

JOB DESCRIPTION

Section 1 – Identifying Data

Position Number: 102468
Position Title: Chief Electoral Officer
Incumbent:
Supervisor's Title: n/a
Supervisor's Position Number: n/a

Department: Elections Yukon Office
Branch/Unit:
Location: Whitehorse, Yukon
Date Completed: February 14, 2018
Medical Clearance Required: No
Security Clearance Required: Yes

Section 2 - General Summary

The Chief Electoral Officer is a unique, stand-alone position appointed by the Commissioner in Executive Council without direct supervisory reporting relationship. Depending on the circumstances, the main reporting relationships are to the Legislative Assembly or to the Assembly's Members' Services Board. The rationale for this organizational structure in which the Chief Electoral Officer does not report to any individual (including the Premier, a Minister or the Speaker of the Legislative Assembly) is that the Chief Electoral Officer must be independent, neutral and non-partisan and work to ensuring the fair, equal, and impartial administration of elections and election finance reporting. This approach is reinforced by provisions that deny the Chief Electoral Officer the right to vote in elections conducted under either the *Elections Act* or the *Education Act*. As well, the *Elections Act* stipulates that the Chief Electoral Officer "shall refrain from any active or public support or criticism of any candidate or any political party endorsing a candidate."

The Chief Electoral Officer exercises overall direction and supervision of the administrative conduct of elections and by-elections of Members of the Yukon Legislative Assembly pursuant to the *Elections Act* and of trustees of school boards and members of school councils pursuant to the *Education Act*. This position provides logistical support, performs and conducts the operation of the Elections Office and provides technical expertise with respect to the administration of elections, formulation and amendment of legislation, and establishment of policies, guidelines and procedures concerning election activities. The position establishes and manages systems for data collection, geomatics and information maintenance. The Chief Electoral Officer is, by law, a member of the electoral district boundaries commission appointed following every second general election.

Section 3 – Principal Duties and Responsibilities

1. Provides leadership, direction, control and supervision over the administrative conduct of elections and by-elections of Members of the Yukon Legislative Assembly. [The responsibility for control over the conduct of elections is backed by provisions in the *Elections Act* giving the Chief Electoral Officer the power to issue compliance orders to any person or registered political party. These compliance orders, if filed with the Supreme Court, have the effect of a judgement of the Supreme Court. Also, the Chief Electoral Officer can make inquiries into situations where an offence under the *Elections Act* may have been committed and, when making such inquiries, the Chief Electoral Officer, or any person nominated by the Chief Electoral Officer, has the powers of a board constituted under the *Public Inquiries Act*.]
2. Determines how best to realize technological potential and opportunity while preparing for and running elections.
3. Provides leadership, direction, control and supervision over the administrative conduct of elections and by-elections of the elections of trustees of school boards and members of school councils pursuant to the *Education Act* and under the *Education Act*, appoints and directly supervises the returning officers for each of the education areas for school board elections and attendance areas for school council elections.
4. The Chief Electoral Officer, under the *Elections Act* is responsible for the appointment of the Assistant Chief Electoral Officer, returning officers, and assistant returning officers. The Chief Electoral Officer directly supervises the Assistant Chief Electoral Officer and the returning officers.
5. Enforces compliance with the *Elections Act* and the elections provisions of the *Education Act* by candidates, registered political parties, and election officers within the scope of each of those Acts. [The Chief Electoral Officer, to fulfill this responsibility, issues instructions to elections officers for the fair, impartial and effective execution of the *Elections Act* and the elections provisions of the *Education Act*.]
6. Conducts cross-jurisdictional research on election and election financing activities, and monitors judicial decisions that may affect Elections Yukon, and advises Members' Services Board as appropriate.

7. Performs all necessary functions in the service delivery of the Elections Office to ensure the efficient and effective development, implementation and delivery of elections services, including (a) establishment of policies, goals and objectives, capital and O&M budgets, human resource management plans and strategies, (b) identification of performance indicators and the development of supporting practices and procedures, (c) assignment of work, (d) evaluation of performance, and (e) the management of the financial operations of the Elections Office.
8. Maintains, manages and evaluates a system for data collection, geomatics and information management, including ongoing maintenance of the Register of Electors.
9. Maintains a state of election readiness by directing (a) the planning, organization and delivery of training programs for returning officers and assistant returning officers, (b) the establishment of polling division boundaries and the production of electoral district maps, (c) the development and production of procedural manuals for election officers, candidates and political parties, (d) the development and production of election documents including forms and other supplies (in French and English), and the printing of ballot papers, and routine distribution of Lists of Electors, (e) the planning for Yukon-wide, house-to-house enumeration, (f) the design of systems for a variety of voting methods, (g) the development and production of a communication plan for providing information to the public about an election, (h) the planning and arrangement for space acquisition for election purposes, and (i) the planning and implementation strategy for telecommunications services.
10. Provides leadership and management direction respecting annual and campaign election financing provisions in the *Elections Act*. Includes ensuring compliance by candidates and registered political parties with the Act, establishing directives, policies and guidelines for official agents of candidates and officials of political parties to follow, providing advice and direction to official agents and officials about their duties under the Act. The Chief Electoral Officer is also responsible for the production and tracking of receipts to be used by candidates or political parties for contributions of cash or negotiable instruments (these receipts are used for income tax purposes) and for valued contributions of goods and services.
11. Reports to the Legislative Assembly on (a) election results, (b) "any matter that has arisen in connection with the duties of the chief electoral officer that the chief electoral officer considers ought to be brought to the attention of the Legislative Assembly" (paragraph 317(a) of *Elections Act*), (c) "any amendments that, in the opinion of the chief electoral officer, are needed to improve the administration of elections" (paragraph 317(b) of *Elections Act*), (d) any action taken by the Chief Electoral Officer in respect of the apparent commission of an offence by an election officer or where the Chief Electoral Officer has suspended a returning officer, and (e) election financing including annual returns of registered political parties and campaign returns of candidates and registered political parties following elections.
12. As a member of an Electoral District Boundaries Commission (established after every second general election), participates with other Commission members in reviewing the existing electoral districts and making recommendations respecting the boundaries, number and names of the electoral districts of Yukon. The Chief Electoral Officer is expected to provide this Commission, when considering proposals and options, with professional insight as to the implications they would have for elections administration.
13. Provides technical assistance, expertise and advice to other governments, including First Nations governments, agencies and organizations that have responsibility for elections and participates in international election missions.

Section 4 – Contacts

Describe, in narrative form, the working relationships inherent to the success of the job.

- Contact with electors providing general and specific voter information on election issues.
- Contact with representatives of registered political parties and candidates (including leaders, presidents, campaign managers, officials and official agents) to exchange information, provide direction, and resolve issues/problems.
- Contact with officials of registered political parties and official agents of candidates respecting annual and campaign election financing provisions in the *Elections Act*.
- Contact with Members' Services Board to exchange information, present, and explain budget submissions.
- Contact with media representatives to provide information, participate in interviews, and distribute elections results for advertising.
- Contact with the Minister of Education to provide orientations on school elections, to provide information on the results of school elections and notice of vacancies that may exist on school boards and councils following elections, and to initiate orders made by the Minister respecting such things as election management, boundaries of education and attendance areas, the fixing of election dates, and the number of trustees (school boards) and members

(councils) to be elected.

- Contact with Department of Education staff and stakeholders including school councils and school administrators; Association of Yukon School Councils, Boards and Committees; Association franco-yukonnaise; Commission scolaire francophone du Yukon, Catholic Education Association of Yukon; and the Catholic Episcopal Corporation to exchange information and provide direction with respect to school elections.
- Contact with Members of the Legislative Assembly and caucus staff to exchange information concerning elections.
- Contact, as a member of the Electoral District Boundaries Commission, with the public, stakeholders, and other members of the Commission during the review of boundaries and activities, including public hearings, leading to reports to the Legislative Assembly.
- Contact with central agencies of Government of Yukon; includes Executive Council Office for Cabinet submissions; Justice for drafting legislation, regulations and Orders-in-Council; and French Language Services staff to exchange information and access translation services;
- Contact with Director, Administration, Finance & Systems, Legislative Assembly Office, regarding budgets, contracting, purchasing, personnel matters, and submissions to Members' Services Board;
- Contact with Legislative Assembly staff to provide direction regarding accounts payable, accounts receivable, IT issues, transportation and mail services;
- Contact with the Information and Privacy Commissioner to ensure compliance with the *Access to Information and Protection of Privacy Act*;
- Contact with Northwestel officials to ensure communication requirements of Elections Office and returning offices are met during the election period.
- Contact with the RCMP respecting law enforcement issues with respect to elections.
- Contact with First Nations governments, other governments and agencies to exchange information and provide resources and technical expertise with respect to election activities.
- Contact with colleagues in other jurisdictions to negotiate data and resource sharing, information and idea exchange, research new systems for data collection, geomatics and information management and provide/receive opinions on electoral issues. Includes participation with Elections Canada on the advisory committee on the National Register of Electors.
- Contact with staff of community agencies and groups to provide voter information and ensure adequate accommodation for special needs voters, including those in nursing/retirement homes, hospitals, and in the Whitehorse Correctional Centre.

Section 5 - Specific Accountabilities

What are the expected end results of this position, i.e. what are the impacts of performing the Principal Duties and Responsibilities?

The central impact of performing the principal duties and responsibilities properly is to ensure that Yukon elections are accepted by Yukon citizens as having been conducted fairly and equitably and that conduct is consistent with the legislation and relevant judicial decisions across Canada. When citizens have confidence that elections have been administered independent of interference, political or otherwise, and that the rights and privileges of electors have been protected, the validity of the election results are not questioned. This, in turn, leads to acceptance of the legitimacy of the MLAs elected and of the government that comes to power following an election. The electoral process, then, is a fundamental cornerstone of the democratic system of governance in Yukon and the fair, efficient and orderly administration of elections contributes greatly to the stability of our society.

Section 6 - Budget

1. a) What is the Annual Budget for the unit under the direct control of the position?

Fiscal Year	2018/19
O&M Budget	\$557,000.00 *
Capital Budget (excluding Payroll)	\$5,000.00
Revenues	n/a
Recoveries	n/a
*Budget changes significantly when a General Election is called	

- b) Does the position have the authority to reallocate resources, i.e. transfer budget funds? If yes, provide examples.

Yes, within approved budget.

2. If applicable, describe other expenditures or revenues influenced by this position and how.

Section 7 - Working Environment

Describe in narrative form the position's working environment, which can be generally favourable or include exposure to undesirable conditions.

The incumbent generally works in an office type environment. The environment is results-oriented, with peak periods that demand attention to multiple priorities within prescribed time constraints. Due to the delicate nature of the position, the incumbent's personal life is very much affected as it is always noted who the incumbent associates with. The incumbent must be very careful about expressing personal opinions on the government/Assembly/political affairs of the Yukon/country at social gatherings as the incumbent is not expected to have personal opinions on such matters which can be stressful. The incumbent travels outside the territory approximately 4 to 6 times per year, lasting 4-5 days per trip and within the territory 2 times per year, for approximately 3 days per trip.

The Chief Electoral Officer provides all services with a total staff component of two. This requires the Chief Electoral Officer to perform all aspects of the operation, including administrative activities.

Section 8 - Signatures

The above information on this description has been designed to indicate the general nature and level of work to be performed by the employee. It is not designed to contain or be interpreted as a comprehensive inventory of all duties and responsibilities assigned to this job.

<p><u>Supervisor:</u> I have reviewed (with the incumbent, where applicable) the duties and responsibilities assigned to this position.</p> <p>Supervisor: _____</p> <p>Date: _____</p>	<p><u>Incumbent</u> (where applicable): I have read the foregoing position description and understand that it is a general description of the duties assigned to the position occupied by me.</p> <p>Incumbent: _____</p> <p>Date: _____</p>
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Section 9 – Organization Structure

