



CITY COUNCIL AGENDA REPORT

MEETING DATE: September 19, 2006

ITEM NUMBER: **IX - 3**

SUBJECT: Election Day Poll Workers Program

DATE: September 11, 2006

FROM: City Manager

PRESENTATION BY: Julie Folcik, City Clerk

FOR FURTHER INFORMATION CONTACT: Julie Folcik, City Clerk (714) 754-5221

RECOMMENDATION:

Approve and authorize the City Manager to implement a program authorizing certain City employees to serve as volunteer poll workers for the City's General Municipal Elections.

BACKGROUND:

The Orange County Registrar of Voters Office, is responsible for arranging, each election cycle, the "volunteers" that are to be utilized on the election board at each polling location throughout Orange County. For the November 7, 2006 General Municipal Election, there will be 1059 polling places in Orange County and of those there are 32 polling locations within the City of Costa Mesa; 29 polling places will have more than one precinct board located at the site.

Each precinct election board is required to be staffed with a minimum of four (4) people (an inspector and three clerks). It is especially important to have individuals who are bilingual in Spanish, Vietnamese, Chinese or Korean to volunteer. To assist with this tremendous effort a program has been established by the County utilizing County employees as poll workers. In 2004 the City of Costa Mesa first approved the City Poll Worker Program for the November General Municipal Election held that year and a few employees responded to the call.

Modeled after the State program established in 2001, and pursuant to Government Code Section 19844.7(ATTACHMENT #1), the County of Orange implemented a program (ATTACHMENT #2) by which County employees could volunteer to serve as precinct board members and they would not forfeit any vacation time nor salary for the service on election day. The eligibility was based on the approval of the employee's manager so as to not impact the department's operations and to maintain adequate staffing levels.

ANALYSIS:

The Orange County Registrar of Voters is responsible in arranging for over 7,000 qualified polling workers to work at the precincts on Election Day. It was reported that at each election cycle it becomes increasingly difficult to find the volunteers who are willing/able to serve (currently the average age of a precinct worker is 72 years of age). The County implemented their employee poll worker program in an effort to not only supplement the shortage of constituent volunteers but to meet a goal to guarantee a government worker at each polling location to assist the other poll workers. It is reported that in the upcoming election cycle that approximately 1000 county workers will be trained as part of this program however, an additional 500 workers (City or County) is needed through out the County to adequately staff each polling location and to provide for support personnel.

The cities throughout the County were approached to be a part of the solution by considering and adopting similar programs to that of the State and County, whereby city employees may volunteer their time to work at a polling location.

The program would require an employee that wishes to volunteer to first acquire the approval of their immediate supervisor, which is necessary in order to maintain basic services and adequate coverage. Assignments that require the City to bring in personnel on an overtime basis to fill shifts and part-time employees would not be granted permission to participate in this program. If approved the "volunteer" would be required to attend a three hour training course and to work a full day at an assigned polling site (typically a 14 hour day) within the City of Costa Mesa. The approved "leave of absence" would be similar to that of jury duty in that vacation time would not need to be utilized by the volunteer/employee for their required training (if taken during regular business hours) and service. In addition, the stipend paid by the County (\$50.00 for clerk or \$70.00 for an inspector and \$20.00 for training) will not need to be forfeited to the City. County verification would be required for participating employees showing proof of service in order to receive the normal pay for the date worked. Since this would be a voluntary program no overtime would be paid to the employee for anytime past the regularly scheduled hours.

ALTERNATIVES CONSIDERED:

The City Council may alternatively decide not to approve this program.

FISCAL REVIEW:

There will not be a fiscal impact on the City except for the approval of those city employees' "leave of absence" request, in which case the city is providing a full day's pay for that employee approved for "volunteering" for the election-day. The number of

volunteers is unknown at this time. During the 2004 General Election, two employees participated in the poll worker program. Therefore, the cost to the City was minimal.

LEGAL REVIEW:

The City Attorney's Office has reviewed the report for appropriateness.

CONCLUSION:

Each election cycle we as voters are reminded of the importance of making our vote count whether it is for local, state or federal issues. In administrating the practices that make the democratic process great we must also understand all that it takes to continue to make this process accessible. The City wishes to take a proactive approach in providing some assistance in this important democratic process by assisting the Orange County Registrar of Voters with the approval of this City Employee Volunteer Poll Worker program for future General Municipal Elections. It is also requested that the City Council encourage our local constituency to become involved by not only voting but also by volunteering as poll workers on election-day.



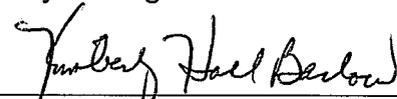
JULIE FOLICK
City Clerk



ALLAN ROEDER
City Manager



THOMAS R. HATCH
Assistant City Manager



KIMBERLY HALL BARLOW
City Attorney

DISTRIBUTION: City Council
City Manager
Assistant City Manager
City Attorney

ATTACHMENT: 1. California Code Section 19844.7
2. County Poll Worker Information

California code governing state employees
being given time off to serve on a precinct
board.

19844.7. (a) Pursuant to regulations adopted by the Department of Personnel Administration, and subject to the collective bargaining agreement between the state and the employee's exclusive representative, a state employee who has been appointed as a member of a precinct board and takes time off from state employment to serve as a member of that precinct board on election day shall receive payment of his or her regular wages or salary for that election day, without forfeiting any compensation received for his or her service as a precinct board member. As used in this section, "state employee" does not include any officer or employee appointed or employed by the Legislature, or any officer, deputy, or employee selected or appointed by an elected state officer.

(b) The eligibility of a state employee to receive time off for the purposes of subdivision (a) shall be subject to approval of the employee's manager or supervisor and pursuant to the terms of the collective bargaining agreement, when applicable.

(c) The Department of Personnel Administration shall adopt regulations to implement this section. The regulations shall include, among other things, consideration of such items as the impact of the employee's absence on state services and operations and the documentation necessary for a state employee to establish that he or she has taken time off from state employment to serve as a member of a precinct board and is therefore eligible to receive his or her regular wages or salary as provided in subdivision (a). The regulations required by this section shall be drafted and adopted as soon as practicable.

Attachment I
**County Employee Volunteers as
Election Day Poll Workers Program**

Background:

On January 8, 2002, the Board of Supervisors adopted the County Employee Volunteers as Election Day Poll Workers Program (County Poll Worker Program). Its primary objective is to provide a pool of trained, skilled and motivated County employees to serve as poll workers on Election Day in order to ensure that the polls are adequately staffed. The program's inaugural election was the 2002 March Primary Election. The goal for the 2002 March Primary Election was to recruit 500 County poll workers with the expectation that it would ultimately be increased to 10%, or approximately 1,700 County poll workers from the County workforce, for all future elections.

The County fell short of its initial goal, netting 307 volunteers for 2002 March Primary Election. In subsequent elections, the County, again, fell far short of its goal of 1,700 County poll workers, netting only 840 for the 2002 November General Election and 486 in the recent 2004 March Primary Election.

The Board, as part of their direction on January 8, 2002, directed the Registrar of Voters to closely monitor the County Poll Worker Program and evaluate its effectiveness and recommend appropriate changes based on the outcomes of the evaluation.

Proposed Intent:

The County Poll Worker Program is intended to meet the Board of Supervisor's primary objective to assist the Registrar of Voters in obtaining a stable pool of poll workers for Election Day in order to ensure that each polling place operates efficiently and courteously, while complying with all election laws.

Objectives:

The primary objective of the amended County Poll Worker Program is to increase the participation of County employees by providing two scheduling alternatives for their consideration. By offering both a Full Day shift and a Split Day shift, as options, the Registrar of Voters hopes to increase the participation of County employees on Election Day. This amendment is expected to assist in meeting the programs initial goal of providing a sufficient number of County employee volunteers as Election Day poll workers, while increasing the chances of being able to provide at least one County employee at each polling place throughout the day on Election Day.

Additionally, it is the objective of this program to provide a pool of highly trained individuals to serve on the Registrar of Voters' "A-Team," which backfills poll worker cancellations at undeterminable locations. County employees will also be utilized as

Election Day area coordinators. These individuals provide oversight to a fixed number of polling locations throughout the day.

To assist the Registrar of Voters in meeting a goal of having 10% of the County workforce serve as poll workers on Election Day, the County Executive Officer will present each department head with a target number of volunteers needed from each perspective department and will work to ensure that each target is being met.

The utilization of County employees to help staff polling places is designed to achieve the following advantages:

- Provide for a consistent pool of staff at polling places on Election Day that can be depended on and built upon for each election;
- Increase and strengthen the availability of bilingual poll workers; and
- Provide the ability to place more Election Day coordinators in the field to handle difficult situations at the polls and to assist in poll closing procedures as necessary.

Eligibility Criteria:

Volunteers must be U.S. citizens and registered voters. The ability to read and speak English is mandatory. The ability to speak Chinese, Korean, Spanish or Vietnamese is desirable.

In addition to this criteria, County employees must obtain appropriate permission from their direct supervisor prior to training.

Polling Place Options and Hours of Service:

The polls are open to voters from 7 a.m. to 8 p.m. on Election Day. County poll workers have two options from which they can choose to serve as a poll worker on Election Day.

Option 1 – Full Day

The first, and most desirable option, is for the poll worker to serve the entire shift, which would begin at 6 a.m., allowing sufficient time to adequately prepare the polling place, and conclude by 9:30 p.m. [noting that the time it takes to properly close the polls will vary from polling place to polling place]. Each poll worker is required to stay until the polls close, the necessary paperwork is complete and is signed out by the poll inspector. The poll inspector and one other poll worker are required to transport the voted ballots and supplies to a collection center for return to the Registrar of Voters office.

Each County poll worker, who chooses option one, will receive a total of 90-minutes of break time during the approximately fourteen (14) hours of service.

Option 2 – Split Shifts

County poll workers will have the option to work one of two split shifts, noting that certain restrictions will be in place to guarantee that the entire shift is adequately covered. Shifts have been split into a morning shift, which begins at 6 a.m. and concludes at 3 p.m., assuming that the person signed up for the afternoon shift has arrived, and an evening shift which begins at 3 p.m. and concludes at 9:30 p.m. [again, noting that the time it takes to properly close the polls will vary from polling place to polling place].

County employees opting to work the 6 a.m. to 3 p.m. 9-hour shift (morning shift) must recruit a "partner" to work the 3 p.m. to 9:30 p.m. 6 1/2-hour shift (evening shift). In the event the evening shift poll worker fails to show up and relieve the poll worker from the morning shift, the morning shift poll worker agrees to stay and complete the evening shift.

Poll workers that opt for the split shift will receive a total of forty-five (45) minutes of break time during their shift.

The Split Shift option is modeled after the Los Angeles County Employee Poll Worker Program and has been modified based on information provided to the Registrar of Voters by current Los Angeles County program administrators.

Training:

County poll workers will be required to attend one mandatory 3-to-4-hour training class that will include information and materials on County election policies and procedures as well as how to properly operate the electronic voting devices. As necessary, County employees will be released, on County time, to attend this training without the loss of compensation. In 2002, County employees had requested that they be provided the flexibility to attend an alternative training during non-working hours. The Registrar has modified the program to allow for this and has found that this flexibility has enhanced its ability to adequately accommodate each individual's desire and schedule.

In previous elections, the Registrar of Voters conducted approximately 350, 3-to-4-hour training classes during the month preceding a countywide election. The Registrar is looking to expand the number of opportunities for County and non-County poll worker training to approximately 800 training classes, which will be implemented for the November 2004 General Election. Options regarding training dates, times and locations will be provided to each employee who participates in the program. Each County employee, who completes the required training, will receive a \$20 stipend.

Poll Worker Position and Duties:

Each polling place is required to be staffed with a minimum of four (4) poll workers, which includes a poll inspector who serves as the lead poll worker for that specific polling place.

Duties include setting up the polling place, directing voters to sign in, issuing ballots and/or access codes, explaining how to use the direct record electronic voting system, answering voters' procedural questions and closing the polls at the end of the voting day. County poll workers will be provided a full description of each poll workers duties and responsibilities during the training sessions.

Election Day Assignment of Location:

The assignment of the polling location to be staffed on Election Day will be based on the areas of most critical need (i.e. polls located where less than three poll workers are assigned or polls needing bilingual assistance). It is anticipated that, in virtually every case, the assigned poll location would be within ten (10) miles of the employee's residence. This may not be the case, however, for County poll workers who volunteer to be on the "A-Team," which covers cancellations at undeterminable locations.

Compensation:

Each County employee who faithfully fulfills the agreed upon shift will receive their regular workday compensation for serving on Election Day as a poll worker, inclusive of any special pay (i.e., premiums, shift differentials, etc).

Each County employee will have the option to choose from one of two shift options for working at a polling place. The options, as stated earlier are as follows:

1. Full Day – 6 a.m. to 9:30 p.m.
2. Split Shift – 6 a.m. to 3 p.m. (Morning Shift) or 3 p.m. to 9:30 p.m. (Evening Shift)

Typically, option one will result in a 12-14-hour workday. County employees choosing option one will receive their regular workday compensation, as well as an additional \$50 stipend.

County employees opting to fill one of the split shifts option will receive their regular workday compensation and an additional \$25 stipend. Should the County poll worker who is scheduled to work the evening shift fail to show up, thereby forcing the morning shift poll worker to cover both shifts, a full day stipend of \$50 will be paid.

Each County employee will sign a release form stating any hours provided to support a polling place over and above those associated with their regular workday compensation are strictly volunteer hours and that the employee will not claim these hours as overtime.

Acceptance as a Volunteer:

Acceptance as a County poll worker is contingent upon meeting the eligibility criteria stated above and whether or not the potential volunteer has a critical job assignment (i.e.,

staffing a 24/7 operation, a single person assignment, or a crucial work load to be determined by the potential volunteer and their direct supervisor).

Each County Department is expected to allow a sufficient number of its staff, as determined by the CEO, to participate in all elections, provided there are no significant impacts to the department operation.

This program will continue to be evaluated for its effectiveness and appropriately amended based on the outcomes of the evaluation.