

TERRITORIAL ELECTION READINESS PLAN

BUSINESS CONTINUITY DURING COVID-19
A Risk Management Framework

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General

Elections Yukon continues to collaborate closely with the Yukon government (YG), Health and Social Services (HSS), and the Chief Medical Officer (CMO) to get guidance and advice regarding the safe delivery of a territorial election. From a health and safety perspective, it is to safeguard election workers, electors, and the public health from exposure and to limit the spread of the virus. Operationally, any modification to the electoral process or timelines must protect the integrity of the election as well as ensure access to the vote and the validity of the results.

Current Context

In Yukon, early measures implemented to control the spread of COVID-19 by YG, HSS and public compliance have been effective in the low number of cases in the territory. The ongoing vaccination program will further reduce the risk of infection and spread. In the fall of 2020 a general election for members of school councils at 26 school attendance areas across the territory were held. The public feedback was positive to the measures in place to conduct an election during COVID-19.

As such, if a territorial election is called over the next several months, it is expected to be conducted in a COVID-19 environment that is at least similar to the current status. There are established protocols and public expectations are in place. To that end, there is a certain public confidence that supports an election being conducted which would not materially effect processes, access or turnout.

Background

For the next election, it is expected there will be close to 30,000 eligible electors. This would be an increase of 5,000 electors from 2016. If the same turnout remains similar to the 2016 election at 76.4%, there will be more than 22,000 electors who cast their ballots across the territory. It is expected that 50% of electors will vote in-person at a poll on polling day (was 66% in 2016). About 30% are expected to vote at the advance polls. A higher percentage of electors are expected to vote by special ballot (increase from 6% to 20%+) given COVID-19 due diligence, new access to online special ballot applications to mail in their ballots, new regulations to expand eligibility to all electors, and the convenience of not having to go to a poll.

Electors can apply for special ballot at the 19 returning offices throughout the territory and 5 additional assistant returning offices. Electors will be able to vote in person at over 20 different locations during advance polls and 40 different locations on polling day. There will be about 85 polling divisions; each will have a polling station.

Established YG/HSS COVID-19 Phases

YG/HSS has defined five COVID-19 phases. In addition, there is additional guidance provided by the YG 'Path Forward' document, and the Civil Emergencies Measures Act (CEMA) provisions. While they are distinct from the Elections Yukon business continuity plan, they provide important

context for the Elections Yukon business plan and help inform corresponding measures to support any modification of the of electoral administration under the *Elections Act* within different COVID-19 risk scenarios. This is also the electoral operations context under which Elections Yukon will make its separate business continuity plan.

As a recap, the territorial guidance is as follows:

- Phase 0 – Response. Limited businesses and services operating and reduced movement within Yukon to contain the spread of the virus.
- Phase 1 – Restart. Safely ease public health measures and reopen businesses and services. Border controls remain tight, but movement within Yukon eases.
- Phase 2 – Recovery. Continue to safely ease public health measures and prepare to ease some border control measures.
- Phase 3 - New Normal. Focus on long-term sustainability and living safely with COVID-19. This is the current YG/HSS phase.
- Phase 4 - Post- Vaccine. Yukon will move to Phase 4 once a vaccine is ready or an alternative public health approach is available.

The territorial YG/HSS response to COVID-19 is now in phase 3; the ‘new normal’ phase. It will involve a gradual easing or increase in of restrictions. It will be the longest of the stages and will last until there's a vaccine or treatment.

Elections Yukon Response

Elections Yukon, in developing this contingency plan, acknowledges the YG/HSS phased approach framework over the pandemic and post pandemic period. Elections Yukon will use, as its baseline planning scenario to this business continuity plan, the current HSS Phase 3 measures (new normal). Measures are currently established and are in place.

From an electoral perspective, COVID-19 risk changes at a local, area, regional or territorial level would be met by Elections Yukon through a number of election-specific responses as a business continuity contingency if the COVID-19 spread or impacts compromised electoral delivery.

There are potential health, operational, and elector access considerations and operational impacts of specific focus for Elections Yukon. For example, increased pandemic risk or concerns may impact election worker availability during COVID-19. This could result in insufficient available election workers or an overwhelming demand for special ballots. This could require operational or statutory contingencies to deliver the election that would be outside the territorial CMO guidelines or the Civil Emergency Measures Act.. As such, the Elections Yukon COVID-19 business continuity plan is a separate and stand alone document.

Elections Yukon has developed the attached COVID-19 response ‘*COVID -19 Risk Management and Business Continuity Plan Matrix*’ to address the electoral risk scenarios. The Elections Yukon focus is three-fold:

- safeguarding the health of the public and election workers;
- ensuring the access to electors to exercise their right to vote and be a candidate; and
- protect the integrity of the election process and validity of the results.

To this end, Elections Yukon's has developed its business continuity plan based on election-oriented COVID-19 scenarios established by Elections Yukon. These scenarios reflect risk levels and corresponding contingencies. Scenario levels may vary between electoral districts, communities or polling divisions. For example, the territory COVID-19 risk level may be Level L1 with a certain community, communities, or regions at level L2.

As it now stands, Elections Yukon is preparing for a territorial election with planning and resources earmarked in the event higher levels of scenario levels are enacted. This status will be reviewed regularly.

- **L0: Post-Vaccine:** (aligned with YG/HSS phase 4 – Post-Vaccine) – some electoral due diligence restrictions.
- **L1: Due Diligence Response** (aligned with YG/HSS Phase 3 – New Normal) – Low risk. Current established electoral due diligence measures.
- **L2 Elevated Response:** (aligned with YG/HSS Phase 0 – Response) – Moderate risk. Increased electoral measures and modified processes to limit exposure and conduct voting operations at select locations, areas, regions, or territory-wide.
- **L3: Urgent Response** (aligned with YG/HSS Phase 0 – Response) – High risk. Additional measures, restrictions, and modified processes to limit the exposure at select locations, areas, regions, or territory-wide.

The scenarios and related measures outlined in this document will be reviewed regularly and modified as appropriate to respond to current or forecast COVID-19 situations.

Elections Yukon Scenario Response Authority

The Chief Electoral Officer is responsible for establishing the scenario levels and response measures appropriate to the risk to health and safety, the conduct of the election, and the integrity the process or results. This would include any adaptations as allowed by the *Elections Act* to ensure that health protection, elector access, and election integrity is not compromised. Consultation and collaboration with YG/HSS will be ongoing as required.

COVID-19 RISK MANAGEMENT AND BUSINESS CONTINUITY PLAN MATRIX

Scenario	Description	Contingency Response	Implementation
LO Post-Vaccine	<ul style="list-style-type: none"> • Risk: Minimum health or spread risk • Impact: Some new and or retained processes as part of post-pandemic practices as a new normal. • Disruption: Minimum disruption to electoral operations and elector turnout • Indicators: <ul style="list-style-type: none"> ○ YG implementation of Territorial Phase 4 – Post Vaccine or ○ No restrictions. • Other: Elections Yukon will retain safety or integrity measures as standard procedures as appropriate. 	<ul style="list-style-type: none"> • Measures: As per YG/Chief Medical Officer phase transition directives re Phase 4 – Post Vaccine. • Processes: Modified status quo as necessary for maintenance of health safety (new normal). • Key Focus Areas: A health, safety and spread control focus. Some procedural changes to support this level of response: <ul style="list-style-type: none"> ○ Monitor risk scenarios. ○ Regular collaboration with YG/HSS for update to status, risk and evolved responses. ○ Plans, preparations and materials ready to respond to changed and raised risk scenario. 	<ul style="list-style-type: none"> • Guidelines established for various scenarios – for Returning Officers, election workers, candidates, polling place managers, electorate and public. • PPE material in inventory for immediate response and additional supplies earmarked based on electoral cycle. • Continuity plan training for staffs including returning officers and election workers as well as political parties and candidates.

Scenario	Description	Contingency Response	Implementation
<p style="text-align: center;">L1</p> <p style="text-align: center;">Baseline</p>	<ul style="list-style-type: none"> • Risk: Some personal health or spread risk. • Changes: This is current and established phase with risk management/business continuity measures in place. • Disruption: Ongoing disruption to workers and public with some in-place YG territorial restrictions on commercial and public activities. • Indicators <ul style="list-style-type: none"> ○ Aligned with YG/HSS Phase 3 – New Normal Phase - will involve a gradual easing of restrictions. (It is longest stage until a vaccine or treatment. May include gradual increase in restrictions) or ○ Vaccination program in progress or ○ No/few new cases, isolated and managed. • Other: Elections Yukon may put in place additional measures for workers and electors that the minimum required by YG/HSS. 	<ul style="list-style-type: none"> • Measures: As put in place as established based on school council elections (Sep and Oct 2020), jurisdictional review, literature review, and consultation with other electoral agencies and YG/HSS. • Processes: As modified based on lessons learned and other guidance and inputs. • Key Focus Areas: A health, safety and spread control focus. Some procedural changes to support this level of response: <ul style="list-style-type: none"> ○ Collaboration with key stakeholders – YG/HSS, political parties, candidates. ○ Communication and awareness planning for workers, electorate and the public. ○ Polling site selection – size to allow physical distancing, room for long line ups, separate entry/exit where possible. ○ Distribution of COVID-19 PPE, other materials and signage. ○ Masks mandatory for election workers. ○ Additional workers (increase to minimum 2 poll attendants per site) – wipe downs, information, and traffic flow control, physical distancing reminders. ○ Sanitization routines - facility and voting area wipe downs, safe waste disposal. • Monitoring by CEO, returning officers for local knowledge, and elections workers. • Be ready to raise level of response or introduce additional measures. 	<ul style="list-style-type: none"> • Establish liaison networks and shared communication arrangements with YG/HSS and political parties. • Ongoing assessment of public confidence in election processes during a pandemic or post-pandemic landscape – consider adapt process or statutory provisions. • Advise the Legislative Assembly and YG/HSS during pre-election period of readiness activities and COVID-19 contingency plans with YG/HSS. • Pre-Election COVID-19 starter kit distribution (for RO/AARO offices). • Election Period additional COVID PPE/Material Inventory and distribution for electoral districts (customized for size, area, and population). • EYHQ direction to Returning Officers regarding site selection and discussion agenda with facility managers, duty to report symptoms. • EYHQ direction to ROs re reporting by ROs (including poll places and other inputs). • EYHQ direction to ROs and poll supervisors regarding venue set up, traffic monitoring, sanitization processes. • EYHQ guidance information – Workers, Venue Managers. • EYHQ Guidance information – political parties and candidates. • Weekly conference calls between EYHQ and ROs to include COVID-19 contingency assessments. • Awareness – social media, advertising, key stakeholder outreach and stakeholder

Scenario	Description	Contingency Response	Implementation
			support (ROs, political parties, candidates, YG/HSS, media), media advisories, posters.

Scenario	Description	Contingency Response	Implementation
L2 Moderate Response	<ul style="list-style-type: none"> • Risk: Moderate personal health or spread risk. Potentially more YG/HSS restrictions. Operational impacts likely in affected areas • Changes: Increased measures to protect health and modify processes to support worker recruitment and availability, provide access to the vote, and communicate changes to stakeholders • Disruption: Increased disruption to workers and public with some restrictions on commercial and public activities • Indicators <ul style="list-style-type: none"> ○ Concerning new cases or clusters of COVID-19 spread or ○ Additional YG/HSS or CEMA guidance and measures to protect health and safety of Yukoners or ○ Additional restrictions on commercial, public, and personal activities • Other: TBD 	<ul style="list-style-type: none"> • Measures: As per L1 with additional measures for health and safety and the conduct of the vote • Processes: Additional procedural, policy and potential statutory changes to support this level of response • Key Focus Areas: A health, safety and spread control focus. <ul style="list-style-type: none"> ○ Consultation with YG/HSS to assess changes, risks, and trends/forecast ○ Awareness with formal notification to election teams and key stakeholders of raised response level. ○ Public communication updates to detail additional measures to ensure safe and compliant elections ○ Additional distribution of COVID-19 materials to election teams ○ Confirmation of election worker teams and supporting COVID-19 materials and guidance ○ Confirmation of worker availability and recruiting contingencies and poll merge options ○ Consider any modified practices or adapted Elections Act provisions 	<ul style="list-style-type: none"> • As per L1 • Consult with YG/HSS • Keep election team, media and stakeholders informed • Specific notices to communities re restrictions and why • Enhanced control measures – poll attendants, signage, traffic flow • Option to require worker declarations of no symptoms/travel prior to reporting for work • Emphasis on special ballots; link with local advertising • EYHQ direction to ROs regarding increased reporting requirements • Potential sign in sheets at designated polling places (similar to current measures in restaurants and bars)

Scenario	Description	Contingency Response	Implementation
<p style="text-align: center;">L3</p> <p style="text-align: center;">Elevated Response</p>	<ul style="list-style-type: none"> • Risk: High personal health or spread risk. Potentially more YG/HSS restrictions. • Changes: High operational impacts or disruption to process, worker recruitment, elector access likely in affected areas. • Disruption: Potentially significant disruption to workers and public with some restrictions on commercial and public activities. • Indicators: <ul style="list-style-type: none"> ○ significant number of new or active cases or wide community spread, or ○ significant restrictions on commercial, public, and personal activities and travel, or ○ significant compromise or risk to electoral operations or event delivery, or ○ significant compromise or risk to electoral participation. • Other: TBD 	<ul style="list-style-type: none"> • Measures: As per L2 with additional measures for health and safety, conduct of the vote, and electoral integrity. • Processes: Additional and some higher levels of process and policy changes. Some procedural, policy and potential statutory changes to support this level of response. • Key Focus Areas: Focus on risk mitigation and continuity of voting operations: <ul style="list-style-type: none"> ○ Public confidence in access to the vote. ○ Assessment of worker numbers and availability - fewer staffs will result in longer processing times. ○ Assessment of requirement to change processes or adapt the <i>Elections Act</i> as needed to conduct vote. ○ Public awareness of any changes to process, polling locations, voting options or timelines. ○ Controlled access to polling places with reduced capacity limits and/or increased line up separation. 	<ul style="list-style-type: none"> • As per L2 measures; with additional measures for health and safety and the conduct of the vote. • Expanded measures to control traffic flow, use of PPE and mask, physical distancing, and sanitization routines. • Additional signage and increased worker presence. • Expanded advertising, public outreach and awareness. • Consider sign in and contact info (as per restaurants and pubs). • Consider temporary closure of select polling places. • Consider merging op polls to reduce worker requirements. • Consider staff reductions at polling places • Consider additional day at advance and longer hours at ordinary polls to account for longer voting process. • Consider expanded access to special ballots; process or provision support for applications and return of special ballot timelines. • Consider reducing number of scrutineers at polls and limiting number of witnesses for count.