

DIRECTIVE 2010-55

June 17, 2010

TO: All Boards of Elections

RE: Performance Standards for Poll Workers

In order for boards of elections to determine if a poll worker should be reappointed, retrained or removed, boards should monitor and assess the performance of poll workers for each election. As a base line, initial criterion of successful monitoring and assessment of poll worker performance, all poll workers must meet the two criteria below under the heading, "Training of Poll Workers" to be eligible to continue service to a subsequent election.

TRAINING OF POLL WORKERS

- Before serving at an election, each new poll worker must be trained, and each returning poll worker and presiding judge must be trained, as outlined in R.C. 3501.27(B).
- All poll workers appointed by boards of elections must comply with Ohio ethics laws and the provisions of the Secretary of State's Ethics Policy applicable to them. (*in accordance with SOS Directive 2007-35*)

To ensure that the performance of poll workers can be fairly and consistently assessed, all boards of election are hereby directed to adopt performance standards for their poll workers. To assist boards with this task, this directive provides the minimum standards a board must use for monitoring and assessing the performance of its poll workers as a means to ensure the public that poll workers have met the board's minimum standards in performing their duties for the public. Each performance standard to be monitored and assessed should be verifiable by documentation to ensure fairness and to promote accountability to the public.

MONITORING AND ASSESSING POLL WORKERS' PERFORMANCE

The following activities and responsibilities at a minimum must be monitored and documented according the standards listed for each as a means to assess poll workers' performance at an election. The attainment of these standards shall constitute a basis for determining poll worker retention for subsequent elections. The requirements for training, monitoring and assessment apply to any individual who is or is to be compensated as a poll worker at any election, regardless of location of the polling place in a county.

Opening of Polling Places

- Did poll workers report the absence of a poll worker by the time determined by BOE (*in accordance with R.C. 3501.31*)?
- Prior to opening polls, did poll workers print and appropriately sign a zero tape(s) (*in accordance with BOE instructions*)?
- Is the oath statement document signed (*in accordance with R.C. 3501.31*)?
- Did the polling place open on time (*in accordance with R.C. 3501.32*)?

Reporting of Problems

- Did poll workers follow required procedures for reporting voting machine/device malfunctions to BOE (*in accordance with SOS Directive*)?
- Did poll workers follow required procedures for reporting if/when the ballot supply ran low to BOE (*in accordance with SOS Directive*)?

Handling of Provisional Ballots

- Were provisional ballots properly issued to voters (*in accordance with BOE instructions*)?
- Were poll worker sections on provisional ballot envelopes properly completed and signed (*in accordance with BOE instructions*)?

Closing of Polls

- Did polls remain open until required time (*in accordance with R.C. 3501.32 or court order if applicable*)?
- Prior to closing each voting machine, was a summary report printed and appropriately signed (*in accordance with BOE instructions*)?
- Were voting devices/machines properly closed (*in accordance with BOE instructions*)?

Reconciliation after Polls are Closed

- Were the number of voters reconciled with the number of signatures in the poll book (*in accordance with SOS Directive*)?
- Did the number of ballots voted match the number of signatures in the poll book (*in accordance with R.C. 3505.26*)?
- Did the number of ballots issued (includes voted, provisional and soiled), plus the number of unused ballots, equal the number of ballots received from the BOE (*in accordance with SOS Directive*)?
- If unable to reconcile, was a satisfactory explanation provided to the BOE for any discrepancy (*in accordance with R.C. 3505.26*)?
- Was the reconciliation certification document signed (*in accordance with R.C. 3505.26*)?

Maintaining Chain of Custody and Security

- Was the chain of custody form properly completed and signed (*in accordance with SOS Directive*)?
- Were transport containers returned to BOE properly sealed/locked in accordance with board instructions (*in accordance with SOS Directive*)?
- Were all ballots (voted, provisional, soiled, and unused), poll books and other election materials properly returned in accordance with board instructions (*in accordance with R.C. 3505.31*)?
- Were all Voter Verifiable Paper Audit Trails (VVPATs); Memory Cards (PCMCIAs); Personal Electronic Ballot cartridges (PEBs); Mobile Ballot Boxes (MBBs) and/or eCM tokens properly returned (*in accordance with BOE instructions*)?

HOW TO ASSESS WHETHER POLL WORKERS HAVE MET MINIMUM STANDARDS

- Prepare a checklist of the activities and responsibilities to be monitored for each precinct/polling location in order to meet minimum standards as set by board policy (above activities and responsibilities must at a minimum constitute the minimum standards of a board of elections' poll worker performance standards).
- Determine if the minimum standards set by the board can be monitored for each poll worker, or if some cannot be individually monitored, which activities and responsibilities are shared by all poll workers in a precinct for monitoring and assessment purposes.
- Inform and share checklist of activities and responsibilities to be monitored with poll workers prior to Election Day, including which activities and responsibilities will receive a shared score for all poll workers for each precinct/polling location.
- Determine a "range of score" from the monitoring checklist that the board has determined is required for the retention of a poll worker (e.g.: 15 of 20 items completed timely/correctly).
- Determine a "range of score" from the monitoring checklist which requires retraining of a poll worker for a subsequent election (e.g.: 10 to 15 items completed timely/correctly).
- Determine the "score" from the monitoring checklist for which the board has determined that a poll worker should be removed or not reappointed as a poll worker (e.g.: less than 10 items completed timely/correctly).
- Following an election, prepare a report listing the number of the items completed timely/correctly and items not completed timely/correctly for each poll worker and also for each precinct/polling location.
- Review the report with board members at a board meeting prior to the subsequent election; the report should be accompanied by recommendations on poll worker recognition, retention, retraining, removal and reappointment.
- Board members should vote separately as to the questions of whether to adopt the report and the recommendations.
- Board members must make determinations individually or collectively regarding poll worker recognition, retention, retraining, removal and reappointment, based on the performance standards as adopted by the board. The board may assign to the director and deputy director the responsibility for making such determinations.

The purpose of monitoring and assessing poll worker performance is to encourage consistent application of the federal and Ohio Election Laws throughout the state, to provide the public with the assurances of minimum poll worker performance, and to provide for the consistent and fair treatment of the state's tens of thousands of poll workers at any given election. Fair assessment of poll workers, according to minimum standards, permits boards of elections to identify areas of focus for poll worker training to detect and prevent consistent errors that may deter full voter participation and a fair and efficient election.

If you have any questions concerning this directive, please contact one of the election administrators in the Secretary of State's office. Many thanks to the members of the work group from the state's various boards of elections who assisted with the development of these standards and this directive.

Sincerely,

Jennifer Brunner