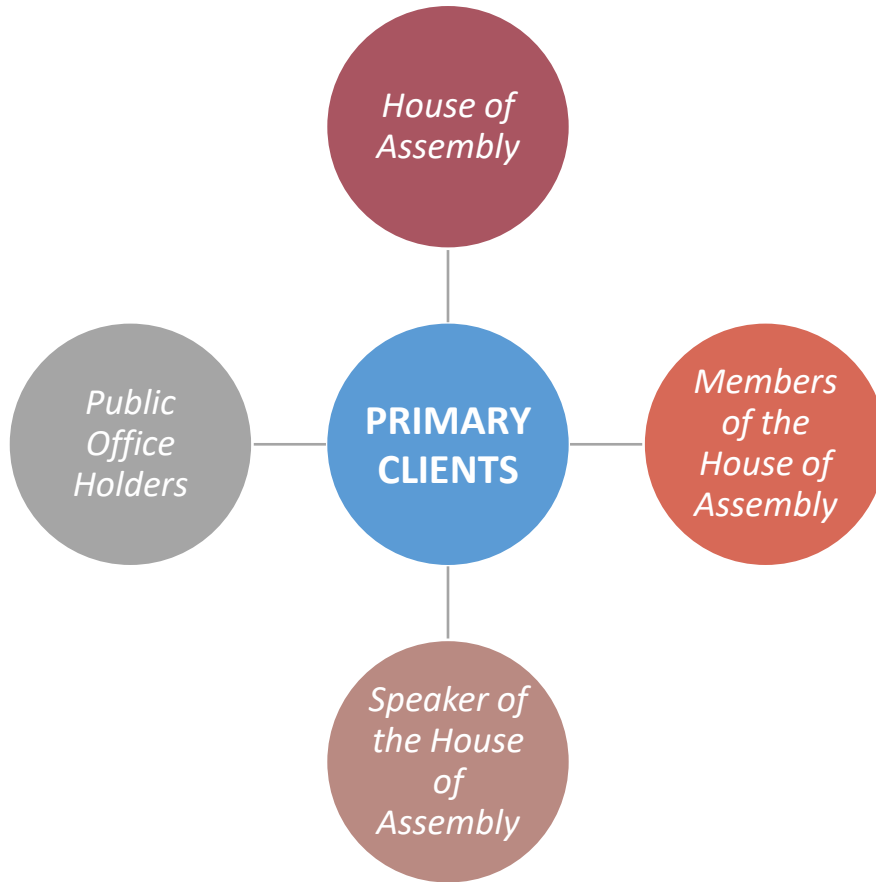
During this process, the Commissioner may provide advice, give an opinion and/or make recommendations to members to ensure the member has fulfilled the member's disclosure obligations under the Act.

Annual Reporting

The Commissioner reports annually upon the affairs of his/her office to the Speaker who presents the report to the House of Assembly.

PRIMARY CLIENTS

The Commissioner for Legislative Standards has four primary clients and they are as follows.



ACTIVITY

Compliance with Legislation

The Commissioner for Legislative Standards is assigned responsibility for investigating and conducting inquiries (if necessary) to determine whether a member has failed to fulfill any obligation under the Code of Conduct.

The Commissioner is also responsible for reporting to the House with recommendations as to appropriate sanctions similar to the ones that are available for breached Conflict of Interest duties in Part II of the **House of Assembly Act**. Therefore, the primary issue for the Commissioner for Legislative Standards is 'Ensuring Compliance with Legislation'.

The objective and indicators below will be reported on each year in the planning cycle.

Annual Objective: By March 2021, 2022 and 2023, the Commissioner for Legislative Standards will have facilitated member compliance with legislative requirements regarding annual disclosure statements.

Indicators:

- Provided support to members, as necessary
- Reviewed annual disclosure statements
- Provided advice to members, as necessary
- Responded to inquiries and/or complaints, as necessary