

GUIDE FOR SCRUTINEERS

Fort McMurray-Lac La Biche By-Election

Under Review

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Introduction

This guide is designed to provide general information and guidance to scrutineers appointed by candidates or official agents to represent them at polling places during the Fort McMurray-Lac La Biche by-election. Scrutineers are encouraged to familiarize themselves with the contents of this manual and the *Election Act*, particularly sections 71 to 125 inclusive, which governs all aspects of conducting an election. Copies of the *Election Act* are available online and in print from the Queen's Printer.

What is a Scrutineer?

Scrutineers represent candidates at the polls, to ensure fairness and transparency, and to observe election procedures and the counting of ballots. Scrutineers must:

- Be an elector;
- Be appointed by the candidate – in writing;
- Take an Oath of Secrecy; and
- Follow the Code of Conduct.

Training

Online training for scrutineers is available at www.elections.ab.ca/elections/volunteer-as-a-scrutineer. This training will assist scrutineers to understand their role and responsibilities under the *Election Act*.

Appointment of Scrutineers

A candidate may appoint scrutineers to represent them at each polling place that is established in the electoral division. The "Appointment of Scrutineer" Form must be completed and signed by the candidate or their official agent.

They may appoint:

- Up to four scrutineers at each polling station and ballot box in an advance poll, for each day of voting;
- Up to four scrutineers at each polling station and registration officer's station on Election Day; and
- Up to four scrutineers at each polling station at a mobile poll.

Once appointed to the polling place, scrutineers can observe election proceedings at any polling station, registration officer stations or the ballot box, however, only one scrutineer per candidate may, at any one time, be present at each station.



Arriving at the Polling Place

Before observing at each station, scrutineers must present their Appointment of Scrutineer form to the Supervisory Deputy Returning Officer, take the Oath of Secrecy, and sign the Code of Conduct.

Scrutineers who leave and return to the same polling place do not have to take the oath a second time.

While at a polling place, scrutineers are not permitted to wear or carry any election badge, circular, card, poster, bill, ribbon or other item that might be construed as an identification of a candidate or political party. Scrutineers will receive appropriate identification from the supervisory deputy returning officer.

COVID Precautions

The following COVID precautions will be in place at all polling places. Scrutineers are expected to comply with these requirements to be present in the polling place.

- Masks will be required for all election officers and scrutineers. Electors will be encouraged to wear masks but this is not a requirement for them to be able vote.
- Plexiglass shields will be used between staff at the voting station and the public. Scrutineers who wish to interact with election officers should maintain appropriate physical distancing, or approach from the other side of the plexi-glass barrier when no electors are present.
- Sanitizer will be available for all staff, scrutineers and voters at the entrance and exit of the polling place.
- Single-use pencils will be used to mark the ballots
- Additional cleaning of high touch areas, such as voting screens, will be conducted throughout each voting day.
- All election officers and scrutineers shall complete the daily health screening using the Alberta Health Daily Checklist (link below) prior to attending the poll.
<https://open.alberta.ca/publications/covid-19-information-alberta-health-daily-checklist>



Code of Conduct

As a Scrutineer I shall:

- Comply with the legislation and the Code of Conduct;
- Present a properly completed Appointment of Scrutineer identifying all polling places I will attend;
- Comply with the COVID precautions identified in this guide and by the Chief Medical Officer of Health;
- Complete an Oath of Secrecy before the Supervisory Deputy Returning Officer in charge of the polling place to which I have been assigned;
- Familiarize myself with my rights and responsibilities under the law and act accordingly, after reading “A Guide for Scrutineers”;
- Perform my duties with honesty and integrity and in a manner that is helpful, respectful, and courteous; and
- Be guided at all times by the values of respect, integrity, and professionalism when dealing with members of the public, electors, election officers, colleagues, and all election stakeholders.

As a Scrutineer, I shall not:

- Engage in any political campaigning or promotion for or against a candidate or political party while performing my duties at a polling place;
- Unduly interrupt the voting process or the orderly conduct of the election;
- Make or accept cell phone calls in the polling place;
- Engage in harassing¹ or discriminatory² behaviour; or
- Make abusive, derisive, threatening, insulting, offensive, or provocative statements or gestures to or about another person.

A Scrutineer who fails to comply with this Code of Conduct will receive a written warning concerning his or her actions.

A Scrutineer will be removed from the polling place if, in the opinion of the Supervisory Deputy Returning Officer, the Scrutineer fails to comply with the Code of Conduct after receiving such a warning.

¹ Harassment is any conduct by an individual that is directed at and offensive to another person in the polling place, and that the individual knows or ought reasonably to know would cause offence or harm. It comprises any objectionable act, comment or display that demeans, belittles, or causes personal humiliation or embarrassment, or any act of intimidation or threat.

² Discrimination involves treating someone differently or unfairly because of a personal characteristic or distinction.



The Role of the Scrutineer – Observing Election Procedures

Scrutineers may arrive up to 30 minutes before the polls open or at any time before the polls close.

Scrutineers may:

- Verify the ballot box is empty prior to polls opening;
- Observe the election process;
- View the “Record of Electors Who Have Voted” per hour on Election Day or at the start of each advance voting day for the previous voting day;
- View the poll book at a time that the election officers are not processing voters;
- Challenge an elector if the Scrutineer believes the elector is not eligible to vote;
- Use cell phones, tablets, or laptops while observing the election process, if:
 - No audio or video recording occurs;
 - No pictures are taken;
 - No phone calls take place; and
 - No audible sounds are played.

If concerns arise, Scrutineers may report their concerns to the supervisor. If the supervisor is unable to resolve the concern, the Scrutineer may escalate their concerns to their candidate, who can address it with the Returning Officer.

Scrutineers should not disturb the voting process to share their concerns.

The Role of the Scrutineer – Observing the Count of Ballots

Scrutineers must arrive at their assigned poll before it is closed and secured for the count. Any Scrutineers that have not already done so will be required to sign the Code of Conduct and take the Oath of Secrecy.

After the final electors have voted and the poll is closed, the election officers will prepare for the count. Upon request, election officers can provide the Scrutineer with a Tally Sheet to record the unofficial count. The election officer will then proceed to open the ballot box and count the ballots cast for each candidate.

During this process, Scrutineers may request to view, but not touch, any ballot that they wish to see. Scrutineers may also object to any decision made on how a ballot is cast. Each objection will be noted in the poll book.

NOTE: The election officer has the final say on how a ballot is cast during this count.

When all of the Ballots Counted for Candidate envelopes have been sealed and placed in the large Valid Ballot envelope, scrutineers in attendance may sign across the Valid Ballot envelope flap before it is sealed in the ballot box for delivery to the returning officer. Scrutineers may



also sign across the envelopes and flaps of the Unused Ballot envelope, the Rejected Ballot envelope, the Spoiled Ballot envelope and the Declined Ballot envelope.

Upon completion of the unofficial count, Scrutineers may request a copy of the Statement of Poll, which is a record of the unofficial count.

Voting Procedure

Electors who are registered to vote in the electoral division are listed in the poll book and will vote with the following procedure:

- The elector provides their name and current address to the Deputy Returning Officer.
- The Deputy Returning Officer gives the elector a folded ballot paper on which the initials of the Deputy Returning Officer are placed.
- The elector will then proceed to the voting screen to mark the ballot.
- When the folded ballot is returned, the Deputy Returning Officer in the presence of the voter shall, without unfolding the ballot, look for their initials on the paper to confirm that it is a ballot they issued.
- The Deputy Returning Officer returns the ballot to the voter to deposit in the ballot box.

Note: Electors who are registered to vote are not required to show any identification.

Declaration Process

A person who is entitled to vote, but whose name is not included in the poll book, must produce proof of his or her identity and current residence. The person must then sign the Declaration of Elector before the registration officer or deputy returning officer, stating that they qualify as an elector and ordinarily reside in that polling subdivision.

Process to Challenge an Elector

A scrutineer may, in good faith, if the eligibility of any elector is in doubt, request the deputy returning officer to administer the Declaration of Elector to that elector even though the elector's name appears in the poll book. An elector who has taken the prescribed declaration before the registration officer or deputy returning officer because their name was not in the poll book cannot be required to take another declaration.

Vouching Process

If an elector is unable to produce identification when required, another elector who is in the poll book in the same polling subdivision may vouch for them by completing the Vouching Declaration. The elector must also take the Declaration of Elector to be added to the poll book.

A scrutineer cannot vouch for an elector.



Voter Assistance

If an elector is unable to read the ballot or has a physical disability, they may receive voter assistance, as follows:

- When accompanied by a friend, they are permitted to have that friend assist in marking the ballot, provided that both the elector and the friend take the appropriate oaths.
- The deputy returning officer may, after the elector has taken the oath, assist that elector to mark the ballot in the presence of the poll clerk.
- If an elector is unable to access a polling place, two election officers, shall bring the ballot to some other place on the site on which the polling place is located. Before doing so, any scrutineers observing the polling station will be advised, so that they may accompany the election officers.
- An elector may be assisted by an interpreter, provided that both the elector and the interpreter take the appropriate oaths.

Record of Electors Who Voted

On Election Day, the poll clerk will advise the scrutineer of the electors who have voted by calling out the elector's sequence number from the poll book and/or providing a Record of Electors who have Voted. A scrutineer may also view the poll book at a time that will not inconvenience electors.

For advance and special mobile polls, candidates will have electronic access to the list of the electors who have voted. The supervisory deputy returning officer will also maintain a daily record of electors who have voted. This record can be obtained by scrutineers on the day following the voting day it applies to (On Wednesday for Tuesday's voters, on Thursday for Wednesday's voters, etc.).

Scrutineers at Mobile Polls

Scrutineers may be present at mobile polls located in treatment centres, supportive living facilities, emergency shelters and community support centres. These polling stations may be set-up in a stationary location or may move from room to room. In some cases, the facility representative will decide whether the scrutineers may accompany the deputy returning officer and poll clerk during the conduct of a mobile poll.

Voting Options for Scrutineers

Scrutineers may vote at any advance poll location or at the polling place that they are observing on Election Day if it is their assigned location. Scrutineers that are observing at a poll other than the poll that they are assigned to vote at may vote at the advance poll or by Special Ballot prior to Election Day.



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