



**Elections  
Ontario**

# **Scrutineer's Guide (F0411)**

Office of the Chief Electoral Officer  
Elections Ontario

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## Overview

In order to properly represent your candidate, it is important that you understand your rights and responsibilities as a scrutineer.

As a scrutineer, you have been appointed to represent your candidate at a poll. Your role as a scrutineer is to observe the electoral process, from before the poll opens until the poll closes, including the counting of ballots after polls close and the tallying of unofficial results.

You will provide the level of scrutiny necessary for a fair and transparent voting process. You will work closely with Elections Ontario poll officials, but you must never directly interact with electors. Additionally, it is important to understand that while you are at a voting location, the poll official who is in charge of the voting location has the final say in all matters regarding that voting location.

Finally, as a scrutineer, your main point of contact will be the candidate that you are representing, or the person they have appointed as a candidate's designate. Your candidate, or candidate's designate, will be the one to answer questions about dates, times, locations, and other logistical details.

## Part 1 - Introduction to Being a Scrutineer

This guide has been prepared to provide you with information about the electoral process in Ontario, and the role that you, as a scrutineer, will play. This guide is also designed to help you perform your duties as a scrutineer. The guide includes information about:

- who is eligible to become a scrutineer;
- how you become a scrutineer if you are eligible;
- your rights and responsibilities as a scrutineer;
- the different ways Ontarians can vote;
- your role in ensuring an election is fairly and properly administered; and
- unofficial results.

Your rights and responsibilities are governed by Ontario's *Election Act*. If any conflict arises between what appears in this guide and the provincial *Election Act*, the *Act* is deemed to be the exclusive authority with respect to the conduct of elections in Ontario.

### 1.1. What is a scrutineer?

A scrutineer is a person appointed to represent a candidate at a poll in a voting location.

### 1.2. Who can become a scrutineer?

If you are 16 years of age or older you may become a scrutineer and observe the process. Only scrutineers who are also qualified electors (over 18 years old, a Canadian citizen and a resident of Ontario) can raise objections or challenge electors. These duties are described in more detail in Part 2 - Rights and Responsibilities of Scrutineers.

### 1.3. How do I become a scrutineer?

A candidate or candidate's designate will appoint you as a scrutineer by completing and signing the **Appointment of Scrutineer (FO412)** form and providing it to you. You will need this form to gain access to voting locations.

## **1.4. Does my Appointment of Scrutineer (F0412) form need an original signature?**

No, your candidate or candidate's designate's original signature is not required on the **Appointment of Scrutineer (F0412)** form. Forms that contain photocopied signatures are acceptable.

## **1.5. What should I do to prepare for my role?**

Elections Ontario strongly recommends that, if you plan on acting as a scrutineer on polling day, you vote in advance either at an advance poll in your electoral district or by special ballot.

Plan your wardrobe carefully. You are not permitted to wear any item of clothing or accessory which identifies a political party or candidate (for example: logos, t-shirts, ribbons, colors that identify a political party or candidate, etc.) in the voting location.

## Part 2 - Rights and Responsibilities of Scrutineers

As a scrutineer, you should be aware of your rights and responsibilities. In this section, you will learn about what you are allowed to do as well as the rules you must adhere to as you carry out your duties.

### 2.1. What can I do as a scrutineer?

As a scrutineer, you have the right to:

- vote at an advance poll or by special ballot, if you are working on polling day
- initial the seals used to secure the ballot box or tabulator when they are being set up
- monitor the voting process at more than one location
- keep your communication devices, such as cell phones, pagers, and personal digital assistants, on your person, as long as they are set to silent or vibrate
- pick up the **Electors Who Voted on Polling Day (F0528)** forms from the appropriate candidate folder every half hour
- leave and return to the voting location while voting is occurring, however, you may not enter or re-enter a voting location once the polls have closed.
- challenge an elector through the poll official if you are a qualified elector (18 years of age or older, a resident of Ontario and a Canadian citizen)
- observe revision activities at all polls (note: objections to revisions are not allowed)
- write down candidate **unofficial** result totals once polls close after 9:00 P.M. (EST) on polling day for any poll where you are observing ballot counting or tabulation
- fill in temporarily for a poll official who has fallen ill, if asked to do so; however while acting in the capacity of a poll official, whether for a short duration or for the entire day, you cease to be a scrutineer. You may decline to serve as a temporary poll official.

As a scrutineer, you have the responsibility to:

- conduct yourself properly, and in a way that does not interfere with the administration of the poll or intimidate electors
- take and sign the oath of secrecy

- wear the Elections Ontario scrutineer label
- maintain a reasonable distance from the poll official
- keep the ballot counting and tabulating proceedings secret.

## 2.2. What can't I do as a scrutineer?

As a scrutineer, you cannot:

- speak to electors
- act as an interpreter
- touch ballots
- wear any candidate paraphernalia
- wear clothing, or colors that identify a political party or candidate
- reveal any information or knowledge about how an elector has voted
- interfere with or disrupt the voting process, or continually or repeatedly challenge electors
- place any materials on the poll official's table
- remove any forms from the poll official's table
- make or take calls, or send texts, on your mobile device while inside the voting location
- use your mobile device in a way that compromises the secrecy of the vote, or otherwise cause disruption to the voting process (i.e. taking videos or pictures at the polls, or posting any aspect of the voting process on social media).

## 2.3. What can I bring to a voting location?

As a scrutineer, you may bring your:

- mobile device
- meals and/or snacks (note: schools do not allow any products containing nuts, such as peanut butter)
- pen and paper
- purse and/or other personal effects



## Part 3 - Procedures at the Polls

### 3.1. Ways to Vote

There are many ways to vote in Ontario provincial elections. This section gives an overview of the options available to an elector to vote, and explains your rights and responsibilities during the voting process for each option.

The different voting options include:

#### 3.1.1. Polling Day

Polls are open from 9:00 A.M. to 9:00 P.M. (EST). On polling day, an elector can only vote in person at their assigned voting location. Electors receive a Voter Information Card (VIC) which informs them of their voting location. The VIC is delivered by mail through Canada Post.

#### 3.1.2. Advance Polls

These polls are opened in advance of polling day. Electors can vote at any advance poll in their electoral district.

There are two types of advance poll locations which are discussed in more detail in section 3.2.2:

- returning and satellite office(s) advance poll
- area advance poll

#### 3.1.3. Special Ballot

Electors who cannot vote on election day or at advance polls may be able to vote by special ballot. Electors have several options for voting by special ballot, including:

- in person at the returning and satellite office
- by mail
- by requesting a home visit under certain conditions
- through the Hospital Program, if it is during a general election and at a participating hospital

### 3.2. Voting Processes and Scrutineer Rights and Responsibilities

Scrutineers have different rights and responsibilities depending on the voting option that is being observed. These differences affect how you:

- interact with poll officials at the different polls; and

- position yourself at the poll.

The section below provides more details about your responsibilities for each voting option.

### 3.2.1. Polling Day Processes and Scrutineer Rights and Responsibilities

There are two different types of polls that will be used on polling day:

- polls that do not have technology; and
- polls that have technology.

In a poll without technology, all processes in the poll are manually conducted by the poll official. These polls make use of paper-based lists that include the name of the elector and their address. When an elector comes to the poll to vote, the poll official checks their ID, then manually looks through the paper list to verify the elector's information and marks them as having voted. Ballots are counted manually for polls without technology.

In a poll with technology, poll officials use two pieces of technology to automate manual processes. The first is an electronic poll book (e-poll book) which allows a poll official to quickly find an elector's information from an electronic list of electors and perform the necessary steps to issue a ballot. The second is a vote tabulator which automates the counting of ballots.

While there are some small differences in the processes between polls with and without technology, the basic procedures you follow as a scrutineer are the same.

#### What should I do when I arrive at the voting location?

When you arrive at the voting location, you will:

- sign in with the poll official—the Deputy Returning Officer (DRO) for each poll you are scrutinizing for polls without technology, or the Supervising Deputy Returning Officer (SDRO) at a poll with technology,
- present your **Appointment of Scrutineer (F0412)** form,
- take the oath of secrecy, and
- complete and wear the Elections Ontario Scrutineer Identification Label (includes your name and candidate's number).

The Elections Ontario Scrutineer Identification Label is the only identification you are allowed to wear in the voting location.

### **What do I do if I am acting as a Scrutineer at more than one voting location?**

If you are acting as a scrutineer in multiple locations, be sure to sign in with the poll official each time you go to a new voting location. You will have to present your **Appointment of Scrutineer (F0412)** form at each new voting location, as well as re-take the oath of secrecy, and complete a new identification label.

If you are returning to a voting location where you have already signed in with a poll official and taken the oath of secrecy, you can simply check in again with the poll official.

### **Where do I sit at the voting location?**

Generally, you are positioned slightly behind and to the side of the poll official. At polls without technology, you will sit behind a DRO or Poll Clerk, and at polls with technology you will sit behind either a DRO or a Revision Deputy Returning Officer (RDRO). This will allow you to see and hear the voting proceedings.

You may be seated so you can view how the poll officials are processing electors but you do not have a right to sit at the desk with officials.

### **How do I challenge an elector at a voting location?**

As a scrutineer, you have the right to challenge electors if you are a qualified elector (i.e. 18 years of age or older, a resident of Ontario and a Canadian citizen). If you are **not** a qualified elector, you may **not** challenge electors.

As a scrutineer, you may choose to challenge an elector for several reasons:

- you do not believe they are qualified to vote (if you believe they are not 18 years of age or older, not a resident of Ontario, or not a Canadian citizen)
- you believe they have already voted

If you want to challenge an elector, you must do so through the poll official you are sitting with. You are not allowed to speak directly to the elector.

The poll official in charge of the voting location you are scrutinizing will make the final decision about whether or not to challenge an elector.

You do not have the right to independently handle or inspect the documentation electors are providing. In addition, you may not ask

officials to stop what they are doing, or request that officials show you documentation or review it with them.

### **What is the Electors Who Voted on Polling Day (F0528) form?**

The **Electors Who Voted on Polling Day (F0528)** form is a list of electors who have voted on polling day, and it is provided to scrutineers by the DRO in a poll without technology and the SDRO in a poll with technology.

In a poll without technology, the form is a legal-sized sheet that is filled out by the DRO as electors vote, and is put into numbered folders that correspond to the candidate's number on the ballot.

In a poll with technology, the form is a regular-sized sheet that is put into numbered folders that are numbered to correspond to the candidates in that electoral district.

Poll officials will update these forms every 30 minutes, and place them in the numbered folders for you to pick up.

If you want to contact your candidate to provide an update about how many electors have voted at a voting location, you must step outside of the voting location to make the phone call.

As a scrutineer, you are responsible for the safekeeping of your copies of the **Electors Who Voted on Polling Day (F0528)** form. Please return all copies to your campaign office for proper disposal, and do not retain copies, or leave copies in public places.

### **3.2.2. Special Ballot In-Person Voting Processes and Scrutineer Rights and Responsibilities**

#### **What can I do at a returning office or satellite office?**

As a scrutineer, you may scrutinize in-person Special Ballot voting at returning offices and satellite offices from Day 5 to Day 1.

However, you cannot scrutinize advance poll voting at returning offices and satellite office prior to Day 5.

#### **What do I do at a returning and satellite offices for In-Person Special Ballot Voting?**

In-person Special Ballot voting takes place from Day 5 to Day 1 at returning offices and satellite offices.

When you arrive at a returning office or satellite office to scrutinize In-person Special Ballot voting, you must:

- sign in with the Special Ballot Officer (SBO),
- present your **Appointment of Scrutineer (F0412)** form,
- take the oath of secrecy, and
- complete and wear the Elections Ontario Scrutineer Identification Label (includes your name and candidate's number).

During In-person Special Ballot voting at returning offices and satellite offices, you, as a scrutineer, may observe the casting of ballots. You may also challenge electors, through the poll official you are sitting with.

As a scrutineer, you may choose to challenge an elector for several reasons:

- you do not believe they are qualified to vote (if you believe they are not 18 years of age or older, not a resident of Ontario, or not a Canadian citizen)
- you believe they have already voted

At returning office and satellite office advance polls, there is no **Electors Who Voted on Polling Day (F0528)** form available to scrutineers.

### **What happens at a returning office and satellite office at the end of the day during In-person Special Ballot Voting?**

For In-person Special Ballot voting (Day 5 to Day 1), returning offices and satellite offices are open from:

- 10:00 A.M. to 8:00 P.M. (EST) on Day 5,
- 12:00 P.M. to 5:00 P.M. on Day 4,
- 10:00 A.M. to 8:00 P.M. on Days 3 and 2, and
- 10:00 A.M. to 6:00 P.M. on Day 1.

At the end of the day, after each day of voting, the vote tabulator is powered off. The vote tabulator is then put in a safe and secure location. The tabulator is then used to tabulate the ballots that have been cast during the In-person Special Ballot voting after 9:00 P.M. (EST) on polling day, when all polls have closed.

### **What do I do at an area advance poll?**

Area advance polls are similar to returning office and satellite office advance polls, however, there are several important differences. Area advance polls are open for fewer days, and do not include assistive voting technology (AVT).

When you arrive at an area advance poll, you must:

- sign in with the poll official,
- present your **Appointment of Scrutineer (F0412)** form,
- take the oath of secrecy, and
- complete and wear the Elections Ontario Scrutineer Identification Label (includes your name and candidate's number).

Area advance polls are also set up differently. There are three tables, each with its own poll official. You are able to observe the voting process at each table, however you must show your appointment form to the poll official and take the oath or affirmation of secrecy with each poll official the first time you would like to observe the voting process at their table.

At area advance polls, you may observe the voting process. You may also challenge electors if you are a qualified elector (i.e. 18 years of age or older, a resident of Ontario and a Canadian citizen). If you are not a qualified elector, you may not challenge electors.

As a scrutineer, you may choose to challenge an elector for several reasons:

- you do not believe they are qualified to vote (if you believe they are not 18 years of age or older, not a resident of Ontario, or not a Canadian citizen)
- you believe they have already voted

If you want to challenge an elector, you must do so through the poll official you are sitting with. You are not allowed to speak directly to the elector.

### **What happens at the end of the day for an area advance polls?**

Area advance polls are open from 10:00 A.M. to 8:00 P.M. (EST) during the election period. At the end of each day, the vote tabulator is shut off.

The box that holds the ballots that have been processed by the vote tabulator that day will be removed and placed in an Accepted Ballot Envelope (F0001).

The Accepted Ballot Envelope (F0001) will be sealed and provided to the Advance Poll Supervising Deputy Returning Officer for delivery to the returning office. If you are present at the end of the day, you can watch the procedure and you can choose to initial the sealed envelope. All Accepted Ballot Envelopes are held in a safe and secure location until polls have closed at 9:00 P.M. (EST) on polling day, when all votes will be tabulated.

## Part 4 - Election Night

### 4.1. What happens when polls close on polling day?

All polls in Ontario provincial elections and by-elections close at 9:00 P.M. (EST). At the end of the day, once all of the electors who have entered the voting location prior to 9:00 P.M. (EST) have voted, poll officials will ensure that all electors have left the voting location and lock the doors.

As a scrutineer, be sure to arrive before 9:00 P.M. (EST) if you want to observe the closing of the poll. You may not enter or re-enter a voting location after the polls are closed and the count has started.

Once polls close on election night, ballots are counted. Results are generated either by a manual count by poll officials for voting locations that do not use technology, or by vote tabulators in all polls where technology is used. All results are then phoned in to the returning office by the poll officials. These unofficial results are immediately made available to scrutineers and candidates who are present for the count or tabulation, and are posted on the Elections Ontario website and shared with the public. Results reported on polling night are unofficial and are provided as a public service.

The date and time of the official tabulation is printed on the **Notice to Voters (F0230)**. Your candidate will share this information with you. The candidate or their designate may be present at the official tabulation, which is held at the returning office. The ballot statement that recorded the totals for each candidate is used to compile the official poll results. If no one applies for a judicial recount, the Returning Officer submits the official return to the Chief Electoral Officer at Elections Ontario headquarters seven days after the official tabulation.

#### 4.1.1. What happens when ballots are counted in a poll without technology?

Ballot counts are performed by the DRO. The counting process is also observed by poll officials, as well as candidates or their scrutineers.

When counting the ballots, the DRO will open the ballot box in full view of everyone present, and then empty the contents of the ballot box onto a table for sorting and counting.

Ballots are sorted into three piles: accepted or valid ballots, rejected ballots, and unmarked ballots. It is up to the DRO to determine which category a ballot falls under.

You, as a scrutineer, may object to ballots at this point, and the DRO will make a note of any objections. The DRO has the final say on whether to accept or reject a ballot.

The DRO will have separate envelopes for valid, rejected, and unmarked ballots. Once the DRO has counted the piles of ballots, they will be placed in their respective envelopes and the DRO will write the number of each type of ballot on the corresponding envelope.

The DRO will then complete the **Unofficial Ballot Count for Scrutineers (F0529)** form, which includes the count for accepted ballots for all candidates in that electoral district, as well as the counts for rejected and unmarked ballots from that voting location.

#### **4.1.2. What do I do while ballots are counted in a poll without technology?**

If you are present, you may observe the entire counting process, from the unsealing of the ballot box to the final completion of the **Unofficial Ballot Count for Scrutineers (F0529)** form.

You may also object to ballots as the DRO is counting them. Common reasons to object to a ballot include:

- The ballot is unmarked,
- The ballot has been marked in more than one circle corresponding to a candidate
- the ballot is marked **ONLY** on the black printed area (i.e., not in a circle corresponding to a candidate), or
- the ballot is written on or marked in such a manner as to identify the voter.

The DRO will make a note of any objections, however, the DRO has the final say on whether to accept or reject a ballot.

Once you have received the unofficial count from the DRO, you may let your candidate know about the results. Please return your copy of the unofficial count to your campaign office for proper disposal, and do not retain copies, or leave copies in public places. Remember that this is the unofficial count, and that the official count will not be released until the return of the writ.



#### **4.1.3. What happens when ballots are tabulated in a poll with technology?**

Ballot tabulation is performed by the vote tabulator, and is overseen by the Tabulator Deputy Returning Officer (TDRO). The tabulation process is also observed by poll officials, as well as candidates or their scrutineers.

When tabulating the ballots, the TDRO will operate the tabulator which will print out the unofficial results for the voting location. The TDRO will then tape a copy of the unofficial results to the wall for you and any other scrutineers or candidates to view.

This process also applies to ballots cast at a returning office or satellite office advance polls, which are tabulated after 9:00 P.M. (EST) on polling day at the returning office. You may be present at the returning office for the tabulation of ballots cast at returning office and satellite office advance polls.


#### **4.1.4. What do I do while ballots are tabulated in a poll with technology?**

If you are present, you may observe the entire tabulation process while the TDRO operates the vote tabulator and then posts the unofficial results.

Since the vote tabulator processes the ballots, you are not permitted to object to a ballot or the count.

Once the TDRO has posted the unofficial count, you may let your candidate know about the results. Remember that this is the unofficial count, and that the official count will not be released until the return of the writ.

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