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**Official Report
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Monday 7 February 2005

**Journal
des débats
(Hansard)**

Lundi 7 février 2005

**Standing committee on
social policy**

Accessibility for Ontarians with
Disabilities Act, 2005

**Comité permanent de
la politique sociale**

Loi de 2005 sur l'accessibilité
pour les personnes handicapées
de l'Ontario

Chair: Mario G. Racco
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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
SOCIAL POLICY**

**COMITÉ PERMANENT DE
LA POLITIQUE SOCIALE**

Monday 7 February 2005

Lundi 7 février 2005

The committee met at 1010 in Valhalla Inn, Thunder Bay.

ACCESSIBILITY FOR ONTARIANS WITH
DISABILITIES ACT, 2005

LOI DE 2005 SUR L'ACCESSIBILITÉ
POUR LES PERSONNES HANDICAPÉES
DE L'ONTARIO

Consideration of Bill 118, An Act respecting the development, implementation and enforcement of standards relating to accessibility with respect to goods, services, facilities, employment, accommodation, buildings and all other things specified in the Act for persons with disabilities / Projet de loi 118, Loi traitant de l'élaboration, de la mise en oeuvre et de l'application de normes concernant l'accessibilité pour les personnes handicapées en ce qui concerne les biens, les services, les installations, l'emploi, le logement, les bâtiments et toutes les autres choses qu'elle précise.

The Acting Chair (Mr. Jeff Leal): We'll bring this meeting of the standing committee on social policy to order. Good morning, and welcome to the public hearings in Thunder Bay by the standing committee on social policy for Bill 118, the Accessibility for Ontarians with Disabilities Act.

I'd like to point out some services provided to improve the accessibility of these hearings. In addition to French-language interpretation, the meeting is provided with closed captioning, and sign language interpreters are available as required. We also have two support services attendants available for anyone in the audience who may have special personal assistance needs during the day.

These hearings are being taped so that they may be broadcast across the province. Today's meeting will be broadcast on the parliamentary channel on cable TV on Wednesday, February 9. There will be a Web-cast the same day. The Web-cast is available at www.ontla.on.ca, and all meetings will be archived for the month of February.

We're waiting for the Chairman, Mario Racco, to come. I guess he's been delayed somewhat. I'm Jeff Leal, the member for the riding of Peterborough. We'll commence this morning's proceedings. We'll have 15 minutes per presentation, and any time left over will be available for questions on a three-party rotation basis.

TRACY LYNN HURLBERT

The Acting Chair: First of all, I'd like to welcome Tracy Lynn Hurlbert. Good morning, and welcome to our proceedings. I'm glad you're with us today.

Ms. Tracy Lynn Hurlbert: Thank you. I'm glad to be here today. I'm actually representing myself here and my little sister, who also has a disability. Some of these things may also be of interest to other people with disabilities in wheelchairs.

One of the main problems I've been having lately is with the city of Thunder Bay, with the bus stops not being cleared out in the wintertime. My bus stop has been cleared out once—actually, twice now—all winter. Being in a wheelchair, I'm the one who's clearing it out. I have MS, I've got asthma, I've got one hand that works, and I'm the one who has to clear out the bus stop in front of my house so I can access the bus. I'm just thinking, I know there are other people here who live in areas that are also underserved by bus clearing. It's kind of scary thinking that we have this equal access to get on the buses, but we have no way of getting to where the buses are going to pick us up.

I realize that this year we did have a lot of snow, but my bus stop wasn't cleared out until more than five days after the last snowfall. I understand that the city was behind in their snow clearing, but there are some things that have to come first, and one is access for people with disabilities. In an area where there are seven people in wheelchairs using the buses, you'd think that would be a priority area. I know they can't have every area as a priority, but still, when there's a person who uses the bus every day, and there are a couple of other people in wheelchairs who use the bus every day, this area should be kept cleared.

The city sidewalk actually wasn't even cleared out until Friday. I had to phone the mayor's office to get it cleared out. When they did it, they did a really good job, but I shouldn't have to call the mayor's office to get something like that done. I had no access at all to the street from my house. I made the mistake of getting off the bus a couple of stops early so I could go to the store, got up to my place and discovered I couldn't get on the sidewalk. I stood out there and I stood out there and I walked around and I tried to figure out some way to get on my sidewalk. My neighbour had to come and shovel me out. I'd been outside for about half an hour at that time, just trying to get into my own home. Everybody

else takes for granted that you can get on the sidewalks and get home even through a little bit of snow, but these power wheelchairs are not built to go through the snow. You get an inch and a half of snow and that's about it; you're stuck. Sometimes, there's ice under there too, and you could fall down and get injured. Just because you're in a chair doesn't mean you can't fall over.

It's pretty ridiculous to expect me to shovel out my bus stop, and that's basically what I was told by one of the transit people when I phoned the manager. I was told, "Well, can't you get someone to clear it out for you?" I'm supposed to pay somebody to clear out my bus stop? I'm on a disability pension; I don't have a lot of money. I shouldn't be expected to pay for someone to clear out my bus stop, when nobody else has to.

One of the other things I noticed also recently is when my little sister gets on the bus. She can't talk; she uses a computer to talk. She says that a lot of people are very impatient with her, including bus drivers. When she complains to management, management just says, "You should have an attendant with you." She doesn't need an attendant with her. She's mentally fine. She lives in a group home, and if she weren't mentally fine, they would make the decision for her that she couldn't use the buses. But she's perfectly fine; she's capable of using the buses. She knows when to get off. She keeps getting hassled by drivers to bring someone with her. She says it's getting embarrassing when she gets on the bus and the drivers all go, "Ugh," because she takes a while to get on. That makes her take a lot longer, because she's got cerebral palsy. You get nervous with any disability. If you get nervous, it does take you a while longer to get on the bus. There's one driver in particular with whom it takes her almost five minutes to get on the bus, because he makes all these faces and comments and stuff like that.

Yet when we complain to Thunder Bay Transit, they do nothing about it. They say, "Well, then, she should have an attendant with her." She doesn't need one. Her group home—these are professionals who know what they're talking about. They know if she's capable of getting on a bus or not, and they think she is. I don't think it's fair for someone who doesn't have the education to turn around and say that she can't get on the bus by herself. That's not fair and that is discrimination, in a way. Because she can't speak for herself, they think they can speak for her and say things like that. It's really sad and it's disturbing to me that in this day and age people would still think that just because someone can't talk, they don't think very well.

She's actually been told that. She's been told by a couple of drivers now that they won't pick her up unless she has an attendant with her because they don't know where she's going. They say, "You need to have someone with you. I don't know where you're going. Do you know where you're going?" And they don't wait to give her a chance to answer. They just automatically tell her, "Keep going. I don't have time to listen to you." It's pretty sad if you don't have a few minutes to listen to someone, especially someone who uses the buses every day and pays her fare.

The other thing I've noticed lately too is when I was at the hospital yesterday—that was fun. I think we need to have better codes as far as wheelchair access goes. It's OK to say that a bathroom has to be wheelchair-accessible, but what does that mean, really? You have to give examples of what an accessible bathroom should look like. Someone who isn't familiar with wheelchairs or whatever—there are lots of things we don't think of. Being in a chair myself, of course, I think of these things. My own mother and father, when they were designing their home, designed it wrong and had to redesign a few things. If they can design it wrong, then someone who has no experience at all with disabilities could do that too.

Even here, I noticed the washroom—you can get into the hotel but you can't get into the washroom. There are no power doors. A washroom is a necessity. I think they should have some kind of power doors, or they should do what one of our local malls did, and that is, they designed the bathroom so they don't need a door on there. You can just go around a curve and get in there. I think one of those two options should be made as far as a code goes so that people can use the bathroom when they have to.

Also, at the hospital all the toilets are low. There isn't a single high toilet there to be had at all. When I went to the hospital yesterday, I had to wait over an hour while they looked for a high toilet seat for me, because the toilets they put in are not compatible with high seats that you can purchase on the market. So they spent over an hour looking for a high toilet seat for me. I'll tell you, I was getting quite worried there for a while. I think it's kind of silly; it's a hospital and it's not accessible.

There are no accessible showers in there. When I was in the hospital, I waited two weeks before I got my hair washed. I've got long hair. Can you imagine what that must have been like, two weeks without having it washed? The nurses don't have time. I understand that they don't have time to be taking me into the bathroom to have a bath. I'm perfectly capable of having a shower by myself, but without the wheel-in showers, I can't do it. I think it's kind of silly that they're making the nurses take more time to do things when these people are already overworked.

Even the bathrooms in the patients' rooms, again, they have no high seats. Anyone who requires a high seat—people who've had hip replacements or people who are disabled in any way, shape or form—good luck finding one. They're pretty rare there. You have to wait for a nurse to come and help you, when in actuality, if you're capable of doing it yourself, you're basically wasting this person's time by doing something like that. It's not your fault, but nurses have other things to do too. I think they should have put those high seats in as an option, so that anyone who needs one and can do it by themselves doesn't have to bother the nurses with something they're perfectly capable of doing.

I noticed at the hospital too that they also have doors without any power access to them. Again, you're at the mercy of the hospital staff, asking them to open doors

and stuff like that. And if you're visiting someone in the hospital, forget using the high seat, forget using the commode; you're not allowed to. You can't use the commode. Those are for patients only. So again, you're at the mercy of the hospital staff, running around looking to find a high seat.

1020

Someone actually suggested that I carry one with me. Do you have to carry a toilet seat with you everywhere you go? It's kind of silly to expect me to have to carry a high toilet seat. Where am I going to carry it? On the back of my chair? That's loaded kind of high. How am I supposed to reach it? So again I'm at the mercy of other people being able to help me at a time when I need to be able to do things myself.

When I went to discuss this with the manager there—I just wanted to leave a note for him—I got upstairs and the administration offices aren't accessible. There is no power door to get in there. So you can't even ask a face-to-face question. You have to wait for someone to notice that you're out there and open the door for you.

While I was there, I noticed that there's a beautiful reception desk now, out in the open where you can get to it, but I don't know if they were planning on hiring anyone in a wheelchair because when I got to that reception desk, it's built right in and there is only a very little amount of space to get behind it. You can't fit a wheelchair back there. So unless they're purposely planning not to hire someone with a disability, it's kind of silly that they would put the desk so close to the wall that no one in a wheelchair can get past it. When they're hiring someone, the only people they can hire, if they don't want to do repairs, is someone who can stand up and walk through there. Again, I find it quite disturbing that in this day and age something like that, when it's brand spanking new, was built without that in mind.

There are a lot of things that are good about our hospital, but those are some of the things that are very troubling to me. There is a lack of access and there's a lack of signage too as to where wheelchair-accessible things are. Sometimes you have to look for the bathroom. There's no signage up above where you can find what's going on. You actually have to walk down the hall and look.

A friend of mine who is deaf was saying there's also a problem with reaching the TTY machines, the teletype machines. There's no signage as to where they are. There are three of them in the hospital, but good luck finding them. You have to know where they are before you can find them. You have to look at every phone. That's kind of ridiculous, if you're in a hurry and you have to call somebody, to be looking around the hospital for a phone you can use.

As well, when I was there I noticed that the nurses, doctors and staff are also not very well educated as to how to deal with someone with a disability. They were quite troubled by the fact that I'm hard of hearing. Every time I rang for the nurse, they'd answer me and I didn't know that they were answering me. They kept saying,

“You keep ringing but you don't answer when we ask you what's going on.” Well, I don't hear you when you answer me. You have to come down and talk to me. There should be some better way of doing this so that the nurses aren't bothered all the time with running down the hall. There's got to be some way of getting hold of the nurses for people who are hard of hearing so the nurses don't have to be running all over the place. I'm not sure what they could put in there, text messaging or something like that, so you can get hold of the nursing station.

Very few of them actually understand sign language or the fact that you have to have the lights on when you're talking to someone who is hard of hearing. They come in in the middle of the night and I can hear that they're talking but I can't tell what they're saying. They might just be quacking for all I know. They come in and say something and I can't tell what they're talking about. Then they get frustrated with me because I'm hard of hearing. That's not something you choose.

Also, when they built the rooms, they are too small for people in wheelchairs. When I was in the hospital, in order for my roommate to get in and out, we had to move my chair out of the room. If there's ever a fire, they're going to have to move me out on the bed or they're going to have to remember to get my chair or they're going to have to transfer me to another chair. That, to me, is a troublesome issue, considering I had one wheelchair lost in the old hospital. It took us over a day to find it. That was my own wheelchair.

It also troubles me that if you're in a wheelchair and you're in the hospital, what if someone in a wheelchair wants to visit you? You've got to weave through all the equipment and everything else. If those rooms were just about a foot or two bigger, that would make all the difference in the world. But they were so concerned about space constraints, they didn't think about the actual access. We've got a beautiful building, but there is a lot of wasted space. I think they could have made those rooms just a little bit bigger and had a lot less wasted space.

I have one more concern. It's about access to services for people with disabilities. In this city, it's really difficult when you want to go see someone at city hall. Some of the city services at Victoriaville—there's no power door to get in there, and it's a city service. To me, it's vitally important that we be able to talk to different people in different departments, but, again, without power doors, there's no way to do it.

Housing in this city is a nightmare in a wheelchair. I just discovered—I'm on the waiting list—that it's going to take me over a year to find a wheelchair-accessible apartment. It has been so long since we've had a raise in our disability cheques for accommodations. As far as I'm concerned, that raise is important for access, so that we have access to things we need. With that extra money, I would have access to a better apartment. I live in a tenement slum right now, where half the time the heat doesn't work and there are noises going on. There are drug dealers in my apartment building and all kinds of

stuff like that that I don't need to deal with, but because I don't have enough of a disability cheque, I can't get out of there. I'm literally stuck there until I can find a non-profit-housing place, and there aren't enough of those in Thunder Bay that are wheelchair-accessible.

I think we need to concentrate on getting all landlords, not necessarily just those that are non-profit, to build their buildings with wheelchair access in mind. When I see a brand new apartment building coming up and there's no access, it's almost like saying that people with disabilities aren't welcome. That's the way I see it. I know that may not be what the person actually means. When you build something brand new, it should have to be wheelchair-accessible and barrier-free. All new apartment buildings should have to be barrier-free, because maybe some of the people who are in those wheelchair-accessible apartments right now want to move to these other places. Maybe they don't need to be in a rent-controlled apartment, but that's all they can get. If we have more choice of apartments, I think that will free up a lot more of the non-profit apartments too.

The raise in disability cheques for apartments is vital for me. It's vital for everyone. Thank you.

The Chair (Mr. Mario G. Racco): Thank you, Ms. Hurlbert. I know that two of the local MPPs, Mr. Gravelle and Mr. Mauro, are here, and I believe that at least one of them has a question.

Mr. Gravelle, you have a minute.

Mr. Michael Gravelle (Thunder Bay–Superior North): Certainly, I want to welcome the committee on behalf of my colleague Bill Mauro, as well. To have you here in Thunder Bay, in northwestern Ontario, is very important. We're very proud of the fact that disability and accessibility issues are at the forefront here in Thunder Bay.

Tracy, I want to thank you for appearing before the committee. As always, you bring forward a number of points and issues that I think, quite frankly, are the basis on which we brought this bill forward. Many of the things that you have spoken about, particularly accessibility in terms of washrooms in public institutions—standards will be set as a result of this legislation.

If I could, I want to ask you very quickly whether you've had an opportunity to look at the legislation, and do you have any comments on it, as it's presently put forward?

Ms. Hurlbert: I did have a chance to look at the legislation quite a while ago. I don't actually recall seeing anything in there about codes as far as wheelchair access for public buildings, for washrooms and stuff like that. I don't recall seeing any codes for that, and I think there should be because, again, bathrooms are a necessity. We need to have an actual idea.

Mr. Gravelle: Indeed there will be, because it will be barrier-free everywhere. You also made reference, obviously, to some of the other public institutions and the private sector, and that, of course, is one of the goals of the legislation.

Again, Tracy, you and I know each other quite well, so I'm very grateful that you're appearing here today.

The Chair: Thank you very much for your presentation. We went over the time. Thank you again for being here this morning.

1030

PERSONS UNITED FOR SELF-HELP IN NORTHWESTERN ONTARIO INC.

The Chair: The next presentation is from Persons United for Self-Help in Northwestern Ontario Inc. Do we have someone present, please? Ladies, please have a seat. As you were told at the beginning, there will be 15 minutes for your presentation. If there is any time left, we will allow questions or comments to you from the membership.

While the presenters get ready, let me also welcome all of you, of course, to this meeting. Most of us are from outside the Thunder Bay area, and we are pleased to be here. I had a lovely evening last night. That's why I was a little late, and I apologize. Some people who used to know my grandfather, who used to be here many, many years ago, got together with me. He was here before I was born—I was born in Italy—when he was working in the Thunder Bay area back in the 1940s, 1930s, or 1960s, potentially? I can't remember all those dates. It's nice to be here for the second time in my life, where my father spent most of his life. Thank you.

You can start, madam, any time you are ready.

Ms. Patricia Seed: Good morning, distinguished officials, appointed committee members, colleagues and friends. Yes, we are from Persons United for Self-Help, and that's PUSH Northwest.

The one thing that we should mention right away is that we have moved offices. We are now at 1201 Jasper Drive, Suite B. Our telephone number, fax number and TTY have all stayed the same. We do have pushnwo@tbaytel.net as our same e-mail address, and our Web site address is also the same. We are endeavouring right now to update that Web site.

We are very pleased that you have come back to Thunder Bay. We were so pleased when you came here in March. We are especially pleased because northern Ontario is not always looked at as one of the key points for information to come from. We thank those who are responsible for that. We also thank those who are responsible for giving us information on Bill 118.

My name is Patricia Seed. I usually use "Pat." I'm the executive director of PUSH Northwest. I am the former information and referral coordinator for the Independent Living Resource Centre here in Thunder Bay.

Ron Ross was not able to be with us. He is the founder of PUSH and is the past president right now. He is on the executive board, of course, and he's also the former executive director of Hagi, which is now called Hagi Community Services for Independence.

To my immediate right, I'm happy to say, is Annie Jollymore. She is on our executive board. She is our

secretary, and she comes to us with a great deal of experience. She's a past project coordinator for the Independent Living Resource Centre's Access to Justice 2 for People with Disabilities. She has written the manuals *What to Do When*, and also *In Our Shoes*, which is about awareness.

PUSH is basically consumer-controlled. All of the members on the board are consumers, and we are a cross-disability agency. We not only address or assist individuals who are using wheelchairs, but also other disabilities.

Loyal is my guide dog underneath the table here. He's my black Lab, and I've had him with me since earlier this year.

Basically, our whole aspect is to empower consumers to be productive so that they can really live meaningful lives, to help them to find the places for the equipment for their everyday needs, and also to look at barrier-free issues and whatever issues are put up to us by consumers. At this point in time I should say that we are very pleased that we have a chance to comment on all of this. We really hope that this is not just a meeting or hearings and then it will go away. We thank those who have had the bill passed through the first and second readings. We thank them and we really look forward to it going with the recommendations that we make for third reading.

We are a grassroots organization. With that, I think I will let Annie tell you some of the specific aspects that we are looking at in the legislation.

Ms. Annie Jollymore: Hello. PUSH Northwest agrees that people with disabilities represent a real wealth of untapped potential, but social policies will have to be changed, as well as accommodations of a very high standard put into place before this potential can be realized. Barrier-free living involves a lot more than the removal of design and architectural handicaps or access to assistive devices and enabling technologies. In northwestern Ontario, a person with a disability is likely to be unemployed or underemployed; living on a low fixed income; is likely to have attained little more than a high school diploma, if that; have little, if any, disposable income; and is often forced to choose between paying for their lodgings and buying groceries.

Many Ontarians with a disability gravitate toward entrepreneurship because potential employers weed them out early in the selection process due to their lack of education and/or experience. However, self-employment is not barrier-free either. Start-up capital is hard to obtain. People who have been long unemployed and generally relying on social assistance benefits may have a poor credit rating or no credit rating. They often encounter disinterest or outright discrimination on the part of business advisors and financial institutions when seeking advice.

For those trying to gain independence from ODSP or Ontario Works, finding a job or creating their own results in a loss of medical, dental and other supplementary benefits. For people with high medication or other health care expenses, the transition from social assistance

benefits to self-sufficiency likely means no dental plan or medical plan at all. The real possibility of having to declare personal bankruptcy may not seem worth the pain.

I can speak to this rather biting reality myself. I have a master of arts degree, no job at this time, no drug plan, and high prescription medication costs. As a person with a disability, I still hope to find another job that allows me to do what I do best, which is research and writing, but I must balance this hope with the knowledge that these kinds of jobs are scarce. Buying my medications can mean not having enough spare cash to pay the rent and utility bills, plus feed a hungry teenager. If I pay the bills in order to keep a roof over our heads, I have to settle for buying high-sugar, high-fat, high-calorie foods and forgoing my prescription meds. If I choose this latter option, I'm in no condition to go job-hunting.

Health care expenses don't stop with medication. Quality of life often means visits to health professionals like physiotherapists, occupational therapists and chiropractors, but these services are no longer subsidized by the Ontario government. That means that people with disabilities may not have the financial access to the services that could make the difference between health and well-being to get ahead in life and a permanent disability.

People with disabilities face many obstacles that their able-bodied counterparts do not. In northwestern Ontario, these obstacles are compounded by the geography and climate of the region. Many remote communities are not accessible by roadway even in the best of conditions. The section of the TransCanada Highway that goes through northwestern Ontario is comprised of some 1,000 kilometres of two-lane blacktop that's often closed to traffic due to weather, accidents, police investigations or chemical spills. We cannot even begin to discuss accessibility standards for essential services to which many Ontarians with disabilities have no access in the first place.

One of the greatest barriers that people with disabilities face, however, is attitude. Human emotions and beliefs cannot be changed through legislation. PUSH strongly believes that a disability issues and awareness curriculum should be developed for the schools and for key professionals, such as architects and those who design consumer products. At this time, fear, ignorance and outright discrimination against people with disabilities still lead to horrific abuses and violence perpetrated against them. We ask all Ontario legislators to bear these unfortunate facts in mind as they listen to the public feedback on Bill 118.

1040

Accessibility itself is fairly easy to define and it is something that can be legislated into affirmative action. If all the right accommodations and accessibility standards were to be put into place over the next 20 years, people with disabilities might well tap into their own potential, but they're going to need a lot of help to simply get on their feet in order for society's doors of opportunity to open.

I'm going to turn it back to Pat now.

Ms. Seed: One of the things we are looking for and really support is the establishment of committees in

different areas which would be networked together to be able to contact one another, to be able to input and to be able to keep making this Accessibility for Ontarians with Disabilities Act even more ongoing and more successful. We really encourage all government officials to do that and to set specific timelines for the implementation of those elements of the bill.

One of the things we were a little bit concerned about was the fact that there will be penalties for people not complying. However, there will not be, as far as we know, incentives for people who do comply, people who partner and so on and so forth. People who have pensions and so on are actually not able to work, because if they do, then they have difficulty with their pension. The other thing is that we might think of volunteer hours as some kind of—as you know, volunteerism helps the community grow and therefore is very good for the community, the city etc., and for networking and peer support.

I think you can read the rest of the information at your leisure, whatever that is, with all of the things that you must do. Anyhow, we look at this as a really good start, and if you have any questions, we'd be happy to answer them.

The Chair: Thank you for your presentation. There are three minutes left, so we'll allow one minute each.

Mr. Cameron Jackson (Burlington): Pat, thank you very much for your presentation. It's good to be with you again. It's Cam Jackson from Burlington. I want to make sure I've got your point. You're concerned that you don't want to compromise anybody on ODSP if they find themselves in a position of either helping the Accessibility Standards Advisory Council or the standards development committees, where there might be compensation. Is that correct?

Ms. Seed: The aspect is that very often people are penalized by using those methods. They can't be self-employed. They can't collect any income. There should be some kind of base structure whereby an income is established and where a reporting mechanism would be established so that everyone has some kind of livable income and is not basically turned down from a pension because they have so many skills, even though they have been able to apply for jobs and have not found any after applying for 20, 30 or 40 jobs.

Mr. Jackson: You realize that those concerns are not covered in this bill. I think what I was asking you was if both Mr. Lepofsky and the ODA committee, as well as your brief, as I understand it, are suggesting that if a person—well, first of all, you make the point that persons with disabilities should be the majority of and active in setting the standards, monitoring the standards and so on. We need to make that clear in the legislation. But the issue of compensation keeps coming up for those people who participate in that process. I think your answer to me was more generally about persons on ODSP.

Ms. Jollymore: I'm sorry.

Mr. Jackson: No, that's OK. What I want to get on the record is that you wish this bill to speak to the issue

that if someone is on ODSP, their income isn't compromised by virtue of participating in this process, whether it be a member of the Accessibility Standards Advisory Council or the standards development committees, if in fact compensation or remuneration, even expenses, are covered to that extent.

Ms. Jollymore: That's correct. We thank you for adding that in because of the fact that very often persons with disabilities are not compensated and they do voluntary work just to be able to be doing something, to be using their skills so they don't lose their skills. We do indeed hope that the remuneration or stipend or whatever you would have would not penalize their guaranteed income.

Mr. Rosario Marchese (Trinity-Spadina): Thank you both for coming. Many who came in front of us to make deputations have suggested or said that people who serve on these committees should be remunerated in some way. They don't say how much, but the general feeling was that they should be paid and not volunteer.

The question I wanted to raise with you is something that other members have raised throughout and that is that the development of standards, as proposed by the government at the moment, is every five years. The majority of deputants have said that should be reduced to a lesser term. Some people suggest three years, some people say the whole process should last only 10 years, or even less. Do you have any strong feelings about that?

Ms. Jollymore: I think that three years is a much more feasible time for a person to say, "Yes, I can absolutely commit to you for three years, except for something unforeseen." I think that gives them some time to learn what is going on and also to be able to get the message out to other consumers of the same and other disabilities. I would hope that much of this legislation could go through and many of these points that are being brought up would be addressed in the next 10 years and, if not, that they actually continue to be followed up. I don't see this as the be all and end all.

Mr. Bill Mauro (Thunder Bay-Atikokan): Annie, thank you for being here today. You described the profile of a person with a disability in your comments. You mentioned things like employment opportunities and income levels and post-secondary education. I'm wondering if you find that to be consistent across the province or if you find that there are any regional differences in that sort of profile and description.

Ms. Jollymore: I'm not sure. I don't know that I can really speak to other areas of the province. My general understanding is that the conditions are better. Access to health care is better in southern Ontario and eastern Ontario. I don't know about the employment situation. People in the northwest tend to be poorer, as I stated, and have fewer opportunities in general. The main concern, I suppose, is that because of the geographical isolation of this area, some remote communities don't even have access to the services that we do here in Thunder Bay. I don't know if that answers your question.

Mr. Mauro: It does. Thank you very much.

The Chair: Thank you very much for your presentation.

Mr. Leal (Peterborough): Mr. Chairman, on a point of order: Mr. Jackson has raised the question about the threshold level for ODSP, and it's been a common theme in Niagara Falls, London and here today. I wonder if I might ask the research assistant to get a copy of a report that was recently prepared by Deb Matthews, who is the parliamentary assistant to the Minister of Community and Social Services. She went to great lengths to talk about threshold earning levels for people on ODSP and I think the committee would profit from having that background material as we go forward in clause-by-clause, dealing with issues such as compensation for people who may serve on various committees. I think it'd be helpful, so if I could request that to be distributed, it'd be appreciated.

The Chair: That will be done. Your presentation is terminated. Thank you.

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The Chair: We'll ask the next group to come forward and, while they're doing that, we can take any other comments. The next one will be the Ontario Public Service Employees Union, if they could please come forward.

Mr. Jackson: On a point of order, Mr. Chair: To build on Mr. Leal's suggestion, I was going to ask if we could get some kind of written comment from the minister or the bureaucrats to deal with the question I raised, which was, will there be an exemption automatically with ODSP in this? Can they create a regulation that will allow that, or will we need to put that into the recommendations? As you know, there was a recent case of a person on assistance who received a windfall from returning money to the police and it was controversial in a sense, but the government stepped in and said, "No, we won't discount you." I want to make sure that we find some accommodation here, and if we could get something in writing from the minister or the government as to how they'll treat that, that would be helpful.

The Chair: The question has been asked. Are you clear about the request?

Ms. Lorraine Luski: I think that should go to the ministry.

The Chair: You're taking records. Would you notify them?

Mr. Leal: But you can get a copy of the Matthews report, right?

Ms. Luski: Absolutely.

Mr. Jackson: Mr. Chair, the custom then would be for you to direct the request to the minister on behalf of the committee.

The Chair: I'm sure the clerk will take care of all that.

Mr. Jackson: Well, it really should be in the form of a motion.

The Chair: It's a direction. I'm satisfied. If you want to put a motion, put a motion.

Mr. Jackson: No, if you're satisfied—

The Chair: The clerk has indicated to me that she will do that. I think we have on paper what you're asking for.

Mr. Jackson: Thank you.

ONTARIO PUBLIC SERVICE
EMPLOYEES UNION,
DISABILITY RIGHTS CAUCUS

The Chair: We'll move on to the next presentation.

Gentlemen, good morning. You may start your presentation.

Mr. Greg Snider: Hello. My name is Greg Snider. I am Chair of the Disability Rights Caucus for the Ontario Public Service Employees Union. With me today is Jamie Tocker, who is with the board of directors for the Ontario Public Service Employees Union.

I am here today to represent the Ontario Public Service Employees Union's Disability Rights Caucus. We believe it is vital that government members reviewing these submissions take time to understand the organizations before them. With this in mind, we will start this presentation with a quick overview of the Ontario Public Service Employees Union's Disability Rights Caucus.

Our group is made up of workers with disabilities in the Ontario public service, the broader public service and the community college sector. We believe strongly that persons with disabilities are themselves the best people to represent and speak on their own behalf. For that reason, the caucus is composed only of persons living with a wide variety of disabilities. It is also important to note that within our group a large percentage of us, in our work capacity, provide services to individuals in the disabilities community. We have caucus members working in the Ontario disability support program, in community living programs and in legal aid clinics. We are also union activists and we represent workers. Most of us serve either on a local executive or on an employee-management relations committee or a joint occupational health and safety committee. Nor is our involvement in the disabilities community limited to the workplace.

One of our most active members, John Rae, has already addressed this committee in his capacity as national president of the National Federation of the Blind: Advocates for Equality. My union sister Carol McGregor also spoke to you in Toronto. You may recall her. She asked that everyone at the table mention their names so that she would know to whom she was speaking. I understand from people who were watching or listening to the presentation that the members of the committee were taken out of their comfort zones a little by this action. I don't believe this was her intention; she was just being Carol. She needs to know who it is she's speaking to.

Did you notice that wasn't an issue for John Rae when he made his presentation? It's because we are all different, and our disabilities are different, even though to others they might seem to be the same. Therefore, what we require in terms of accessibility is different. If Ontario is to be fully accessible by the year 2025, there needs to be a quick and effective format for applying the duty-to-accommodate principles to daily living. The

diversity must be reflected in the decisions coming out of this committee and the minister's office.

Since we are an organization made up of workers with disabilities, it should come as no surprise that one of our major concerns with this proposed act is the failure to include any mention of disabled workers. This act must recognize that the majority of people with disabilities want quality jobs with quality wages. If barriers are to fall in Ontario, the economic barrier must be the first target. In order for this to happen, workplaces—and not just the area accessible to the public—must become fully accessible. Persons with disabilities continue to receive substantially lower wages than those of non-disabled workers. They continue to be denied jobs because they do not meet certain standards, standards that have no connection or the most minimal connection to the duties required for the position.

Many people who are injured or become disabled on the worksite have no idea about the employers' responsibility to accommodate. The workers who do understand their rights and have the support of their union still find themselves in a long battle with employers who want nothing to do with a disabled worker. As a result, persons with disabilities frequently end up out of a job that they could in fact perform. What does this proposed act do for these workers? It ignores them. There is no mention of them at all.

Sadder still are the consequences, because it's not just workers with disabilities who suffer, but all those looking for employment. The financial barriers facing persons with disabilities just get larger. This act must have a section that educates people as to their rights under the law, and moreover, it must make it easier to exercise those rights.

As people with disabilities, we are very concerned about the length of time this act allows for the removal of barriers. Twenty years is a very long time, and is made longer when one considers that this time period will cover four separate provincial elections. The significant gap between this act and the original leads me to believe that every election between the passing of this act and its final implementation will necessitate a battle for its survival. The act is made even more fragile as newly elected governments need not change the act itself but simply the members on the proposed sector committees. In fact, this is a long-standing practice of all parties in the House. Replace the socially progressive minds on the committee with a more corporate attitude and the effectiveness of the act is turned on its head, without a single vote being cast or any announcement made.

But even this ignores the most important fact of all: Ontario should already be barrier-free. Every year we delay is another year of injustice to persons with disabilities. In order for this act to be successful, these timelines must be made shorter and the rules around committee membership must be made tighter. Employees must have representation on these committees and these representatives must be people with a history of fighting on behalf of others, even if it is against their own

employer. In my mind, such representatives come only from the labour movement.

This act also needs additional rewording when speaking to representation of persons with disabilities. It must state clearly that the best representatives of persons with disabilities are persons with disabilities themselves. Government-supported agencies that administer government programs may have a financial interest that does not coincide with the needs of the people they are meant to represent. Our history abounds with attempts by able-bodied people to make our lives better, only to find at the end of the day that solutions suited their needs more than ours.

In order for disability-based community groups to be involved, this act needs to provide funding to these volunteer, non-profit organizations. These organizations represent the best voice for people with disabilities. However, they will be unable to fulfill the duties required of them unless there are funds made available in advance to these organizations.

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To further assist these organizations, their members must be appointed for the duration of the committee's mandate. The advocates and their organizations must receive financial compensation, and that financial compensation must be stated clearly in the act. To do less will result in a genuine loss: the best and most appropriate voices at the table.

We are also concerned with the ease with which entire sections of the community could be exempted from this act. Not a word to the media nor a vote in the Legislature would be required. A person with a disability who is watching for a community sector to become accessible may only find out after waiting a considerable amount of time that this particular sector was made exempt. He is left to fight for accessibility after the exemption is made. Months, perhaps even years, will have passed by. This is not acceptable. We will not be disenfranchised by acts of omission or commission.

Recently, OPSEU and its members found an even greater reason to distrust the outcome of this act. The act has clearly left a great deal of control to the government, whether in exemptions or appointments. A great deal will depend on this government's commitment to accessibility. This very same government recently tabled its demands for a new collective agreement between itself and OPSEU, the union that represents thousands of workers in the Ontario public service.

In that document, under the heading "Accommodation," is the following line: "Employment accommodations and health reassignments can sometimes create challenges, particularly in smaller centres, and the employer wishes to explore potential solutions."

As a representative of employees with disabilities, I am concerned with what the government means by "challenges" and what kind of "solutions" they are contemplating. At the bargaining table, such language is known as "weasel words." I trust there is no explanation of that required. In effect, this continues a growing trend

in the Ontario public service to back away from an earlier commitment to an accessible workplace.

Internal ministry programs such as EASED, under the then Ministry of Community and Social Services, once provided assistance to accommodate employees. These were axed early in the Harris years. Although Management Board has an accommodations fund to assist with the related costs of accommodating its workers, the fund has in fact become more difficult to access.

The Chair: You have two minutes left, sir.

Mr. Snider: OK. I'm just about done.

It is hard to believe in the outcome of this act when its authors have so easily dismissed its aims by their own practices.

The current government has also made it harder for persons with disabilities to enforce their right to be accommodated by cutting the staff at the Ontario Human Rights Commission. Almost half of the cases heard by the Human Rights Commission involve persons with disabilities. To be perfectly frank, each one of us in this room knows that fighting for accommodation through the Human Rights Commission takes an extraordinary amount of time, not to mention the perseverance of a superhero. Nonetheless, the OHRC represents one of the very few tools available to pursue our rights, rights that are already codified in legislation. Sadly, the proposed AODA's promised enforcement mechanisms fall far short of what is required to make the act meaningful to the very people who need it most.

This is an act filled with a mixture of hope and promises, but little substance. The government needs to tighten this act by making the timelines shorter and the committee more independent. The act needs real teeth.

Honestly, I am skeptical that this act can achieve its stated goal of a fully accessible Ontario by 2025. Accessibility isn't about buildings; accessibility isn't about programs; accessibility isn't about government. It's about a way of living. Until politicians are ready to pass an act that requires people to develop substantive, meaningful measures to achieve accessibility, there will be no justice for my members or any of us who live with disabilities. There can be no justice until legislation—and its enforcement mechanisms—holds individuals, sectors and all Ontarians accountable when they violate the human rights of their fellow citizens.

The Chair: Thank you for your presentation. There's a minute left for Mr. Marchese.

Mr. Marchese: Thank you both. You've raised many points. One point I wanted to talk about has to do with the fact that enforcement in this act is very weak. The minister "may" hire inspectors but he doesn't have to; he probably won't. A director "may" review an accessibility report but doesn't have to. There is no one responsible for the administering of penalties—the fines, for example. So it's weak in this regard. And you, if you have a problem with some disability matter or lack of compliance by some corporation, have no rights to go anywhere except the Human Rights Commission, which is underfunded as it is. So the weaknesses are many, in

my view, and you point some of that out. If you want to be able to complain against a corporation that doesn't do what it's supposed to do, where do you go?

Mr. Snider: That's the whole issue.

Mr. Marchese: What do you think we should do?

Mr. Snider: There have to be immediate and quick penalties and quick solutions for the problems that come up. It's just not in this act.

The Chair: Thank you very much. That is all the time for the presentation. Thank you again for making the presentation.

THUNDER BAY AND DISTRICT LABOUR COUNCIL

The Chair: We'll move on to the next presentation from the Thunder Bay and District Labour Council. Madam, you also have 15 minutes for your presentation. Good morning.

Ms. Sara Williamson: Good morning, and thank you, members of the committee, for coming to Thunder Bay, or being in Thunder Bay, for two of you.

The Chair: And vicinities.

Ms. Williamson: These hearings are really important and we're happy to be a part of them. We're also very grateful to our brothers and sisters who have made very strong presentations.

The Thunder Bay and District Labour Council represents some 9,000 workers in over 50 local unions. Our members are workers in both the public and private sectors, including educational workers, grain handlers, health care workers, construction workers, maintenance workers, clerical workers, factory workers, miners, retail workers, transportation workers and hospitality workers—a real gamut of worksites.

Many of our affiliates have active committees addressing issues of equity and human rights issues specific to workers with disabilities. OPSEU is a good example. Throughout our history, the Thunder Bay and District Labour Council has been supportive of and has indeed gained a valued resource through the local presence of strong advocacy groups for injured workers and workers from other equity-seeking groups. In Thunder Bay, labour, both unionized and non-unionized, has been fortunate to have these well-informed activists. Unfortunately, many workers sustain irreparable disabilities from injuries or illnesses as a result of their work. The outcome for far too many is unemployment because of accessibility barriers.

Northwestern Ontario, like many largely rural areas, is experiencing population decrease. However, on a positive note, the aboriginal population is increasing and, in fact, is the fastest-growing sector of our population. Within the next decade, it is estimated that 50% of Thunder Bay's citizens will be aboriginal people. Here, a well-written Accessibility for Ontarians with Disabilities Act, or AODA, will be invaluable. Why? Because a 1991 national study reported that 31% of aboriginal adults have a disability. This is more than double the national

rate. The most common disabilities were mobility, agility, hearing and seeing. These demographics underscore the importance of an AODA to ensure that our workforce can get jobs and stay safe and productive regardless of any disability. We have valuable people who can contribute, but there has to be the accommodation.

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In preparing this brief, Thunder Bay and District Labour Council met with representatives from the Ontario Federation of Labour, Thunder Bay injured workers, Women Independently Living with Disabilities, Thunder Bay WISE, OPSEU and PSAC. The discussions illuminated areas of importance. As a labour council, we are focusing on a number of recommendations brought up by the Ontario Federation of Labour, which in part was informed by the voices of disability advocates both inside and outside the union structure; in particular, ARCH, which is a legal resource centre for persons with disabilities. We chose to focus on these recommendations because they resonate with our collective experiences in the Thunder Bay and district labour force and labour movement.

People here and throughout Ontario should have the opportunity to make the kind of contribution they would like to make but are unable to because of inadequate or non-existent accommodations at work. Some accommodations can be very simple, very cheap. It just needs a little creativity, some fresh thinking. Many people in Ontario have disabilities, whether from birth or acquired since then, and many of us have family members or friends who have disabilities. These people should have the right to live and work in a province that values them and recognizes this right by legislation.

So, what do we want? Thunder Bay and District Labour Council is pleased that Bill 118 has been drafted. We want the final version to be able to bring marked improvements to the lives of people in the workforce who have disabilities. The amendments that we see are needed concern accountable representation, timeliness and evidence of commitment.

Our major concerns and recommendations are as follows:

Unions must be formally part of the process at every stage. Unions have the history and the nitty-gritty expertise of working for our members with disabilities to have accommodation in the workplace.

Accessibility plans must be bargained in all workplaces. Unions and employers must be required under law to begin this process immediately. The Ontario government, as an employer, should be demonstrating best practices now in the bargaining process with the Ontario Public Service Employees Union. The process of bargaining in the workplace for equity issues worked quite well in enacting David Peterson's Pay Equity Act in 1987; it can be done again today, nearly 20 years later. You sometimes hear employers saying, "Well, we can't hire people with disabilities. The union won't let us." Well, we're saying, "Let's get bargaining on that immediately."

There should be no exemptions in Bill 118. No one can be exempted from respecting the right of an individual to have equal access to a job.

The timelines, as has been mentioned in all the presentations, are too long. A baby born at Thunder Bay Regional Health Sciences Centre today who has or develops a disability would have to wait until she or he is 20 years old to enjoy the full rights of citizenship, including employment opportunities. Easter Seals have stated that there are 180 children in Thunder Bay right now with disabilities. These young people will be ready for work in five or 10 years, but unless Bill 118 is properly amended, we don't know if the workplace will be ready for them.

The purpose clause has to spell out that the AODA is anti-discrimination legislation. That is what will give it teeth in any legal challenge. Saying that the purpose is to benefit everyone, frankly, doesn't cut it. Bill 118 is supposed to remedy the systemic exclusion and discrimination that persons with disabilities have experienced and continue to experience. It's not a motherhood clause; it's specific and should be in there.

Generalities and vague descriptors have to be clarified. This legislation is too important to be left to the cabinet of the government of the day to work out the specifics. One of the areas that is unclear here is the mechanics of having representatives for persons with disabilities. We expect representatives to play an integral part in the implementation of the AODA. We need to have representatives who are accountable to the community and especially accountable to the community of persons with disabilities. How will the community be involved in selecting representation for a broad cross-disability perspective? The act, in this first draft, doesn't say. Provision for payment of expenses and remuneration is essential for the representatives and the disability organizations; otherwise, no one can participate unless they happen to have their own funds for this purpose. Advocacy voices are as essential here as in all arenas of democratic society. Funding for constructive advocacy activities is imperative. Once again, the act doesn't suggest that people will get paid.

Unions must have representatives on any standards development committees—because unions know the work site—to speak on behalf of the employees in the industry sector or classes of persons to whom the accessibility standard would apply to make sure the thing really develops and works.

In conclusion, Bill 118 offers a framework for much-needed change. Some amendments are required in order to ensure results and show that there is a genuine commitment on the part of the government of Ontario. Our priority is to start the bargaining of accessibility plans now in all workplaces to make them more accessible. Keep the vision clear of a healthy and productive 21st-century workplace that accommodates people with all kinds of disabilities.

Here is an opportunity for the government to show some leadership by passing strong, effective legislation

and by establishing best practices that go beyond the legislation. The people of Ontario voted for real change when they turfed out the Tories. This is a golden opportunity to show true grit.

Thank you again for the opportunity to share our thoughts with you. We sincerely hope that the government will listen carefully to the voices raised around the province: the voices of people living with disabilities, advocates for disability rights and union activists seeking improvements in the working lives of people with disabilities. Amend the bill. Give it more teeth. Help build an Ontario that cares about its workforce.

The Chair: Thank you. We'll start from the government side, one minute each.

Mr. Gravelle: Thank you very much for your presentation. I appreciate the comments you made. In terms of the time frame, certainly the 20-year time frame has come up before. But I think it's fair to say, too, that it's important. This is a piece of legislation that for the first time really removes the barriers not just in the public sector but in the private sector as well, and there are some challenges in making that happen. I trust that you understand that and accept that. Obviously you'd like to see it happen in a shorter time frame, but is there the recognition of a challenge to make sure we do this right, that when we get to the end of the time frame for this legislation, we are indeed a barrier-free society? I guess part of the reason we would say that is, we don't want to get it wrong.

Ms. Williamson: I think it's good to keep reflecting on what's being done and having that ongoing evaluation. But there aren't any other milestones set in the legislation. That's why we were just choosing, for one thing, getting at bargaining in the workplace right away. There's no reason to delay that, and that would come up with a lot of answers that would be able to be applied elsewhere too.

The Chair: Mr. Miller.

Mr. Norm Miller (Parry Sound–Muskoka): Thank you for your presentation today. The goal of the bill is have Ontario fully accessible by 2025, and you've said in your presentation that there should be no exceptions, no exemptions. The last time I was in Thunder Bay, I toured a couple of the forestry mills, one being fairly old. I'm wondering, in the real day-to-day life of a mill, how you make it fully accessible, and what your thoughts are for 2025. What do you envision 20 years from now, and how would it be reached?

Ms. Williamson: I wouldn't pretend to have expertise in that area, but that just underscores why it needs to come into the bargaining process between the unions and the employers in the workplace. The unions recognize what has happened to their workers, with the kinds of disabilities they've developed and how accommodations could be made. It's not good enough to just compensate somebody and pretend to have a return-to-work plan that isn't any kind of meaningful return-to-work plan at all. The unions feel that a lot more could be done and are willing to open up talks, and the employers should do

likewise. If it were in the legislation that it should happen, then there's a chance of its happening.

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The Chair: Mr. Marchese.

Mr. Marchese: I just want to comment on your recommendations. First of all, I want to tell you that a lot of deputants agree with you that there should be a provision for payment of expenses and remuneration; many people have said that. Many have also said that the community should have some role in selecting representatives from a broad cross-disability perspective. Many agree with you that the purpose clause is flawed and/or weak—maybe that's purposely done. Many have suggested that there should be language that speaks to anti-discrimination, which is what this issue has been and is all about, but it's nowhere incorporated in the purpose clause. I'm surprised, and I know you and many others are too.

Many agree with you that the timelines are just too long and that the challenge is actually doing something rather than doing very little. This is about dealing with discrimination—we know what the issue is all about—and we should be doing it right away.

I should tell you, Sara, that I think the Liberals have no interest in involving the unions formally, and that the Liberals have no interest in making accessibility plans something that happen in the workplace, which would make sure these things get dealt with. All I can say is, keep at it. There are a couple of Liberals you can lobby on a regular basis up here.

The Chair: Thank you very much for coming this morning.

AUTISM SOCIETY ONTARIO, THUNDER BAY CHAPTER

The Chair: We'll move on to the next presentation, from the Autism Society Ontario, Thunder Bay chapter.

Good morning. You have 15 minutes for your presentation. We do have people assisting us here today. If anyone needs any assistance, please let us know. You can start any time you're ready.

Ms. Michelle Murdoch-Gibson: I'm Michelle Murdoch-Gibson. I'm president of the local chapter of the Autism Society Ontario. There are 31 chapters across the province. I represent not only them but also my two sons, who are on the autism spectrum.

I applaud the courage and strength required of the people with disabilities who are here advocating on their own behalf, but today I speak on behalf of those who cannot speak for themselves, either because they cannot speak at all or because the social and sensory impairments they suffer from preclude their participation in a forum such as this.

First I'll tell you a little bit about the autism society. The ASO seeks to provide information and education, supporting research and advocating for programs and services for the autism community. Our vision is acceptance and opportunities for all individuals with autism

spectrum disorders. The ASO's mission is to ensure that each individual with ASD is provided the means to achieve quality of life as a respected member of society.

We have six key areas of focus: advocacy and support, research, best practices, government relations, public awareness and governance. Our values include respect and support for family and individual choices, informed families, integrity, confidentiality, commitment to continuous improvement, universality and the support of research.

"Pervasive developmental disorders" is the diagnostic term used to refer to the more popular term, "autism spectrum disorders." It is a spectrum; there are a number of disorders that fall within that spectrum, including autism disorder, childhood disintegrative disorder, Rett syndrome, PDD-NOS and Asperger syndrome.

Autism spectrum disorder is estimated to affect between 20,000 and 70,000 people in Ontario today. It is one of the most common developmental disabilities, with prevalence estimates as high as one in 165 people. The number of people being diagnosed with ASD continues to increase dramatically.

ASD is a hidden disability. All people with ASD have problems in the areas of social interaction and communication skills. There is a wide range of ability levels among people with ASD, and communication challenges can range from mild to severe, with approximately one third of people with ASD remaining non-verbal throughout their lifetime. A majority of people with ASD have a significant level of cognitive impairment, although those with Asperger syndrome have more normal levels of cognitive functioning.

I'll give you a quote now from Temple Grandin in her 1995 *Thinking in Pictures* publication. It speaks to her own personal experience as a child. "I can remember the frustration of not being able to talk at age three. I could understand what people said to me, but I could not get my words out. It was like a big stutter, and starting words was difficult. I can remember logically thinking to myself that I would have to scream because I had no other way to communicate."

There are barriers for people with ASD. Regardless of functioning level, people with ASD face significant barriers to participating in the mainstream of Ontario life. Things that other people take for granted remain elusive for many people with ASD: appropriate education, employment, leisure activities, supported or independent housing for adults.

It is the view of Autism Society Ontario that much of the current legislation, including the ODA, 2001, does not adequately address the needs of people with ASD. How will the ODA make a meaningful difference in the lives of people with ASD? The ODA overwhelmingly addresses barriers in terms of physical barriers, but there is little emphasis on the types of attitudinal barriers and policy barriers that constrict the lives of people with ASD.

In order to make Ontario a barrier-free place for persons with autism spectrum disorders, changes need to

be made to government policy in four key areas. We've identified these areas as being housing, day programs, the Ontario disability support plan and education.

Housing and residential services: Historically, most children with autism spectrum disorder were institutionalized at some point during their childhood. This is no longer the case. Most children with ASD remain with their families throughout their childhood, and very often, throughout their adulthood. The majority of adults with ASD are not able to live independently. While many ASD adults continue to require a high level of assistance with basic activities of daily living, such as dressing and personal hygiene, adults with Asperger syndrome and more able levels of ASD may be unable to manage the more intricate aspects of independent living, such as household budgeting and maintenance, or to develop the social relationships necessary for functioning in society. Challenges in understanding the motivation and intention of others impact on their daily interactions, such as paying bills or dealing with salespersons. Developing and maintaining relationships are crucial to successful independent living and are a significant barrier for individuals who are cognitively more able but who experience difficulties with social understanding.

There is currently a waiting list of many years to access residential services across the province of Ontario. Many adults remain in crisis at their family home for years. There are many adult parents over the age of 65, often in poor health themselves, looking after their adult children with ASD. When both parents are deceased, the adult with ASD is moved into any of the available residential placements, including locked wards in psychiatric hospitals, long-term-care facilities for seniors, or other placements unsuitable for adults with ASD.

If the goal of the ODA is to encourage meaningful participation of people with disabilities in the community, then it must address government policies that fail to provide for adequate residential housing services and recognize that appropriate housing and residential services for adults with ASD are essential if adults with ASD are to be participants in this community.

Adults with ASD require a range of housing and residential service options. Some higher-functioning adults could function fairly independently, with assistance only for budgeting, food preparation and household maintenance. Other adults will require more intensive support of the kind that can be provided in group homes with some staffing assistance. Some adults with ASD will require one-to-one care for most of their lives in highly structured environments.

Some examples of excellence in residential supports for adults with ASD in Ontario are Woodview Manor in Hamilton; Kerry's Place has various locations throughout southern and eastern Ontario; certain placements with Community Living Ontario; and families creatively supporting their adult children through individualized funding.

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The importance of appropriate housing for adults with ASD cannot be underestimated. The lack of appropriate

adult housing precludes full participation in the community by both the elderly parents of the adult with ASD and the adult with ASD himself. Living at home with elderly parents is often a prescription for isolation and lack of meaningful daily activities for both the parents and the child.

After most adults with ASD leave high school at the age of 21, there is no place for them to go. They do not participate meaningfully in community life; they are stuck at home, socially isolated. They have limited financial support, limited availability of trained workers who can help them participate in the community, and they have limited access to activities in which they have the skills to participate.

Government policies must not fail to provide adequate funding for community support agencies. Existing programs have waiting lists of several years. Many provide service only for clients who are also receiving residential services. Policies of some community agencies may discriminate against people with severe autism, and those who require higher levels of assistance or those with behavioural problems are often barred from attending these programs.

The level of financial support received through the Ontario disability support program has not changed substantially in the past 10 years. The lack of increase has increased financial hardship for persons dependent on this funding and created barriers to participation in community activities to people with ASD. The policy of decreasing ODSP payments as earned income increases penalizes people with ASD who want to work but are unable to work full-time or at jobs that provide adequately for their needs.

Adults with Asperger syndrome face unique challenges to employment. They have some valuable employment skills but still need assistance in obtaining and maintaining jobs. Because of their difficulties with social understanding and social skills, most of these adults may not perform well in job interviews and have difficulty getting hired or, once hired, may be able to perform the work tasks but have difficulty keeping the job due to their inappropriate social behaviours.

Many adults with ASD struggle with difficulties, such as high levels of anxiety and higher rates of mental health challenges such as depression and obsessive-compulsive disorder. These additional disorders may result in unintentional and inconsistent performance in employment situations.

The ODA could recommend guidelines and meaningful procedures for ODSP that would make it more meaningful for adults with ASD. The Ontario disability support program provides a separate income and employment support program for eligible people with disabilities. It removes people with disabilities from the welfare system and provides them with assistance that recognizes their unique needs.

The ODA could work to alleviate these problems by helping companies to understand invisible disabilities. People with ASD would also benefit from programs that

would help them understand their rights in terms of employment and discrimination and would help include job interview assistance and job coaching. Assistance from a specialized employment agency would be beneficial. An example of this is an agency in southern Ontario called Mission Impossible that specializes in helping people with ASD find jobs that match their abilities.

ASO's submission to the Ontario Human Rights Commission on education in October 2003 identified four major barriers to appropriate special education for students with ASD. These four key barriers are: The appeal process under the Education Act presents a significant barrier to the appropriate special education programs and services; the lack of knowledge of the disability and the lack of specialized training on how to effectively work with and teach students with ASD is another barrier to education; the funding formula for special education discriminates against some students with ASD; and the enforced short- and long-term absence from school for many students with ASD also creates a barrier to education.

ASO recommends four key solutions to these barriers:

(1) The Ministry of Education and school boards must operate under the statutes, regulations and codes that are meant to protect Ontarians with disabilities.

(2) In the event of non-compliance, parents must have meaningful recourse to a remedy, a timely and just process that will ensure the student's progression through the school system.

(3) The legislation and subsequent regulations of the Education Act must adhere to the principles of accessibility for the disabled student. Necessary accommodations include the following:

All school boards must offer a full range of placement options, ranging from full integration with support, as necessary, to full segregation in order to meet the diverse needs of students with ASD.

Programming based on ongoing and continuous assessments, with input from parents and a wide range of professionals;

Specialized communication programs, designed by speech and language therapists knowledgeable and experienced in programming for students with autism spectrum disorders, and implemented by trained staff, for all autistic students who require this;

Academic, social skills and behaviour modification programs designed by professionals experienced in the use of behavioural principles to teach children with ASD;

Curriculum material and equipment designed and appropriate for students with ASD, available across the province;

Mandatory ongoing training for teachers and educational assistants who work with and teach students with ASD, available across the province;

Special skills and service dogs, where necessary, for students with ASD, to provide safety, communication, socialization and anxiety therapies.

The Chair: Your time is over, but if it's only that section—

Ms. Murdoch-Gibson: That's it.

The Chair: Then go ahead, please.

Ms. Murdoch-Gibson: Finally, the Ministry of Education must fund special education to a level such that the school boards can provide students with ASD with the services and supports they require in order to have equal access to education.

To remove barriers for students with ASD within the education system, the ODA must make the removal of barriers mandatory. This must apply not only to barriers that limit physical access. Limited access to appropriate education because of attitudinal barriers, communication barriers, accommodation policies and funding policies of both the government and the school boards must also be addressed.

The Chair: Thank you very much for your presentation. We will have to move on to the next presentation. Again, thank you for coming here this morning.

THUNDER BAY AND DISTRICT INJURED WORKERS' SUPPORT GROUP

The Chair: The next presentation is from the Thunder Bay and District Injured Workers' Support Group. Steve Mantis, please.

Mr. Mantis, you can start any time you're ready.

Mr. Steve Mantis: Thank you, Mr. Chairman, and thanks to the members of the committee for travelling here to Thunder Bay.

I want to start by saying that we support this bill and the intent behind it.

I should step back here and be a little bit more polite. On my right is Filomena Simone, who's a member of our board of directors, and Robert Guillet, who is vice-president of our board of directors.

The Thunder Bay and District Injured Workers' Support Group is a voluntary organization. We're now in our 21st year. We have two main goals. One is to provide information and support to workers with disabilities, and the other is to try to make the system for injured and disabled workers work better for everyone.

I'd refer you to our brief, where we have a little bit of information in terms of what it's like to be an injured worker. I would specifically refer you to page 10, which was a survey we did two months ago here in Thunder Bay of workers who have a permanent disability. We found that 79% were unemployed and that 68% were suffering from depression. That's the percentage who admitted they were suffering from depression; I'm sure that a number of them wouldn't admit it. Twenty-five per cent said they had considered committing suicide after their injury and disability.

Clearly, here are people who have a link to the workplace, who have work histories, who have relationships with the employer. Once you become disabled, you're pretty much surplus. You're thrown on the garbage heap. While other people with disabilities know this already, to workers who become disabled during their working career, this is all new, and of course, you can see the

impact that can have on a person. We've seen—and it's just anecdotal—the number of family problems and lost marriages following this kind of stuff.

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We've been doing this for 21 years. It's interesting to see that this bill is to go for 20 years. Well, over 20 years ago we sat before a committee like this, and we've been talking for 20 years. The system isn't getting any better; the system's getting worse. So talk is good; we support that. We sit around and we talk about this stuff and we try to figure out ways to make it better, but I think we see, as well, that it takes more than talk. So when we say we support this bill, we do that with the hope that you can bring forward some amendments that will close some of the loopholes, that will make this bill more powerful.

Personally, I went to school and studied history. So a lot of what of perceive is from looking at the past and trying to see how that affects the future. I know a lot of you haven't been around in the House for 20 years or more, but we wouldn't be here today if it weren't for people with disabilities and their organizations lobbying you guys and fighting for disability rights.

You know, the 10 years of the ODA committee—and we've been involved in that on this level—it was other people. From lobbying government to lobbying service providers, the people in this room can tell you we've been working in this town for 35 years to get people to shift the attitude from, "Once you're disabled; you're a charity case," to being able to live independently. We're not there yet. We talk about Thunder Bay as being one of the most accessible communities, but you've heard today that we're not there yet.

What I've seen too, in terms of history, is what is said and what is done. We've seen a lot of great language coming from all three parties about how we're going to make it better for disabled workers. And what do we see? We see the system getting worse. If you look at the numbers we've supplied in the brief, from the best research that has been done, the biggest studies, over 50% are unemployed once they become disabled at work. The new system that we've had in place for 15 years now shows that less than 20% of people with a permanent disability who get hurt at work are receiving benefits. This is better? So less than 20% are receiving benefits; 50% are unemployed. So this is better? This is where we're going?

I would ask you to reflect on who's here today. Who's making presentations? When I look at the list, almost everyone here has disabilities. They're the ones who care about this issue. Yes, there is support and people say good things otherwise, but it is the people who live with it day in and day out who are committed to this issue, and if this bill doesn't support that and doesn't have in place mechanisms that involve people like the people in this room presenting, where are we going to go? Who's going to be fighting for our rights? Are you guys going to do it? Are you going to sit in these things and fight for our rights? I don't know. I know the people here who've been doing it for 10, 15, 20, 25 years will.

It's really interesting, because if you look at history and you try to figure out what's going on around the world, you see that the United Nations has dealt with this issue. Ten years ago they printed a paper and last year I quoted—they have another paper, that came out. They have said that if you want to have inclusive communities, if you want to provide good services and programs for people with disabilities, you have to involve them, not as individuals but as organizations where there is a representative structure. So the person with a disability at the table is not just Steve Mantis, who has his own grudge to push, but I have a system where I'm elected and I represent a larger group of people who are there to tell me when I'm going wrong and when I'm going right, and the government has an obligation to support those organizations to do just that. This bill doesn't talk about that at all. That's one of the keys to success. Look at history; think about it. Look at the United Nations, look at the World Health Organization and the ILO, who all worked together on this paper, and that's what they said.

On the bill itself, others have gone into much greater detail. We need more clarity. It talks about employment; this bill covers employment. I can't figure out where or how. I'd love to know that. Once again, when you look around the world, when you look at who in fact has been successful at increasing and maintaining employment for people with disabilities, it's Germany, and you notice that Germany certainly doesn't seem to be suffering a great deal because they employ people with disabilities. They don't do it by sitting around talking about it. They have very clear rules on how it works. Six percent of all employees need to be people with disabilities. If you have 100 employees at your workplace and you don't have six, if you only have five, every month you pay a fine of ¥200. So every month you get a bill that's a reminder. You have a choice. You don't have to do it, but it's going to cost you if you don't. That money goes into a fund that helps people with disabilities with employment, with accommodations, with training, with counselling.

In this bill there is the creation of a special fund where there are administrative penalties for people who don't live up to the standards. We suggest one use of that fund could be to support advocacy organizations so that they can play a key role here. We need to find ways to support the organizations that are going to make this happen.

Lots of times it's a matter of economics: "We're going to do it if it doesn't cost us anything. We think it's important that you have equal rights and you have equal access." If we look at injured workers right now—I'm on a disability pension. My pension has decreased in value in terms of its buying power by 20% in the last 10 years. Disability equals poverty. Here in this House are the ones who said, "You don't need this money. You're OK. You may be unemployed, but someone will look after you somewhere." We're looking to you guys to take the lead here. Yes, it costs money. Yes, it does. These are the tough choices that you have to make. If you won't want us living in poverty, then you have to take a stand. You

have to stand up and say, "No, this isn't the way we want to treat people in Ontario. We want to treat them so that there is inclusivity."

The Chair: Three minutes.

Mr. Mantis: Similarly, and it was raised here today, we hear all the time that many people with disabilities, injured workers, need physio treatment, chiropractic treatment, massage treatment. WCB says, "No, we can't pay for that stuff. This is chronic. We'll only pay for it for just a little while after your injury and then that's it." Now we've just lost access to a lot of that stuff because of finances. Decisions have to be made; we appreciate that. How come we're the ones on the losing end?

If you look at how the compensation system works, over the last 10 years rates have gone down 30%. Some 10% of employers in this province employ 70% or 80% of the workforce. They got back \$500 million a year over the last number of years. We've been losing money as disabled workers. What's going on here? There's not enough money, but here are these big guys who are already making profits and have nice cars and chauffeurs and all this stuff, and they get \$500 million a year. We get nothing. How does that work? "There's not enough money." Enough money for what? History shows that there are some problems here. We're looking to you guys to take the lead and set this right.

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The last thing we want to say is that we need a mechanism for evaluation and monitoring. Once again history has shown us—15 years ago I was appointed to the board of directors of the Workers' Compensation Board. It was the first time a representative from injured workers was appointed. At the first meeting I said, "We need to measure outcomes for workers. We need to follow and see what happens. If we don't do this, we don't know how we're doing." Fifteen years later, at every meeting I go to I raise this issue. It's still not in place. Why? One would suspect it's because the outcomes are so bad that we don't want to tell anybody. So let's not really pay attention. Let's say we're all doing a good thing but not really count the numbers. We need a mechanism to monitor it and measure outcomes so that we can see whether in fact we're achieving what we're setting out to achieve.

With that, I leave the challenge with you. You are the ones who are going to make those choices. If you need any support or encouragement, give me a call. We'll be right there.

The Chair: Thanks very much. There's only one minute, and that will be to Mr. Miller.

Mr. Miller: Thank you for your very interesting presentation. I have a question about Germany. I was intrigued by your information about the German program. You said that 6% of the workforce for any given business must be a person with disabilities. It does sound like a program that has some merit.

I would also assume that that's a federal program across all of Germany. How would you see this as being the provincial government's role? Do you think that's

something that should be federal in Canada as well, if we were to adopt a program along those lines?

Mr. Mantis: I think it could be either federal or provincial. Back in 1992 or 1993, the government of the day was looking at employment equity legislation. In fact, during that time they commissioned a study to look at the European and, I think, the Japanese jurisdictions and they came back with some of this research. So I think it could be either federal—

Mr. Miller: If I could ask legislative research to get some information on this German law, that would be appreciated.

Mr. Marchese: Just review the Employment Equity Act a little bit. That might be helpful.

The Chair: OK. Thank you very much for your presentation.

LAKEHEAD DISTRICT SCHOOL BOARD

The Chair: Can we then move to the next presentation, from the Lakehead District School Board. You can start any time you're ready.

Ms. Jennifer Adams: Good morning. My name is Jennifer Adams. I'm superintendent of school services with Lakehead Public Schools here in Thunder Bay. Beside me is Rod Bessel. He's the manager of property services.

Mr. Chair, on behalf of Lakehead Public Schools, I would first like to thank this committee for the opportunity granted to make comments on the proposed Bill 118 respecting the development, implementation and enforcement of standards relating to accessibility.

As an obligated sector, the Ontarians with Disabilities Act, 2001, has had, and the proposed Bill 118 will continue to have, an impact on our operation. We recognize that Bill 118 clarifies several issues of the original legislation, including scope and the notion of the spirit of the legislation. Lakehead Public Schools supports the intent of this government's direction.

Lakehead Public Schools: our commitment to accessibility. Similar to the stated purpose of the act, Lakehead Public Schools is committed to the continual improvement in access to school board facilities, programs and services for students, staff, parents and guardians, volunteers and members of the community with disabilities.

Lakehead Public Schools has demonstrated this commitment by establishing a system-level accessibility work team; establishing active accessibility working groups at individual sites; consulting with people with disabilities in the development and review of our annual accessibility plan; ensuring that our school board policies and procedures are consistent with the principles of accessibility; improving access to facilities, programs and services for students, staff, parents, guardians, volunteers and members of the community; and participating willingly with other obligated sector members within our community on the Thunder Bay accessibility committee.

In the short period of time since the passing of the Ontarians with Disabilities Act, 2001, Lakehead Public

Schools has been actively working on accessibility issues:

—We are currently completing our second-year survey of all long-term viable facilities. This process has been facility-based, utilizing over 70 committees and the efforts of approximately 560 individuals. School-based committees have included principals, facilitators, special education teachers, classroom teachers, custodians, student council representatives, students with disabilities and parent members of school councils.

—Lakehead Public Schools has an active accessibility working group. This committee has invested a considerable amount of time establishing a priority list for improving accessibility in Lakehead Public Schools. Priorities have been clustered into milestones and defined to reach the board's stated accessibility objectives.

—Lakehead Public Schools has its accessibility plan posted on the board's Web site.

—Lakehead Public Schools has participated with other obligated sector members on the Thunder Bay accessibility committee in publishing in our local newspaper a description of the success of our year one activities, a list of contact names and instructions for locating each member's accessibility plan.

—During the last several years, there have been a number of projects at Lakehead Public Schools aimed at identifying, removing and preventing barriers to people with disabilities. They include the ramping of entranceways, the installation of a chair lift and the installation of universally accessible washrooms at Vance Chapman Elementary School; and, in years prior, the ramping of entranceways, the installation of elevators and renovations to provide universally accessible washrooms at Agnew H. Johnston elementary, Forest Park elementary, Westgate secondary, Heath Park elementary and Five Mile elementary schools.

Indeed Lakehead Public Schools is committed to the spirit of the legislation in establishing barrier-free schools, but we do have some concerns with the proposed legislation.

We believe there is a need for clarification for the scope of the term "fully accessible." Does it mean that each school is to have one accessible entrance, wing and floor, or does it mean that every entrance, wing and floor must be fully accessible? Does it mean that one washroom must be accessible or that all washrooms are to be accessible? Can a school board be compliant by demonstrating that some schools are fully accessible or does the government aspire to have all schools fully accessible? Building code issues will arise as renovations to historical buildings are required. The legislation defines persons with disabilities to include mobility, vision and hearing impairments. School boards will need to know the definition of "fully accessible" in relation to all disabilities. The expanse of the work is truly vast.

Significant funding will be necessary to enable school boards to begin in any substantial way the required work to complete the mandate of the legislation. To date, we have heard of no new funding announcements to

undertake the task of moving toward barrier-free schools. Renewal dollars are already extremely tight in most school boards across the province. Currently, school boards receive approximately \$100 for each elementary student and \$130 for each secondary student per year to maintain their buildings. In an elementary school with a capacity for 400 students, a school board would receive approximately \$40,000 for the year to maintain the school. Given that replacing windows for a school that size costs approximately \$60,000, the board must save for a year and a half and incur no other maintenance or capital costs in order to pay for this one capital project. A new roof for the same school requires five to 10 years of savings.

These calculations are with the assumption that the school is full to capacity. The reality in many schools in northern Ontario is that declining enrolment has led to schools functioning well below capacity. If this same school in northern Ontario has a population of only 200 students, then new windows require three years of the funding allocation and the new roof requires 10 to 20 years of funding. Now factor in that school boards with declining enrolments have a preponderance of aging buildings. Without a doubt all school boards, particularly those in areas of declining enrolment, will need substantially increased capital funding to provide barrier-free schools.

Some potential solutions: School boards are faced with a significant dilemma. They must demonstrate compliance with the Ontarians with Disabilities Act and Bill 118 with a single source of funding—the Ministry of Education—and no other potential for raising capital dollars, i.e. mill rates or fundraising.

One suggestion is for the Ministry of Education to provide renewal dollars based on the age of buildings. There is a strong correlation between the cost of renovations and the age of a facility. If children, staff, parents and community members from all parts of the province are to equitably share in the right to have accessible schools, then differentiated funding for this initiative is essential.

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The additional requirement of barrier-free schools renders many more buildings prohibitive to repair. In some cases it's simply less expensive to build new than to try to retrofit old buildings. This new requirement of barrier-free access makes it all the more necessary for all school boards, not only those in growth areas in southern Ontario, to continue to be able to renew their fleet of schools in a cyclical manner. A second suggestion would be for the Ministry of Education to ensure that the new capital funding formula allows all school boards the flexibility and appropriate financing to build new.

Conclusions: It's our sincere hope that Lakehead Public Schools has demonstrated today our desire to be operationally compliant with the spirit and intent of the Ontarians with Disabilities Act, 2001, and the proposed Bill 118. Given the assurance of appropriate levels of funding to complete the required capital projects,

Lakehead Public Schools is committed to working closely with the government of Ontario to implement this important act and bill.

On behalf of Lakehead Public Schools, I thank you for the opportunity to provide input. We look forward to playing our part in providing barrier-free schools for the citizens of Thunder Bay and surrounding area.

The Chair: We have about two minutes for each group, and I'll start with Mr. Marchese, please.

Mr. Marchese: Thank you both for coming and for outlining some of the funding problems you're already having to deal with and that most school boards have had to face for quite a long time. And it's not getting any better; it's going to get worse. I think I understand your commitment to the bill, but you're pointing out that there will likely be expenses that boards will have to incur, depending on how the bill is defined in terms of fully accessible, and that you anticipate there will be costs. In your mind, there will be costs. One way or the other, someone is going to have to pay for it. You're also mentioning that school boards won't have access to dollars to do it, except and if they come from the provincial government. You made some suggestions, but your hope is that the government will put in some money to help the school boards, otherwise you will be further in trouble. Is that not the case?

Ms. Adams: All of our funding comes directly from the Ministry of Education, so we are 100% dependent on those capital funds to be able to do this work. If the intent and the spirit of the legislation are to have fully barrier-free, accessible buildings, we are absolutely ready to do that work, but we need to have the funding to be able to do it.

Ms. Kathleen O. Wynne (Don Valley West): Thank you for coming here today. First of all, I work with the Minister of Education, I'm one of his parliamentary assistants, and I just wanted to acknowledge that there are huge problems with facilities in all the school boards around the province.

Ms. Adams: Absolutely.

Ms. Wynne: Especially, as you said, school boards with older buildings. I think you know that the minister is working on a revision to the funding formula and there will be an announcement fairly soon about how that's going to change.

You raise a really good issue, and I wanted to get a sense of how you've dealt with it to this point. You ask what exactly it's going to mean to be fully accessible in terms of school boards. My assumption is that you and the other school boards in this province will want to be part of that discussion on standards development, because the point of this bill is that we develop a standard that's province-wide. What's your sense of what would be reasonable in terms of a standard for a school board with old buildings?

Ms. Adams: To this point, we've been dealing with that dilemma at the local level. At the board level we have an accessibility work team that has been defining some milestones that we will try to reach. We haven't put

timelines and we haven't put targets on those timelines, because we don't know the funding that will be available.

Ms. Wynne: Have you identified schools in families of schools that would be accessible? How have you done that?

Ms. Adams: We're looking at a number of things. Any new buildings that we have in our jurisdiction will be absolutely 100% barrier-free. Where we are putting additions on to buildings, those additions will be absolutely barrier-free, to make sure that there's one entrance and one set of washrooms accessible. For our current buildings that are not having significant renovations, we're looking at what would be the absolute criteria. We're looking at moving toward one entranceway, one set of washrooms, making sure that any of our buildings at least have that minimum and then building toward the milestones as we go through. Our intent in the long term is to be able to turn over the fleet of schools and to be able to say, at the end of the day, "All of our buildings are 100% accessible."

Mr. Miller: Thank you very much for your presentation and for outlining the unique challenges with northern schools. In fact, you've had to close or are in the process of closing a number of schools in this area. Is that correct?

Ms. Adams: Yes, it is.

Mr. Miller: How many schools?

Ms. Adams: There are seven school closures coming for 2005.

Mr. Miller: And that's in large part because of the declining enrolment—

Ms. Adams: Absolutely.

Mr. Miller: —but also tied in with funding, as you were pointing out.

Ms. Adams: We're really looking to make sure that we have positive programs going on in our schools. We had a situation where we had 4,000 empty student places. For program reasons, funding reasons etc., we have restructured our schools to make sure that we can provide high-quality programs in them. One of the aspects of high-quality programs is making sure that students with disabilities can come into those buildings. We know that the connection between parents and children and the effect that has on student achievement is incredibly important, so we want to make sure that parents who have disabilities can get in and be present in our schools. And, of course, the community connections. All of those things are critical to student learning.

Mr. Jackson: Jennifer, I want to thank you for your presentation. Your accessibility committee internally has been operating for two years now?

Ms. Adams: Yes.

Mr. Jackson: And you file an annual report publicly?

Ms. Adams: Yes, we do.

Mr. Jackson: You realize that under this legislation, that auditing function will be removed, so you will no longer have to perform those functions.

Ms. Adams: We will continue to monitor those. It's the right thing to do. We will continue to bring updates to

the board regardless of whether or not we are required to by act. This is an important learning piece in our schools, and we will continue to bring that information forward to our elected trustees on a regular basis.

The Chair: Thank you very much for coming.

PATRICIA SEED

The Chair: We'll move on to the next presentation from Pat Seed. You have 15 minutes for your presentation. Whenever you are ready, please proceed.

Ms. Patricia Seed: Good morning, distinguished officials, committee members, colleagues and friends. I would like to talk with you about a disability that is not usually recognized as one that needs special attention: the disability of total blindness. I did not intend to have people with me on this presentation, but I feel that having Annie here as well, who has worked with me on a day-to-day basis, and also having Jeff Harriman here, who is one of our students working at Persons United for Self-Help, really can give some credence and some understanding to you.

In order for me to show you what I see or don't see, what I'd like you to do is close your eyes, please. I know this is not a usual thing to do, but I'd like to simulate this, and if you wouldn't mind participating, I would really appreciate it. Make your hand go in front of your eyes from left to right, with your eyes closed. Now, may I ask anyone around the table if you saw anything, or if you envisioned anything going in front of your eyes, or what changes did you see?

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The Chair: Anyone?

Ms. Seed: Anyone. Any changes at all?

The Chair: Mr. Mauro, you're the local MPP. Do the honours, please.

Ms. Seed: I had asked you to go like this—

Mr. Mauro: A bit of a shadow change, a bit of a light to dark—

Interjection.

Ms. Seed: That's right, yes. The reason that you do see the light is because when your hand is in front of one eye and your eyes are closed, there is no light that can go through that hand, yet light can go to the other eye.

The situation is that I was born blind. I was taught Braille. With all of the technology—and I'm not saying the technology is not good; it's extremely good, because it's enabling us to go through work faster, to be employed more, although people who are totally blind are one of the most chronically unemployed groups. However, what happens is that at whatever time a person needs to start using Braille, they need to know how to spell and they need to know that it's not just the screen reader or the audio or the people reading to them or the spellcheckers that are going to make the difference; people need to be able to use Braille.

One of the things I can tell you is that in my own use of Braille, I can skim down to different aspects of what I'm reading. Before—I don't know if any of you were

looking—I was going down the pages pretty quickly, finding out where Annie was when I was presenting.

If you look at the Braille page that you have in front of you—do you all have that? OK. If you look at the bottom two lines, you'll see where the next-to-last line has the one dot. That's the letter A, and if you were to go all the way across, you would end up with the letter M at the end of that line, and then the next line has the letters N through Z.

I'm going to show you a search technique here. This is a portable note taker; this is a Braille Lite. These are not affordable for people, only for programs. These are \$4,000. Fortunately, employment support some years ago was able to assist in the provision of this. However, things have changed, and the items are more useful and more Windows-oriented; the Braille Lite is basically DOS-oriented. As you know, Michael Gravelle is very active in this community, so I'm going to put in a "find" command and I'm going to try and find Michael Gravelle's office number in my file here. I'd like you to be able to, at the same time, see if you can read that first line of Braille, using the letters that you see at the bottom of your sheet. The prize is a smile.

The first sign that you see is a capital sign. That's actually before all of the words. OK, I have it here: "Michael Gravelle, MPP, Thunder Bay-Superior North riding." The phone number is 345-3647, the fax is 345-2922, and the e-mail is michael-gravelle-mpp—it's quite a long one; sometimes dashes and underscores look the same in Braille—and I do have the address here.

Was anyone successful in reading that first line?

The Chair: No answer at this time.

Ms. Seed: You see, the thing is that basically as you were told as youngsters—

Interjection.

Ms. Seed: Yes, you're correct; "dog" is correct—this is the letter O. I'm drawing this as you would be facing it. This is the letter L.

When I went to school, the Braille that I learned was what you see right here. I am really concerned that there is going to be a loss of this art, a loss of reading Braille, and that therefore there would be a loss of access for people, whether it's only three people out of 20, whether it's only one person in a certain area. You know that accidents and various illnesses can happen that can change our lives so dramatically in a split second. If it comes to the fact that vision is one of the things that is lost, what do people have to go back to? How can they label their items?

I know that I'm wearing matching clothing because someone has helped me do that. It's very interesting that there is attendant care for people who use wheelchairs, for people who need lifting assistance and so on and so forth, and yet there is not any kind of attendant care, or even the insight for it, for people who are totally blind or unable to read print.

We have mail coming in at home. As you know, I told you I'm currently the executive director of Persons United for Self-Help, and that involves using the com-

puter, the screen reader, searching. All the things you do with a mouse on the computer are done my way by keystrokes, by knowing that because I'm using the JAWS for Windows screen reader, Windows key "M" is going to bring me to the desktop.

I would really encourage you not to just take all of this information back with you and say, "What do they need?" I understand there's something before you to do with David Lepofsky. I believe he should be on this committee, as well as a couple of other people who are disabled, so that you will be able to get the information first-hand, and that those people would then lead groups in different areas of Ontario to be able to get the information to have the dialogue so you know what the real issues are. That is the only way you can act. You can only act if you know what the real issues are; otherwise, it's just talk.

What you also have there is my contact information. If you look underneath my address, I have been given a beta tester conference room, and I will tell you now that it is open for anyone in Ontario to use. It is going to be open from 10 to 4. We will make sure it is manned. It is now being used between the two places where I work: at home and also at Persons United for Self-Help; I have to do some of the work at home because my ears really need to hear what the computer is saying and so on and so forth, and what the scanner is reading. I need verification of some of those things by people who can see. If I don't label things, I have a drawer full of paper and nowhere to go, nowhere to figure it out. If you opened a drawer full of paper that had no labels on it, or you couldn't pick up a pen and write and couldn't grab that piece of paper, would you feel comfortable?

1220

That's basically what I would like to bring out to you. Also, in the interest of Braille, one last thing: I would like to see that Braille is provided for people because of literacy—I'm running into a tight deadline. Often, I do things for the community. I've been volunteering in Thunder Bay since 1981, and I have, through the assistive devices program, part of the money for a Braille printer, but I can't even do my own business cards right now because they don't make the Braille printer I have any more. It only requires tractor feed, and it doesn't Braille on both sides of the page, which is not environmentally friendly, in watching things like that happen. As well, it does not have sheet-feed.

I can help give to people in northwestern Ontario or Ontario the Braille they need because I read it. The thing is, I have seen some bank bills and bank statements that do come in Braille, and I applaud this. But sometimes things are cut off, and they don't even realize it because no one goes over it who can read Braille.

The Chair: Thank you.

Ms. Seed: Are we out of time?

The Chair: Yes. You are just over the time, unless you have something quick.

Ms. Seed: I just would like to ask Annie and Jeff if they had any additional comments.

The Chair: I think we're over time. I thank you.

Ms. Seed: OK. Thank you.

The Chair: Thank you very much again for coming. We have ended the morning session. We will be back at one o'clock to continue with the afternoon session.

The committee recessed from 1225 to 1307.

SHARON BJORKLUND

The Chair: Good afternoon. We will start our afternoon session. Our first presentation will be from Sharon Bjorklund.

Allow me to make some things clear since we are starting the afternoon session. I'll just go over what we said this morning. Just so you know, in addition to the French-language interpretation, the meeting is provided with closed captioning, and a sign language interpreter is available as required. We also have two support service attendants available for anyone in the room who may require personal assistance during the day. These hearings are taped, so they will be broadcast and then Webcast. Today will be broadcast on the parliamentary channel on cable TV on Wednesday, February 9, and will be Webcast the same day. The newscast of all meetings is available at www.ontla.on.ca. All the meetings will be archived for the month of February.

At this point I would ask that you start, if you're ready, please.

Ms. Sharon Bjorklund: I would have to ask, as a point of access, that the committee try not to interpret when I'm looking down because I can't read the screen and my presentation at the same time.

The Chair: OK. Thank you. We will do that.

Ms. Bjorklund: Good afternoon. Thank you for the opportunity to speak to you as a private citizen. I bring with me my experience as a hard-of-hearing person who currently chairs the access committee for the Canadian Hearing Society, Thunder Bay, and I also sit on the municipal accessibility advisory committee for the city of Thunder Bay.

I thank the government for its forward thinking on making Ontario more accessible to persons with disabilities. But I must say that access can have different meanings for each disability. For me, access is having options to help me hear—for example real-time captioning; provision of amplification devices; and a quiet environment with good lighting, to name a few. This is evident today, as without these I would not be able to participate here.

Full accessibility must happen at all levels, both provincial and local. Without full participation of all disabilities in defining accessibility standards, we cannot ever expect to be accessible. The need to expand must be made with more real-time captioners. We need to develop a larger base of people with professional standards for becoming real-time captioners. We need qualified real-time captioners available in all areas across the province, not just in the larger centres. This can happen only if you expand resources to provide professional training.

Bill 118, 2005, is a good start but has some weaknesses in it. I would ask this of you:

In subsection 8(4), that the word "shall" be replaced by "must." The minister must invite persons with disabilities or their representatives, because not to guarantee their presence is not to guarantee that standards for access do in fact meet the needs of all disabled.

In Section 10, Proposed standards made public, the government must ensure that all notifications to the public include the format needed to ensure that all can access the information. This is not only by putting information out on the Internet, but also in American Sign Language and in Braille etc. Not all Ontarians have access to the Internet or knowledge of computers. Public libraries do offer free Internet service, but without adequate communication access, hard-of-hearing individuals cannot understand instructions on how to use the computers.

Subsection 19(4): I would ask that the word "dwelling" be clarified in the glossary of definitions. I assume that you are referring to a place of business, and if so, I can support this term. What I would not like to see happen is the interpretation of the word "dwelling" to include private individual homes unless they are a public place of business; for instance, a rental or home-run business.

Clause 19(10)(b): You state that any evidence of a violation can be removed by the appointed inspector and kept for a reasonable time. I would ask that the term "reasonable time" be revised to read a specific time frame such as 10 days. Holding on to anything that may be a necessity for running the daily business for more than a specific time frame could become a problem for the business.

Service, subsection 37(3): Due to the size of Ontario, mail can, although not always, take more than the specified three days to be delivered. I would suggest that a more reasonable time frame be used.

Section 40: You state that fines will be collected and put into a special fund and invested. I would like to see this special fund used only to help create an accessible Ontario and not used down the road for anything else. As a taxpayer, I would like to know what the government intends to do with this special fund money.

Section 41: You state that when the Accessibility for Ontarians with Disabilities Act, 2005, becomes law, the Ontario Disability Act, 2001, will be repealed. I would ask that with the new act having a deadline of 20 years, what is to stop those already taking excellent strides from slowing down or ceasing until a better financial and economic time is achieved? I must ask that provisions be in place so that the current municipal accessibility advisory committees established under direction of the ODA, 2001, continue under the new act, once proclaimed.

I would like to see the act reflect that the building code must be changed to include mandatory access, such as visual fire alarms.

In closing, I would ask you, the government, to ensure necessary resources, both human and financial, so that I,

as a hard-of-hearing individual, can gain the same access that non-disabled persons have in Ontario. Thank you for your time.

The Chair: Thank you. There will be about three minutes for questioning, and I believe Mr. Gravelle will start.

Mr. Gravelle: Thank you very much, Sharon. I appreciate your presentation very much. I think you make some very good recommendations. I think it's fair to say that in terms of your concerns about the act that's presently in place, there will be some bridging between legislation so that what has been moved forward in terms of the previous ODA will be working with the new one. So there will be some bridging.

Sharon, I know that you've been an advocate for a very long time and have always expressed your concerns very articulately, certainly, to me and to others. You told me a story, actually, before you made your presentation, and I wonder whether you want to tell the committee about when you were dealing with my office and trying to access information about these hearings. You made reference to this being the first time you ever had that kind of assistance in terms of dealing with the government. I think it's an instructive story to tell. Can you let us know about that?

Ms. Bjorklund: I was talking to a lady in Mike Gravelle's office. For me to talk to anybody in government outside of Thunder Bay is difficult, because most government offices have answering machines and I need a live person. So if I got an answering machine at Mike Gravelle's office, I'd just hang up and go down, because he's close by. But the fellow in Toronto whom I was talking to—I think his name is Chris Shantz—suggested that I speak to this committee. I called Michael Gravelle's office back and told the girl there what happened. She gave me the number to reach the committee to become a presenter. The only thing was that, having had prior experience with government offices and hating to hear that answering machine, I couldn't do it on my own. I wish I could remember the lady's name in Mike Gravelle's office, because she put me through to Toronto, she stayed on the phone and made sure that the person who answered the phone at the other end was a live person. She also stayed on the phone, and when it was obvious I wasn't understanding what that person was saying, she repeated some of the things that were said. This is the first time I have ever encountered that kind of help from anybody's office in government, and I really appreciated it. That day, I made a point of putting in the back of my head that the next time I ran into Mike Gravelle, I would let him know that there's a girl in his office who went above and beyond the call of duty to help me as a hearing-impaired person participate here today. I really appreciate it. I can't tell you how different it felt.

Mr. Gravelle: I appreciate that too. I recognize it as frankly more a story about the challenges that Sharon and other people who are hard of hearing face.

The Chair: Mr. Miller and then Mr. Jackson. To be fair, you've got two minutes instead of one.

Mr. Miller: Thank you very much for your excellent presentation today. I know my colleague wants to ask a question, so I'll be as succinct as I can. You mentioned your experience on the municipality accessibility advisory committee and that these committees be kept as part of this new bill. I specifically want to ask you about the north and smaller communities. Under this legislation, "The council of every municipality having a population of not less than 10,000" may "establish an accessibility advisory committee," and communities greater than 10,000 have to establish committees. How do you think the north and all those small communities that may not get accessibility advisory committees should be handled?

1320

Ms. Bjorklund: I don't think you're going to like my answer. I've said this before: When it comes to accessibility, the first thing that comes out of anybody's mouth is, "How much is it going to cost?" Well, I pay taxes right now, and I'm not getting a hell of a lot for the dollar that you're taking from me, but I'm still supporting you. In one letter I wrote to the government, I suggested that if they can identify 20% of their population as being disabled, then even one half of 1% of all monies collected in taxes should go toward some form of access within that community.

For the smaller rural areas in northwestern Ontario, this would present a financial difficulty, but at the same time, I believe that if you've given 20 years for this act to be implemented by law, then you have 20 years as a government to find ways to help small rural areas become part of that process, whether it be from the actual funds when you start collecting fines—use some of that money for helping rural areas.

Not everybody has to become accessible tomorrow morning, but it would be nice to feel that the government has in place a way of making funding available to smaller rural areas where they can be just as accessible down the road. I have a dream I haven't told very many people. I honestly wish that I lived in a city, a province or a country where this meeting would never have to take place.

The Chair: Thank you. If you have to ask a quick question, Mr. Jackson, please. It's not your fault, but we are over time on this one.

Mr. Jackson: I just wanted to thank Sharon for her presentation. She has acknowledged an important point when she says, "I would ask that with the new act having a deadline of 20 years, what is to stop those already taking excellent strides to slow down or cease until a better financial or economic time is achieved?"

That's a very important point being made to this committee. As I indicated earlier, under the current ODA, which Sharon is serving under, the access council of Ontario was charged with creating the regulations under the new act. They had struck their committees, they had formed all of their framework, and once the government changed—which is the point you're making: What's to stop people from slowing down or ceasing?—the government came in and said, "That work shall end," and

they didn't proclaim the enforcement section of the ODA.

I concur with your concerns, Sharon, that there's no real political will to complete this legislation, if in fact for the last year and a half they've actually been stopping all work on the ODA.

The Chair: Thank you. Those on the government side—

Mr. Khalil Ramal (London–Fanshawe): On a point of order, Mr. Chair: It's been mentioned—

The Chair: Is it a point of order? Otherwise—

Mr. Ramal: It's a point of order.

The Chair: What is the point of order?

Mr. Ramal: I have a right, because he made some comments, and I will not just stay quiet. I have a right—

The Chair: Gentlemen and ladies, we have been very flexible until today, and I wish to continue. I appreciate what you're saying. The point of order is—

Mr. Ramal: Mr. Chair, it's not about sharing. It's just some facts.

The Chair: Can I then ask you to wait until it's your turn? Maybe you can clarify that when it's your turn. I need to recognize Mr. Marchese. We have run over at least five minutes on this deputation. I appreciate all your assistance in allowing me to try to manage this presentation and move to the next one.

Mr. Marchese, I know you will be very responsible. It's your turn.

Mr. Marchese: I would like to be helpful and simply thank Sharon for coming. Then we can move on.

The Chair: And I thank you for that very much. Thank you very much, Sharon, for your presentation.

THUNDER BAY
WORKERS' INFORMATION
SERVICES EXCHANGE INC.

The Chair: We will be moving to the next presentation, with your blessing. It will be from the Thunder Bay Workers' Information Services Exchange. Do we have Francis Bell present today?

I have been quite flexible when there are questions to be asked.

Interjection.

The Chair: Yes. If we all co-operate, then we'll continue that. Otherwise, when the 15 minutes are up, I'll stop anyone. Thanks very much.

Sir, you may proceed.

Mr. Francis Bell: Good afternoon, Mr. Chair. My name is Francis Bell. I'm the secretary of the Thunder Bay Workers' Information Services Exchange. I want to welcome you to Thunder Bay. I'm glad this committee has seen fit to come to our city.

I have provided you with a nine-page brief, as well as a one-page press release. I will not attempt to read this because, obviously, the time will go by and I won't be finished. I just want to highlight some key factors that I think would be important to you. One is to let you know that our organization provides services as far as the

White River area, which is roughly 400 kilometres going east, and as far as Ignace, which is 250 kilometres going west. So we have a broad catch basin.

In fact, I recently met with Mr. Gravelle, and we looked at the number of people we served just in his constituency. It was interesting when we actually looked at those numbers and the amount of service that was required.

We speak and work with disabled persons on a daily basis. This is not something that we do on a hit-and-miss basis. That's part of our job: to deal with disabled people. In our case, the vast majority of our time is spent with injured workers.

I want to congratulate the minister for bringing the bill forward. I have to be honest; I'm not here to lobby you. Can you imagine my saying that? I want to act as your conscience, because I think that's probably a better way to get you to really look at what you have to do here.

The minister mentioned—and I have it on page 4—that this bill is about removing and preventing barriers for 1.5 million Ontarians. Some 1.5 million Ontarians are being discriminated against otherwise, on a daily basis, not five days a week, but seven days a week, 24 hours per day, 365 days per year. That is something that you have to ask yourself, and I'm asking you to trigger your conscience: Is that acceptable? Are you prepared to wait for 20 years to do something about it? I understand what the legislation says, and I'm more than prepared to debate it and discuss it. But I have to ask you: Are you prepared to say to somebody, "We'll wait 20 years before we'll really deal with this and there'll be something in place to deal with it"?

The purpose of the bill is, "developing, implementing and enforcing accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to goods, services, facilities, occupancy of accommodation, employment, buildings, structures and premises on or before January 1, 2025," at the top of page 5. As we said, the goal is honourable. The timing is what I have to question.

With regard to barrier-free designs, I have to say this: In Thunder Bay many years ago, we used the CMHC accessibility standards. They actually worked. Were they the best? No, but it was a place to start. So when I was thinking of that, I said that maybe we should do some research. Lo and behold, the government has a site on equal opportunity. At the bottom of page 5, I've actually quoted that site. I would suggest to you, there are your standards to start with. I would like to suggest to you that within five years the provincial government ensure that every building it owns, every building it rents or leases, every MPP's office, anything that is funded totally by the provincial government, has full accessibility in compliance with the OHRC recommendations.

Further, I'd like to suggest to you that you remove the exemptions. There are too many exemptions. They're weasel words. They're ways to get out of things. You can do it, you really can. You just have to make the commitment. Twenty years is too long to wait.

With regard to work readiness, there are issues of what's going on in the workplace—can the employer and the workers do that? You've heard some presentations previously that suggest that it can be done. We have no problem with employers and employee organizations, whether they're unions or associations, starting the process, but they need a starting place. Again I would refer you to the OHRC recommendations for accessibility, those to be the standard start-off point. We need something better than that, gentlemen, but it's a start.

1330

One of the things that is interesting: We need to talk about accommodation not only in the sense of accessibility but also work readiness. The reason I raise this is that the WSIB spends millions of dollars retraining workers. Some 55%-plus who have been trained for a minimum of three years are still unemployable—they're unemployed. So I would suggest to you that not only do we need to make Ontario's facilities more accommodating, we need to make Ontario's workplaces more accommodating. I think you have to look at that, and that starts with an attitudinal change. In some of the recommendations in the press release that I'll come to at the very end we'll talk about that.

The burden of the government is to do something; not to plan and say, "We will do something down the road," but to actually take action. That's why you were elected. You weren't elected on the theory of, "Well, we might do something in 20 years." You were all elected, whether you're from the government side or the opposition side, based on the idea that you had a vision, that you were going to do something. This bill starts the discussion, but please don't let it be the end of the discussion. It's not enough.

I said it's your conscience. Are you satisfied that 55% of people who have a work ethic are not able to be employed? Is that realistic? Is that the society that we want? Are you prepared to say to 1.5 million Ontarians, "Wait 20 years, then you might get accommodation"? I would think, from looking at all your faces, that none of you is. So maybe there need to be some amendments in the clause-by-clause.

The issue is cost. It was raised a little bit earlier, and I'll do it very quickly. Governments, both federal and provincial, used to have programs that allowed for renovations, and there were grants and loans. I would suggest that you're going to have to go back and look at that, because we want every place in Ontario accessible. Why should people who have a disability be told, "I'm sorry, we can't accommodate you"? That is not satisfactory.

In our press release we said there were four main issues that we wanted to see reviewed and approved. One was the inability of persons with a disability to access services, accommodations and work. Really, is it an issue of rights or is it an issue of discrimination? I would suggest to you that it's an issue of discrimination against those who have disabilities.

Barrier-free standards: I've already told you what we think you can use. That's a start. It's not a finish, but it is a start and something for you to move forward on.

Cost: Yes, there is cost to this, no doubt about it. The speaker before me gave you some suggestions about potential ways of doing it. I would suggest to you that there were programs before. You don't have to reinvent the wheel. Just go back, have your staff do the research and they'll show you what was there and what worked. An example is that they pushed the Northwest office, used that program, and it resulted in having access to that building. There are things that can be done.

Last, but not least, you have to embark on an education program. Whether it's done through the direct-orate, whether it's done through another department, I really don't care who does it but it needs to be done. We need to change the attitude of Ontario. We need to change the attitude of the workplaces. We need to change the attitude of the community organizations. People with disabilities can bring something forward to you. We do have a positive contribution to make to society. Look at the individuals who are presenting to you just today. Every one of them is adding something to this debate. They are prepared. If you give us the chance, if you give us the opportunity, we'll be there.

On behalf of our organization, again I want to thank you for coming. I'm sorry I was a little bit brief, but I'm trying to make the Chair's time schedule and hopefully help get you back on track, because I know you've got to get a flight to Ottawa.

Thank you very much, Mr. Chair.

The Chair: That won't be a problem. We have dedicated 15 minutes to you, and you have about four and a half minutes left, one and a half minutes for each group. Mr. Miller is the first one.

Mr. Miller: Thank you very much for your comprehensive presentation. We had an earlier presenter talking about the system they have in place in Germany for employment of people with disabilities, where employers are required to have 6% of the workforce—I believe that was the figure—as people with disabilities, and if they don't have that, then they have to pay a penalty. Have you seen that legislation at all, and what are your thoughts about that?

Mr. Bell: No, I haven't seen the legislation. I have heard the story; I'm pretty sure I know who told it to you. The key for me is that I don't think you need a target. I think you need to say, "We're going to make it open." Once we get to targets, we have people who say, "Is it economically more advantageous to pay the penalty?" Look at some of the professional sports leagues; they'll tell you all about paying the penalty for going over the cap. Or do we really want to accomplish a goal? The goal we should be accomplishing is getting every Ontarian fully able to access any goods, any service in Ontario, and that includes all workplaces.

The Chair: Mr. Marchese.

Mr. Marchese: Thank you, Francis, for lobbying our conscience. I remind my friend David Miller that we did introduce employment equity—

The Chair: Norm.

Mr. Marchese: Norm; I made a mistake with “David.”

We introduced employment equity in 1993 or 1994 and the intent was to create targets, not, as they called them—what was the word you guys used?—quotas, where you would have a certain number of people with disabilities in a workplace. That was defeated as soon as the Conservative government got elected, and that’s a shame. This bill doesn’t deal with that, and it needs to. That’s a point I think you’re making and that I would like to make as well. I support that.

In terms of the time frame, I think you’re also saying that at least in this first term the government should be able to say, “This what we want to accomplish in this mandate.” If they get re-elected, they should be able to say, “This is what we want to accomplish in the next four years,” rather than leaving a 20-year time frame, where in the first five years we may not even know what’s going to happen and the minister may or may not approve those standards—because he or she has to approve them—and all that vagueness leaves you a bit unsettled. Is that not the case?

Mr. Bell: You’re partially there. What I said is that in the first five years—I’m saying this looking at the government members and my two friends from Thunder Bay—we want you to impose the OHRC standards that are out there. We want you to take action now. The government is the lead here, folks. You can do it. I don’t want them to wait until after the term to say, “We might do that.” I want it done in the first five years. So by the time this government goes back to the polls—because it does have a majority—I’m hoping they’re going to be able to say, “We have implemented a standard in Ontario for all our workplaces,” and I’ve said for all MPPs’ offices, not one or the other. I don’t care whether you’re in opposition or in government, whether you’re in the Legislature or in another building, you have to be fully accessible all the time. Front door, not back door, is what I talk about in the brief. It’s a standard to set.

The Chair: One of your friends: Mr. Mauro.

Mr. Mauro: Thank you for your presentation. You have made reference to the timelines contained in the legislation. I’m not a regular member of this standing committee, but it’s my understanding that that has been a regular theme that’s come forward to the committee as a consideration and a concern as they’ve been touring the province with this piece of proposed legislation. Mr. Lepofsky, however, who represents a broad cross-section of the disabled community in the province, seems to have indicated support for the legislation generally and no specific concern—I don’t think as much—with the timelines in terms of the five-year goal-setting that exists within it. I’m wondering of you could comment on your perception of the timelines compared with Mr. Lepofsky’s.

1340

Mr. Bell: First of all, I agree that Mr. Lepofsky has been the leading voice for persons with disabilities,

especially the ODA Committee. However, as all mature adults, we can agree to disagree. I want standards now. David is prepared to give you a chance to build them up over a period of time. In the brief, I actually talked about the concern of having multiple committees, different sets of standards, depending upon the industry. You need a floor, folks, and the floor has to start now, not 10 years, 15 years or 20 years in the future.

Mr. Lepofsky is looking at the long run. I’m looking at convincing people that this government is prepared to do something, that this government’s opposition wants something done. You can only do that by walking the walk. You can’t talk the talk. You’ve got to actually walk the walk. You can do it.

Mr. Lepofsky says, “Let’s wait. Let’s line all this up.” I guess I’m a little bit impatient. Maybe I’m getting too old, maybe I’ve been around too long, maybe I’ve heard too many promises. But I’m telling you that if you’re going to convince people in the disability community in the long run that you want to do something, you’ve already got your standards. Maybe they aren’t the best, but it’s a starting place. We can improve on that.

The Chair: Thank you, Mr. Bell.

HAGI COMMUNITY SERVICES FOR INDEPENDENCE

The Chair: The next presentation is from Hagi Community Services for Independence. Is Allan Buchan here?
Good afternoon. You can start any time you’re ready.

Mr. Allan Buchan: Chairman and members of the committee, we’d like to thank you for this opportunity to comment on Bill 118, the Accessibility for Ontarians with Disabilities Act, 2004.

Hagi Community Services for Independence began as the Handicapped Action Group in 1975 as a result of a disability report that was compiled in 1972 by the local Lakehead social planning council. At inception, the purpose of Hagi was “to improve the living conditions of persons with physical disabilities by fostering independence, self-determination and the acceptance of responsibility among disabled consumers.” The major areas of emphasis in those early days were transportation, housing, attendant care and recreation. The generally recognized philosophy of the founders of Hagi was that “in order to assume control over one’s life, an individual needs to make their own choices regarding his or her own personal lifestyle.”

As early as 1975, Hagi began providing services to meet the organization’s objectives. Hagi Transit began operation through a LIP grant provided by the government of Canada. In its initial year, that service accommodated approximately 2,500 trips with only two vehicles—two high-roof vans. We currently provide over 90,000 trips a year with a fleet of 20 vehicles in the community.

Our housing program, which provides barrier-free apartments and 24-hour attendant care services, became a reality in the spring of 1979. The organization developed

its second building in the mid-1990s, opening on Jasper Drive in 1994.

By 1982, our attendant care project expanded into the Thunder Bay non-profit housing apartment buildings, providing support services to all their barrier-free apartments. In 1986, we started an outreach attendant care program in Kenora and later expanded to persons living in their own homes in Thunder Bay. Both services encouraged consumers to manage their own care. Kenora has since broken away and formed Northwestern Independent Living Services, a sister organization to Hagi. In the early 1990s, we continued to develop community-based services and started our third outreach program along the north shore with an office set up in Geraldton.

Formal and informal recreation has always been a part of Hagi programs and services. The most successful and recognized has been our wilderness discovery program, which originally began as an overnight camping excursion and has grown into the construction of an accessible recreational camping facility on Shebandowan Lake. This facility is available to all persons with disabilities on a pre-booked basis.

What do we think of the Accessibility for Ontarians with Disabilities Act? Our organization sees the presentation of this act as a much-improved version of the previous Ontarians with Disabilities Act. We commend the Ontario government for bringing forward Bill 118, the proposed Accessibility for Ontarians with Disabilities Act. We have seen that consultations that were held prior to the writing of the act were not only beneficial, but a number of the recommendations have been incorporated. This bill reflects a substantial improvement over the previous bill of 2001. It begins to open doors and addresses the fact that people with disabilities need to be consulted on issues, services and programs that directly affect their ability to live independently in the community. Many of our members want to be and are taxpayers and feel proud of that fact. Given the power to choose whatever lifestyle they decide has helped develop our motto, "Independence by Choice."

In its 30-year history, our organization has seen standards come and go in our community as they apply to consumers with disabilities. An example, in fact, is that we had one of the most forward-thinking municipal building codes in the late 1970s. That was eventually lost to the enactment of a provincial building code that failed to address the standards we had developed locally for our constituents. We need a code that will prevent this from happening again, and the first step is to incorporate a consultative process to all acts and regulations that affect citizens with disabilities.

Over the past few years, we have participated in a number of consultations. We believe the one conducted by the ODA committee has resulted in a position paper that reflected the position of the province's consumers with disabilities, but individuals also living in north-western Ontario. This organization identified 11 principles that needed to be addressed in order to have an effective and reflective act for this province.

According to these 11 principles, the ODA's purpose should be to achieve a barrier-free Ontario for all people with disabilities. It should cover all disabilities, whether physical, mental or sensory, and it should cover all barriers, not just physical barriers. All public and private sector providers of goods, facilities and services should be required to remove and prevent barriers. Timelines and standards should be decided upon through a consultative process with all stakeholders. The legislation should set out the timelines for developing these standards and a process for consultation.

The following are some amendments, as we reviewed the act, that we would like to propose.

With regard to time frames, the target date for achieving full accessibility is January 1, 2025. We understand the complex nature of the proposed changes; however, we feel that 20 years into the future may mean that many individuals with a disability will not see full participation in society until then. We'd like to recommend that the time frame be accelerated to an earlier date.

Definitions: Section 4 of the Act states that the act "applies to every person or organization in the public and private sectors of the province of Ontario to which an accessibility standard applies." We are unclear as to the intended scope of "to which an accessibility standard applies." We feel that it might only apply to the provincial government, and therefore encourage the deletion of the line.

Bill 118 reserves to the cabinet the right to define "accessibility" by regulation, pursuant to clause 40(1)(q). Accessibility is a fundamental concept of the statute. Indeed, it's the first word in the bill's title and goes to the heart of the legislation, the accessibility standards. We cannot leave to a later date the clarification of what is being done under the AODA. All accessibility standards committees should have the same understanding of what their task entails; therefore, we're recommending that a definition of "accessibility" be added to section 2 at this time.

Under "Accessibility Standards," subsection 6(3) attempts to define to whom a standard applies. This section should identify businesses, organizations and individuals who are involved in the design and construction of an environment. Standards should also cover companies and organizations involved in the design and manufacture of products for sale to the public. This would ensure adoption of universal design for all environments. We'd like to recommend that standards should also cover companies and organizations involved in the design and manufacture of products for sale to the public.

1350

Currently, there are a number of codes that address physical accessibility issues: the Human Rights Code, the Planning Act, the Ontario building code. This bill is at risk of being added to the mix through these standards created by standards committees. We'd like to recommend that the bill be amended:

—to force a harmonization of the related acts and codes so that they all say the same thing with regard to the built environment;

—that whatever accessibility standards are developed be extended to the renovation and/or repair of older buildings;

—that new standards apply to any new residential construction that is built for resale to the public, of course excluding any builders who are residing on that property;

—that municipal inspectors receive appropriate training on the standards and their legal requirements; and

—that builders and architects receive training in barrier-free design.

The underlying theme of this act is full participation by individuals with a disability, and although the act clearly delineates the appointment of its standards committees to include individuals with disabilities, it is important that these committees will be developing a model and have the needed resources for ongoing consultations with their stakeholders. Much of the input will be from organizations of individuals with a disability, many of whom are not-for-profit charities with extremely tight budgets.

We'd like to recommend that the bill provide a mechanism for funding these not-for-profit organizations, so that they can meaningfully provide input in the development of standards for each of your standards committee.

The act recommends that each industry-related standards committee develop a plan that will be implemented by January 1, 2025. Again, I'd like to recommend that we accelerate that time.

It is very important that the accessibility standards development process be undertaken at an appropriate arm's length from the Ontario government. This is not the case under Bill 118. Under the bill, the entire accessibility standards development process is now carried on under the minister's open-ended discretion, direction, supervision and ultimate control. The government should have a role to play in the process, we agree. However, it must also obey the standards, once set.

If the standards development process is made arm's-length from the Ontario government, it will help protect it from the back-and-forth pendulum of partisan politics. The ultimate decision of whether to adopt a proposed standard would still rest, of course, with the government of the day.

We'd like to recommend that the bill be amended to establish an independent public officer who will operate at arm's length from the government and will serve for a finite period of time. This official would have the lead responsibility for developing standards, including supporting each standards committee.

I'll just briefly go through the recommendations. We'd also like to recommend that the bill be amended to include a mechanism to identify what standards committees need to be established. We'd also recommend that the minister publicly solicit applications in a manner that will

ensure individuals with a disability have an opportunity to apply.

I have a number of recommendations. I think I'd like to jump to one with regard to small communities.

The Chair: That's fine, because we do have the material in writing, so we'll take care of that. Thanks. Go ahead.

Mr. Buchan: The last thing I'd like to mention is that the act requires that municipalities with a population under 10,000 which opt not to create a municipal accessibility advisory committee—we're recommending that municipalities less than 10,000 be required to at least hold public consultations that include people with disabilities on strategies for removing and preventing barriers facing persons with disabilities in that community.

The Chair: Thanks very much for your presentation. There is no time for questions.

Mr. Buchan: Sorry.

The Chair: No, that's fine. The objective is to hear you first, and we did.

The next presentation is from the Salvation Army, Thunder Bay. Is anyone present from the Salvation Army? If not, is there anyone here from the Schizophrenia Society of Ontario, Thunder Bay?

We have about a five-minute cushion while the presenter is getting ready, so if I may, I just want to go over, for everybody's knowledge: Today we are dealing with Bill 118, which is the Accessibility for Ontarians with Disabilities Act, 2004. We have already received the second reading in the House. All the honourable members supported the second reading. Before we go to the third and final reading, we are listening to the people of Ontario.

We started in Toronto with two days. From Toronto we went to Niagara Falls for a day, then to London for another day. Today we are here in the beautiful city of Thunder Bay, and tomorrow we're going to go to Ottawa. We'll finish in Ottawa. Hopefully, next week we'll be able to go over it clause-by-clause in committee, and we'll go from there unless there are any other changes.

Today, in addition to the committee, we have two additional members of the House, the local MPPs, Mr. Mauro and Mr. Gravelle.

We are ready. Of course, what we are discussing today will be shown on cable on Wednesday, so you will be able to see what took place here today on Wednesday if you choose to. I thank you again for being present here today. Mr Jackson?

Mr. Jackson: Mr. Chairman, I'd like to make a short request for information. The last deputant raised the issue of communities of 10,000 or less. Could we get from the Ministry of Municipal Affairs and Housing a list of those municipalities of 10,000 or less, and 5,000 or less, in the event that we'd like to consider perhaps moving that threshold to 5,000.

The Chair: Very well. Staff will provide that information as soon as they can. Any other requests before we move on?

Mr. Ramal: Since we have some time, Mr. Chair, I wonder if I can raise a point. Mr. Jackson kept referring to the report. He mentioned many different times that the accessibility council doesn't have to report to the government. I would refer him to section 15 of Bill 118, which requires that the group has to report on an annual basis to the minister and to the government.

Second, he referred to Bill 125, which he proposed and was passed in 2001. He said it's mandatory. I was reading the bill, section 19, and it does not mention anywhere the mandate to—

Mr. Marchese: Mr. Chairman, we really shouldn't be doing this. It's not a debate. I appreciate what he's doing, but we have deputants here.

The Chair: My impression was that there was a question of clarification. That's why I was attempting to listen. In fairness, the next deputant is at 2 o'clock. That's why I was a little flexible. We still have three minutes until the deputation starts, because one cancelled, so I was trying to ask if there were any questions. I would ask all of you to remember that any political debates should be done in the House, but if there are questions, in fairness, they should be clarified. If my friend still thinks he has something to clear up, I will allow it, otherwise I would prefer to listen to the deputations, even if we start a few minutes early.

Mr. Ramal: To my friend Mr. Marchese, just to clarify, because it's been mentioned many times, in Bill 118 a group of people have to report to the government. Section 15 of the bill requires the report. Whoever doesn't report and comply with the bill is going to be penalized and fined. That's it.

The Chair: That's fair. It was a clarification. We may disagree, but I thought it was important. If a statement was made that indicated something different, I think the PA has a responsibility to clarify it. I hope we can live with that. Mr Jackson?

Mr. Jackson: First of all, I've never challenged the fact that—

Interjection.

Mr. Jackson: I mean, you've asked for clarification. You've indicated he's the parliamentary assistant, with his version of the act. First of all, I've never challenged the fact that there is a reporting of the standards committee back to the government. Even our deputants have gotten all that. What the deputants have expressed concern about is that there is no duty to report publicly. That is an issue that has come up. The concern I raised was that under the legislation I drafted as the Minister of Citizenship, Bill 125, the power—

Interjection.

Mr. Jackson: Well, Chair, you've given equal time. Mr. Ramal should be apprised that the power to create regulations, to create standards, exists in the current ODA, but it is vested solely with the Accessibility Advisory Council of Ontario. In fact, the first chairman is from Thunder Bay, Dave Shannon. That is in the legislation, and there was a five-year review. If no laws were brought in, no standards, then the law would be

reviewed. That's what the legislation says, so don't be misinterpreting it.

The Chair: OK, fair. Can we please move on to the people? That's why we're here in Thunder Bay.

1400

SCHIZOPHRENIA SOCIETY OF ONTARIO, THUNDER BAY CHAPTER

The Chair: You may proceed.

Ms. Helen Tucker: Good afternoon. I'm Helen Tucker, president of the Thunder Bay chapter of the Schizophrenia Society of Ontario. With me is my husband, George Tucker, who is chair of the public awareness committee. It's my privilege to speak today.

I don't know how much you know about the Schizophrenia Society. We were organized 20 years ago in Thunder Bay. It's been in existence for 25 years in Ontario and Canada. Our purpose is to increase awareness of schizophrenia, educate the public about this illness, provide support for families and advocate with governments. Since you are part of the government today, I'm delighted to have this opportunity to speak on behalf of our organization.

Schizophrenia is a common illness. It strikes one in 100 young adults. It's not the only disability that affects people's ability to function because of a brain disorder. I'm thrilled that Bill 118 is addressing mental illness. That's the first time, and we're really delighted that this is happening.

Before I proceed, I want to thank Michael Gravelle, whose office invited me to participate today. I want to say that Michael Gravelle has been listening to me and George, as well as my late husband, Bob Schumacher, for about 15 years, I guess. We deluge him with letters and he always responds to us. I also want to compliment the staff, because they're really wonderful. I want that to be publicly recognized.

Now to go on about the bill. One of the main things with illnesses that affect the brain is that we don't have a prosthesis. We're talking about accessibility to buildings, assistance with hearing problems and vision problems and so forth, but nothing much has been said about brain disorders that affect a person's ability to function. It affects your whole being. The only prostheses we have for these illnesses at this point are medications, yet medications are very difficult to come by, especially here in Thunder Bay. We don't have doctors. You can't get help without seeing a doctor, and if you don't have a doctor, how are you going to get a diagnosis and how are you going to get medication? Without medication, you don't get any of the other possibilities for assistance. You can't get housing if you're not stabilized. We're so far behind the people who have other disabilities it's not funny.

So what we need as well as this bill—or hopefully this bill will ensure that these other things take place. If you're not stabilized, you can't get a job; there's no point in trying to figure out how you can change the work-

place. But there are people who are stabilized who, if concessions were made in the workplace, would be able to work. We're very much concerned about the whole level of illnesses that affect people's brains. It's easy to say, "Some people with schizophrenia can work," and many do, but what about the people who are at the lower end of the stick who can't get medication or for whom the medications don't work?

We need more brain research to discover what the cause is; what treatments will work and what won't work. The suicide rate is high, especially with schizophrenia. We say one in 100 develops schizophrenia; 40% will attempt suicide and 12% to 15% will actually kill themselves. This is a horrendous figure, which hasn't really been considered. When we are considering a bill like this, it's important to recognize that we're about 50 years behind the times.

I can remember back 50 years ago, believe or not, when people in wheelchairs weren't able to get out on the street. There was no thought of helping people with hearing problems. But this has changed, and Al Buchan can respond to the fact that many changes have been made to assist people in wheelchairs who need attendants and so forth. But this hasn't happened for mental illness, so hopefully this bill will at least make people aware that we have to do something to make these services possible for the people who have brain disorders, and that's a high percentage of the population. When you say there is a high percentage of people with disabilities who need to have access, what about this group of people who I don't believe are counted among those in need of access?

Twenty years is a long time to wait; in fact, I don't expect to see that time. It's important that at least some of these changes be made right away to benefit that huge number of affected people. And it's not only the person with the illness who is affected, it's the family. It's a horrendous happening in the family. We family members don't get very much empathy or very much support, not as much as if you had some other disability. Bringing the disability of mental illness into the forefront, or at least into the mainstream, is really great, but I know a lot of changes have to take place.

If we have committees and representatives on some of these organizational committees, it's important that we have people with the more severe illnesses. We do have groups of people who regard themselves as consumers who speak very well but are not necessarily speaking for those more severely affected, and people with schizophrenia are among those.

There is a lot discrimination against schizophrenia. People are frightened of people with this illness, and sometimes there is a good reason, because it confuses people's thinking. If this bill would help to push for more research—because until we can find out the cause and better treatments, then we're not going to be able to make these services available to people with brain orders like schizophrenia and manic depression. Even the depressions are very handicapping.

I don't want to go on and on. I'm not sure where my time is going.

The Chair: There is another six minutes. If you don't want to add anything else, there will be two minutes for each party to ask questions. It's your choice.

Ms. Tucker: Well, I'll have questions, and then I'll say more.

The Chair: We'll start with Mr. Marchese, for two minutes.

Mr. Marchese: Thank you, Helen. Thank you for reminding us about the problems that people with schizophrenia face, not just the individuals who suffer but the families around them. You talk about the fact that if you have no doctor, you have no medication and you have no housing if that medical problem is not stabilized and so on. These are things this bill doesn't touch, unfortunately.

There are a lot of other groups who have talked about how the bill doesn't deal with other people who have disabilities. Mental illness can be disabling and is in itself a disability. Autism is a problem, and it's not really included in the bill in terms of how you deal with people who have those problems. Fetal alcohol spectrum syndrome is another problem that people have talked about. A lot of these issues are disabilities, but they don't fit into the bill, unfortunately. I think they could. I think we could make such a bill a little more inclusive, but I haven't heard any Liberal member talk about how this bill could become a little more inclusive so it can provide services that people like yourself are talking about for those who suffer different kinds of disabilities like schizophrenia. Do you have any suggestions or recommendations for this committee and, in particular, the Liberal members who represent the government?

1410

Ms. Tucker: I think if you listen to Michael Gravelle, he has some concerns about mental illnesses.

Mr. Marchese: I hope the Liberal members listen to him too.

Ms. Tucker: Yes, I hope they do. It's important, when we talk about accessibility—if you don't have accessibility for all these people, then the bill should include something that's going to make sure this happens, that it is possible for these other groups of people to be helped, with not everything being concentrated on just those for whom we have prostheses at the present time.

Mr. Peter Fonseca (Mississauga East): Helen, thank you very much for your deposition. It was very enlightening. Many of the people who have presented have talked about the visible situations around accessibility and that often the invisible are sometimes difficult to peg and detect, and what can we do with something like schizophrenia? For our government, mental health is a priority. It had not seen any new dollars for 12 years. We put 65 million new dollars into mental health to help people afflicted with schizophrenia and other mental health issues.

As we set the standards, I would think that education and awareness would be one of the things you would want to see brought forward. You mentioned that mental health at times may have a stigma around it in terms of

people who suffer. Can you tell us some of the standards that you would like to see brought forward?

Ms. Tucker: Education is certainly very important, and we would hope that governments would be more willing to fund education. We are all volunteers in Thunder Bay. I've been a volunteer with this organization for 20 years and have been very verbal. But we need to have more emphasis placed on the fact that these are major disorders, not just trivial things that happen. One of the sad things about illnesses like schizophrenia, bipolar and many of the depressions is that they happen with young adults. The usual time that schizophrenia shows up is somewhere between 17 and 30, but for many people the symptoms start much sooner.

We need to have people aware that this is an illness that's possible to happen. There is a genetic tendency. We don't know why. The provincial government could advocate for more funding for research, because without research, we won't be able to find the cause and therefore won't be able to know how to treat it well. The medications we have now aren't that great. They're certainly helpful, but they don't solve your problems, at least not for everyone.

Another thing that happens is that many people are unfortunately ending up in the criminal system. This is happening here. You can't get into the hospital unless you're a threat to yourself or someone else. That doesn't happen to anyone else. If I have a heart attack, they'll probably rush me to hospital, at my age, but when it's a young person in a psychosis, they could be turned away because they don't seem to be a threat to themselves at that particular moment.

Mr. Jackson: Thank you, Helen and Mr. Tucker, for being here today. I just noticed that the definitions involving mental health and mental disorders are exactly identical between both the ODA and the AODA. You're included in both pieces of legislation, but there's a bit of a concern. The only real change that I can see, particularly for issues around mental health, would be the duty to accommodate for employment purposes. That is new to this bill. That's a tricky one, because we're not 100% sure of the degree to which we're going to be able to make employers, whether it be the provincial government or employers generally, accommodate persons with schizophrenia and other mental illnesses, for job protection and otherwise.

There has been suggestion here today and in each of the hearings that labour groups be given the right to bargain with their employer in terms of protecting workers who acquire mental health challenges. I wanted to ask if you support that basic concept of allowing unions in the public and private sector to help bargain the protection rights and plans for an employment basis. As you said earlier, the issues for you are not the ability to negotiate or navigate through a door—you're not in a wheelchair—but your handicap is unique and different and challenging and it's hard to identify. But the place it surfaces perhaps the most is with employment discrimination. Are you comfortable responding to that

question about labour's desire to put those access plans on the bargaining table?

Ms. Tucker: I don't see any reason why that wouldn't be a good idea. There are people who can work, if they had more consideration, my son being one of them. Yes, that would be a good idea. That will cover a percentage of the people, but the others who aren't diagnosed and aren't treated aren't going to be at that level at all.

Mr. Jackson: You are aware that this legislation doesn't impel the government to spend money on programs, and many of the programs you've referred to are not covered in the bill. I'm not suggesting that's a fault of the bill. As someone who had to draft the first one, I can tell you how immensely difficult it is to find language that says the government will ensure a level of access to mental health services in the province of Ontario in accordance with the Human Rights Code. Something along those lines put in the legislation would clearly indicate that a citizen has the right to have guaranteed access to mental health programs. I'm not sure I've ever seen legislation that sets it out that plainly and that clearly.

Ms. Tucker: That sounds like a good idea. Could that not be put in?

Mr. Jackson: It possibly could. Perhaps the Ontario Mental Health Association might consider a recommendation to this committee along those lines.

The Chair: Thank you very much for your presentation and for your patience. We will be moving to the next presentation. We are over time already. Thanks again.

Ms. Tucker: Thank you very much.

DISABLED WORKERS' COMPLEX CASE NETWORK

The Chair: The next presentation is from the Disabled Workers' Complex Case Network. Someone is here. We already have something in writing from you. Thank you, sir. You can start any time you're ready.

Mr. Darrell Sanderson: Thank you, Mr. Chair, and I'd like to thank you all for the opportunity to present here today. In the materials that were passed around, after the third page, we've put in information about our organization instead of talking about what exactly we do here. We've presented many times in the past to standing committees on issues, whether workers' compensation etc. The type of consumers that we work with are essentially people with severe disabilities, from all across disabled groups but mostly those workers who are part of the workers' compensation system.

1420

The Chair: Sir, for the record, would you please identify yourself? We have the names down, but we need them.

Mr. Sanderson: Yes, I will. Essentially I'm just going to read from the text. Mr. Rubenick is going to pick up on some issues on the pages that have been attached to the back.

Good afternoon. My name is Darrell Sanderson. I'm the president of the Disabled Workers' Complex Case Network, or DWCCN for short. To my left is Mr. Maurice Rubenick, our secretary-treasurer.

DWCCN has made past submissions on the Ontarians with Disabilities Act, and we appreciate the opportunity to once again make a presentation on this important bill, Bill 118, An Act respecting the development, implementation and enforcement of standards relating to accessibility with respect to goods, services, facilities, employment, accommodation, buildings and all other things specified in the act for persons with disabilities.

It is heartening that all three political parties have rallied behind this bill. All are commended for their sincere and forward thinking in this important piece of legislation. Most important, we would like to thank the Ontarians with Disabilities Act Committee, who over the past 10 years have voluntarily committed their time to the social issues affecting disabled individuals and, for that matter, all citizens in the province of Ontario. DWCCN fully supports the ODA Committee and overall supports their direction in strengthening the Ontarians with Disabilities Act, 2001.

The ODA Committee's submission to this standing committee noted that there had been discussion about the interim implementation time frame of five years and how it should be reduced to three. The ODA Committee noted that they thought little would be accomplished in terms of barrier removal, and to some degree we would concur with that.

Just along the same line, I would indicate that I feel that 20 years is a little bit too long also, but I've been at this kind of stuff since 1977 and we've waited a long time. It's really important to note that where we can enact, we should be enacting where we can move ahead.

Bill 118 talks of developing standards, advisory councils and other language that sets out some detail regarding penalties for non-compliance both for individuals and corporations. Bill 118 helps to address the disabled community's ongoing submissions that the current Ontarians with Disabilities Act, 2001, has no teeth or enforcement mechanisms, and that is good. It is also good that the ODA Committee will be discussing with the disabled community and the government the enforcement models that would or could be most effective while at the same time maintaining some balance or reasonableness in educating both the public and private sectors about disability issues.

Enforcement and how it is accomplished is important. Consistent application of the law, policy and guidelines by government ministries and agencies is important. Education and awareness of disability issues are important. Government on an ongoing basis reminds the disabled community that people with a disability are important to them, that they matter. Yet on the other hand, the actions of some government ministries put up roadblocks or barriers that affect the individual lives of people with a disability. These ministries and agencies ignore the current law, policies and guidelines to the point of diminishing the capacity of those with a dis-

ability to fully participate and achieve their potential. Why is that so? If some arms of this government are ignoring the current laws, policies and guidelines, what can disabled people expect with the introduction of Bill 118?

Under the current ODA, 2001, public sector institutions and governments—provincial and municipal—were to develop accessibility plans for communities with 10,000 or more individuals. Most certainly, some of those have been put into place, and there's some question as to who's being put into place on those particular committees. Either way, we have a 2001 act that has some legislative requirements, some code that has to be followed.

Where I'm going with this, essentially, when I'm talking about these laws and government agencies following these laws, is that our experience in our community today is that where laws are there to protect us, people are flouting those laws. I'm going to get into a couple of examples here and just move on.

As the MPPs for Thunder Bay and northwestern Ontario know, one of the issues we have is with the Thunder Bay Regional Health Sciences Centre, so I'll just pick up there. The first example is the Thunder Bay Regional Health Sciences Centre, which has become controversial in the disabled community as to the centre's compliance or non-compliance with the Ontario building code and the sections of that code that deal with accessibility issues such as public and private washrooms in the facility.

Three older hospitals were decommissioned for a new central facility in Thunder Bay. The city of Thunder Bay had allowed for the occupancy of the new facility even though there were non-compliance orders issued by the city of Thunder Bay. The non-compliance issue has not gone away, and the disabled community is pursuing legal remedy. Similarly, a hospital was built in Barrie with some of the same issues regarding washrooms and accessibility; in fact, they were the exact same problems.

The building code is law, and yet, to the detriment of the disabled community, these institutions choose to ignore the code, for whatever reason. Why is the enforcement of the code or law ignored? What is the remedy for the disabled community? I shouldn't have to be asking those questions.

To carry on, the second example—I'm going to move to another ministry that I've had a lot of experience with over the last few years relating to Ontario's Living Legacy process and some of the things it promises us who have been practising a quality of life here in northwestern Ontario that we've grown to enjoy. We're now seeing barriers put in our way, even though MNR materials espouse all the gobbledygook about how they're doing wonderful things for people with disabilities.

We do have some good things, especially in the northwest, some of the programs. HAGI, for example, was quite involved in terms of the special hunt that the ministry talks about. In fact, we had people from around the province make application to come up here for that particular special hunt for big game.

However, I digress a bit. I go back to this. The second example, which Mr. Rubenick will speak to, relates to the Ministry of Natural Resources, the promises of this government's Ontario's Living Legacy, and the MNR's actions, which are creating barriers for people with disabilities. He will speak to how the MNR's 1996 barrier-free guidelines have been ignored. In meeting with the MNR, we found that the ministry is not reading its own material, which says that where there are federal CSA standards regarding barrier-free facilities, such as washrooms, those federal standards are to be followed. That's fact.

Mr. Rubenick, time permitting, will speak of access issues relating to the OLL and Ontario parks. In some parks, land use designation dictates access by non-mechanized means only. That doesn't affect an able-bodied person's ability to enjoy the park, but it does affect the ability of a person with a disability to have the same or equivalent individual independent experience. If a person's disability prevents them from paddling a canoe or rowing a boat, then the person is handicapped. The only thing standing in the way is the need for motorized access. Today's technology assists individuals in being independent in many different ways. The use of motors and all-terrain amphibious vehicles allow for some equalization, promoting independence and enhancing opportunities for the inclusion of people with a disability.

Mr. Rubenick and I are avid outdoor individuals. I like to explore the wilderness and hunt and fish using an all-terrain vehicle known as an Argo. Mr. Rubenick does the same. In addition, his hobby of outdoor geological exploration and his anthropological interest in aboriginal people, their culture and the areas they historically inhabited are keen. Mr. Rubenick spends a fair amount of time on Lake Nipigon pursuing these activities in a small craft and independently on his own boat, modified for his disability needs. Mr. Rubenick's use of and access to crown lands is a traditional value to him that is now being threatened by current and future laws, codes, policy and guidelines.

1430

Mr. Rubenick wishes to speak of an access issue to Lake Nipigon that is impacting a number of handicapped individuals who previously enjoyed unencumbered access to the lake. He wishes to address how the MNR is taking us from a safe harbour to a dangerous harbour. He will refer to how the MNR goes about its own business by blocking accessible access and hurriedly providing inadequate access with outdoor toilets that do not comply with the Ontario building code or meet their responsibility to comply. In fact, we've had some meetings with the MNR locally on those issues. They are to discuss them with Ontario Parks, and it appears that in fact they don't comply.

That's the gist of my presentation as to why we have the laws.

Mr. Rubenick is adamant and strong on the issues, and rightfully so. He notes that we cannot wait for the implementation period of 20 years in five-year bites.

The Chair: There is one minute left.

Mr. Sanderson: He believes that current legislation and ministry policies already provide some protection. He notes that Ontario Parks, the Ministry of Natural Resources, already has a 1996 policy document on barrier-free guidelines for the parks that is not being followed. To get a copy of those guidelines is very difficult, as Mr. Gravelle's office staff can attest. The point to make here is that we already have codification policy and guidelines that protect individuals.

Unfortunately, all the fancy words, promises and guarantees mean little to the disabled community if no one has the intestinal fortitude to take accountability and responsibility for the policies and codification that already exist.

At this time, I will turn it over to Mr. Rubenick. Subsequent to that, we will welcome any questions, time permitting.

Mr. Maurice Rubenick: This is a bit of show and tell, guys. This is Ontario's Living Legacy land use strategy, dated July 1999. After that comes this book here: Lake Nipigon Signature Site. This is signed July 2003, with all the information in it—taxpayers' dollars. This book, Barrier-Free Guidelines Design Manual, fits right into this stuff here. This one here is 1996. So this book should have been applied to all this stuff here. It hasn't. They're not paying attention out there. Right now, It's in Our Nature: a policy came out in 2004, with a questionnaire. The questionnaire states that visitors will travel with non-mechanized stuff, which formally eliminates me. They're asking for public input on non-mechanization so they can open up a park where the able-bodied can travel, but I can't. They're keeping me out of it.

As for this South Bay access landing, we're in talks right now. They're taking away a safe access landing for the disabled community. They dug up the road in November, trenched it, so I can't get in there, which forces me to go to the new landing, which is dangerous for me to access. It has no barrier-free stuff for the disabled, no way of getting to the docks, no way of getting to the toilets, no parking close to the docks—nothing that addresses all of this barrier-free stuff that should have been put there. Yet my taxpayer dollars were used to get a machine up there to dig up the road. My safe harbour was taken away from me, so I'm forced to go to a dangerous harbour.

I'm asking you guys, all of you—the NDP, the PCs and you guys—do something about it before somebody gets killed.

The Chair: Thanks very much for your comments and presentation. There is no time for questions.

CANADIAN HEARING SOCIETY,
THUNDER BAY REGION

The Chair: We're going to move into the next item, which is the Canadian Hearing Society, Thunder Bay region, Nancy Frost and Karen Higginson.

While you're getting ready, just a reminder that there is 15 minutes in total, if you can stay within that time, please. If anyone needs any assistance, we do have people available to assist anyone; let us know. Whenever you are ready, you can proceed.

Ms. Nancy Frost: Good afternoon. My name is Nancy Frost. I am regional director with the Canadian Hearing Society, Thunder Bay region. With me is Karen Higginson, who brings with her a wealth of information and experience as a culturally deaf woman, counsellor and advocate with the deaf community, deaf interpreter, ASL literacy consultant and as a member of our municipal accessibility advisory committee.

You have each been supplied with a copy of our presentation.

To start, we wish to preface our presentation by stating that 23%, or one out of every four Ontarians, report having some degree of hearing loss or are culturally deaf.

Our presentation today will focus specifically on what accessibility means to this population, what their current experience is and what changes must be made to Bill 118 before third reading to guarantee their right to accessibility through the identification, prevention and removal of barriers.

As is evident today, barrier-free and full accessibility is not just physical. For all of us to participate in this hearing, language and communication access and accommodation is required and must be provided. To not do so is to not ensure a barrier-free environment.

For the one in four persons who experience some degree of hearing loss or are culturally deaf, "barrier-free" means the provision of language and communication options, such as sign language interpreting and captioning; environmental access, such as a quiet environment with good lighting and visual displays; technological access, such as the provision of volume control phones and teletypewriters and dual audible and visual fire alarms. It also means the development of policies and processes, such as with respect to interpreting services, captioning services, and budget lines with clear protocols. It also means attitudinal: the necessity of having staff sensitivity and awareness training, anti-discrimination and anti-audism training.

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Although current legislation exists, such as the Supreme Court Eldridge decision and the Ontario Human Rights Code that guarantees the right to access, Ontarians who have a hearing loss or are culturally deaf must, unfortunately, still fight for this right. These citizens face systemic barriers on a daily basis created by the refusal of government and service providers to accommodate their communication and language needs, the lack of accessible resources and human services such as sign language interpreting or captioning services, the lack of awareness and the lack of funding.

No Ontarian should have to fight for their right to access. No Ontarian should be unable to participate fully due to systemic barriers. This bill must be strengthened and must supersede all existing and future legislation and

extend to the Ontario public service, municipalities and the broader public and private sectors.

Also required to achieve a barrier-free Ontario is a truly consultative and inclusive process whereby barrier identification, removal and prevention is based on actual experience and personal knowledge and not just on textbook knowledge.

We thus request that the wording of Bill 118 be amended to state that the minister "must," as opposed to "shall," invite persons with disabilities or their representatives to sit on the standards development committees. To not ensure their full and active participation and input is to not guarantee full accessibility and the attainment of barrier-free services, goods, facilities and activities.

To allow time for Karen, I'll summarize the last two points. It's the reality that human services such as qualified sign language interpreting and captioning are in extremely short supply, as I'm sure this committee has experienced through these public hearings. This bill, therefore, must guarantee the expansion and utilization of these necessary services.

Another barrier faced is the inability or unwillingness of government and service providers to pay for necessary access and accommodation. This must be looked at and addressed. It's suggested that the bill must include funding for low-budget, non-profit organizations and municipalities to ensure that their services and programs are accessible, and all others must be expected to pay. The absence of these access and accommodation provisions will hinder the attainment of a barrier-free Ontario.

Karen now will share her experiences to support this.

Ms. Karen Higginson (Interpretation): Thank you, Nancy. I would like to let the committee know that I had prepared a presentation for this afternoon, but based on the experience I had at the new hospital yesterday, I thought I would just share my experience, because I think it encapsulates all of my concerns around this piece of legislation.

Yesterday afternoon I had to take my very sick child to the emergency department at our new hospital. Even though there is legislation in place that guarantees my right to have access to a qualified sign language interpreter in a medical emergency, we only have one in the community, so I knew it was fairly unlikely that my request could be responded to and I went to the hospital quite prepared to write back and forth with the doctor at the emergency.

I'm very lucky in that I am, as a culturally deaf person, well educated and have good English literacy skills, but that's not true of many culturally deaf people. However, when the doctor at the emergency department approached my daughter and me and I offered him paper and pencil to communicate with me, he rudely and clearly told me that he was way too busy to sit down and talk with me and basically ordered my child to interpret for us. This is not acceptable. This is not quality health care service for me, and this is not the way I should be treated when accessing health care services.

As Nancy mentioned, there's the Ontario Human Rights Code. There's also the Supreme Court of Canada ruling in Eldridge in 1996, which clearly put the responsibility in the lap of health care providers that communication is the main barrier in terms of culturally deaf people accessing health care services. To deny me the time to sit and write back and forth with me was really a denial of my civil rights, which I'm already guaranteed under the Charter of Rights and Freedoms, the Human Rights Code and Eldridge.

Previous speakers have all alluded to this, that even though legislation currently exists and good standards do exist, they are not being followed. There is no enforcement and follow-up for the legislation that does exist. What makes us think that Bill 118 is going to be any better? Every day we still fight for the access and accommodation that we're already guaranteed.

The other concern I have is in terms of regulations. Bill 4 recognized American Sign Language as a language of instruction in the educational system for deaf children. There have been no regulations written to date for that bill, and that was enacted in 1993. It has not made any change in our lives whatsoever. So the other concern I have with this bill is that there is clear commitment to a timeline for when regulations will be written for Bill 118, and not just left standing there.

The other area, which Nancy alluded to, is the inclusion of consumers in developing the standards for accessibility.

I will also briefly mention the new hospital. I'm really sorry, but when I go to that new hospital it doesn't feel like it's a building for me, because it's not accessible. This is a hospital built for people who have no disabilities.

I have been fighting all my life. I fight as a culturally deaf person and I fight in terms of my work as an advocate for the culturally deaf community. I don't think I can wait 20 more years. There is already legislation in place that is totally ignored. There is no enforcement, no fines for what currently exists. I want to know that if this piece of legislation is enacted, you are saying to me that I will no longer be treated as a second-class citizen. I want that guarantee. Thank you.

The Chair: Thank you very much for your presentation. We've run out of time. Thank you again.

HUMAN RIGHTS NORTHWEST

The Chair: The next presentation will be Human Rights Northwest, John Saxberg. You have 15 minutes. You can start any time you're ready.

Mr. John Saxberg: My name is John Saxberg: I'm the advocate for Human Rights Northwest. First, I'd like to thank the committee for the opportunity to present today.

Human Rights Northwest has been in existence for seven years as a group of Community Living Thunder Bay, formerly known as the Lakehead Association for Community Living, and is involved with develop-

mentally challenged individuals. Within the association, we monitored human rights breaches, vetted plans for clients and were involved in any investigations. Rarely, we helped to take complaints to the Human Rights Commission. We continue in these roles as an independent group within the wider community, providing help to developmentally challenged persons and human rights referral aid to the entire community.

1450

I would be remiss if I didn't start by thanking the Liberal government for some of their initiatives. For 50 years, parents and workers of developmentally challenged children have been trying to convince governments that putting developmentally challenged people in institutions was physically, mentally, socially and spiritually demoralizing. Recently, the government declared an end to the existence of these institutions in Ontario. Although it was done by a different ministry, I have to take this chance to thank the government for finally listening to years of concerns.

Also, the act we're discussing today is an exceptional initiative. Although I am going to criticize parts of the act, I have to start by saying that this act is a major step in the right direction for disabled people everywhere in Ontario, assuming it ever comes into being. My comments are aimed at helping it to do just that.

This committee has already heard a number of people enumerate specific flaws in the act. Without going into detail, we agree that it will be hard to wait for a generation for this act to be proclaimed. Twenty years is the politically unforeseeable future. Who can say whether or not we will ever actually see it come to pass?

There are definitions to firm up. There are questions about how the committees will be formed and how they'll be run. There are serious questions about the tribunal process and about the disclosure of personal information. We expect that the government will deal with all these issues appropriately.

The reason we're here is to tell you that different disabilities bring different challenges; that must be mirrored in the act.

We would like to tell you about the kinds of abuses we see. We see families reduced to poverty because they have a developmentally challenged child and because they chose to do their best for that child. We see teenagers involved with the children's aid society cast loose at the age of 16, until ODSP picks them up again at the age of 18. Then they are put on a waiting list for housing and wind up living with a non-verbal 57-year-old of the opposite sex, because there is nowhere else for them to go. Psychiatric support can be non-existent. Ordinary health care is lackadaisical. For instance, when our clients go for physicals, they are not given Pap tests or even tested for blood pressure. The doctors get paid anyway. Of course, this could be a local phenomenon; therefore, Human Rights Northwest recommends that the standards committees have regional representation.

Developmentally challenged individuals historically have not been able to speak for themselves and are

consequently less heard. Consequently, Human Rights Northwest recommends that there be a standards committee in place specifically for developmentally challenged persons.

Finally, there is the question of enforcement. It must be clear that without some mechanism for enforcement, this is a useless exercise. There has to be some way of reporting, investigating, discussing and even bringing to trial any incidents. Currently, many acts provide for tribunals that resemble the Supreme Court in that it exists only in Toronto. Human Rights Northwest would recommend a tribunal system that more closely resembles the Superior Court system, with a presence in all large communities. If justice is not geographically available, it doesn't exist.

Finally, I'd like to thank you again for hearing our report.

The Chair: Thank you. Questions? We have about two minutes each, please.

Mr. Ramal: First, I just want to thank you for coming and for having this detailed presentation. You're recommending to have a committee for every form of disability. My question is, don't you think there are going to be many duplications of service and there are going to be a lot of chaotic positions to create a different committee for every form of disability?

Mr. Saxberg: Just from listening to the few presentations that I heard today, it seems readily apparent that people are talking about wildly different things for different disabilities. It's hard to see how one committee could possibly cover all of these things and have expertise in all these different areas.

Mr. Ramal: OK. Thank you.

Ms. Wynne: Thank you for coming. I just want to follow up on that question, because it's an interesting one. The setting of standards committees for economic sectors is the most obvious way of going about this, but you seem to make a suggestion that there should be a standards committee for developmentally challenged individuals.

Mr. Saxberg: Yes.

Ms. Wynne: I was just looking through Mr. Lepofsky's brief, and I think there's a suggestion there that maybe there need to be a couple of standard setting committees that cut across a number of disabilities where there may be common issues, so not by economic sector but by number of disabilities, and maybe cut down on some of the duplication that I think Mr. Ramal was referring to. I can't actually find the amendment that he's proposing, or it may just be a narrative piece, but does that make sense to you?

Mr. Saxberg: If there are a lot of commonalities between certain disabilities, if they could be clumped like that, then it would definitely make sense; yes.

Ms. Wynne: I'm thinking about communications issues, for example. There may be similar communications issues across a number of disabilities that maybe common standards could be developed for. So that kind of thing doesn't seem antithetical to you?

Mr. Saxberg: It doesn't seem antithetical to me. The problem is that often people from different disabilities don't care to lump themselves with developmentally challenged people, so you might not get the same answer from other people.

Ms. Wynne: I was wondering what you thought. Thank you.

The Chair: Mr. Leal, a quick one, please.

Mr. Leal: Thanks very much, Mr. Chair, and I will be quick.

Mr. Saxberg, you hit upon a very important point when you said that developmentally handicapped people can't speak for themselves, so someone else has to speak. Do you feel that this legislation should have the provision for an advocate to represent people who don't have a voice or can't articulate clearly themselves?

Mr. Saxberg: Just as a rough idea, it sounds like it could work. I'd like to see a lot of details about it, and I'm sure you don't have them right now.

Mr. Leal: The Chairman just restricted me to a short question, so I couldn't give them.

Mr. Saxberg: That's right. As a general idea I wouldn't see any problem with it. I think that advocate would have to have a very wide presence.

Mr. Jackson: Thank you very much, Mr. Saxberg, for your presentation. You've raised an important issue about how many committees we're going to have doing standards, whether they're going to be sectoral, so that they're focused on, say, the transportation sector; I believe the minister has decided that's the direction we're going to go in. You've raised an interesting question today to have standards established by those persons, in the case of community living, with cognitive issues. Do you not foresee a problem with such a large number of standards committees and how we're going to have to try to get them to coordinate one with the other?

Mr. Saxberg: I'm not sure how much coordination there would have to be between different standards committees. I think that the standards for one group are also going to be different from the standards for another group, and they're not going to cross over. So I don't see any problems with intercommunication.

1500

Mr. Jackson: OK. The other question I have for you: I've been a member of the Burlington Association for Community Living in Burlington for over 35 years, and we've built an awful lot of group homes by getting around our zoning bylaws. I've spent many years fighting both in the Legislature and on municipal council to remove the zoning bylaws that discriminate against group homes or modified group homes, especially for those with cognitive difficulty. The public seems to be the least enlightened about the importance of their true place in our community. Would you be recommending to this committee that something be more clearly defined in legislation? Because this piece of legislation will override the Planning Act; the only act that this act won't override will be the Human Rights Code. Is there some concern

from your organization provincially, and perhaps locally, about those kinds of discriminatory bylaws?

Mr. Saxberg: Thank you. You're giving me information that I didn't have before. I think that to call a group home just an ordinary family dwelling would be an excellent thing, because that's essentially what it is. People are living in their homes just like other people, and this is the type of home they have. So to have it be a single-family-dwelling designation would be wonderful.

Mr. Marchese: Thank you, John. I've got three or four quick questions. The first one is a statement of agreement: Twenty years is too long, and you're not the only one saying it. Although there might be some individuals the government members can find who will agree with the 20-year period, the majority of deputants have said that 20 years is just too long. I'm hoping that they will deal with that.

Secondly, on the whole issue of the purpose clause—I don't know if you've seen the purpose clause.

Mr. Saxberg: Yes, I have.

Mr. Marchese: Does it worry you that there is no inclusion of language that talks about an anti-discrimination clause or just getting rid of barriers altogether, that the purpose clause says, "The purpose of this act is to benefit all Ontarians"? That's the way it starts, and then it talks about developing, implementing and so on, but it doesn't have any language that says, "This is going to be an anti-discriminatory bill. We're going to break down barriers." Does it concern you at all?

Mr. Saxberg: To be perfectly honest with you, Rosario, I'm not a lawyer and I don't understand all of the implications of a purpose clause. To me, this reads like a bill that talks about people's rights. I'm not sure how much it matters whether or not that's spelled out at the beginning.

Mr. Marchese: I agree with you. Lawyers obviously understand that it does matter because it sets the framework for the way the whole bill is interpreted. But that's fine.

The other question has to do with enforcement—I'm afraid the Chairman at some point is going to say we're running out of time.

The Chair: I will allow you a little flexibility.

Mr. Marchese: On the whole issue of enforcement, you heard the other deputants before you saying, "The law is being flouted at the moment. It's not being applied." They and I are not encouraged that this bill has any enforcement mechanism that will make me feel good about enforcing any aspects of this bill. Inspectors may be hired, but they won't have to be or they may not be. That's the language. In terms of compliance, a director "may review an accessibility report," but doesn't have to, and there's no framework; there's no one responsible for administering the fees or penalties when someone doesn't apply the law. So there's really no enforcement mechanism, and if people are flaunting the law now, I suspect they will continue to do so under this bill unless something is changed. Do you not agree with that?

Mr. Saxberg: Yes. I thought I stated that when I said that this is really a useless process. Unless there's some kind of enforcement mechanism put into place, we're just wasting our time.

The Chair: Thank you.

Mr. Marchese: And the two minutes have—

The Chair: Thirty seconds.

Mr. Marchese: And the thirty-second last question has to do with the fact that you pointed out a whole lot of other problems. This bill deals with the issues of physical access and a duty to accommodate in employment, but it doesn't deal with all of the other issues you raised that people with disabilities have. Do you think that even if you had representation on one of those standards committees, we would deal with the issues that you raised, other than the issues of physical access and a duty to accommodate in employment?

Mr. Saxberg: I don't think everything would be dealt with, but I think it would be good to have at least some things started to be dealt with.

The Chair: Thank you to all of you. Thank you for your presentation.

KIM CARIOU

The Chair: We'll move on to the next presentation, which will be done by teleconference. Do we have Kim Cariou on the line?

Ms. Kim Cariou: Yes; I'm right here.

The Chair: Please proceed with your presentation. You've got 15 minutes. If you leave us some time, we will allow the honourable members to ask you questions.

Ms. Cariou: I didn't hear the full presentation of this gentleman, but I'm representing the autism society in the north, north of Fort Frances to the Manitoba border. I also have a child with autism. I'm speaking for autism, but that doesn't mean it doesn't cover all with disabilities, because they have a lot of common deficits.

I'm really here today to try to break some of the barriers of the policies and practices of the government—including the two new agencies and school boards—that affect people with ASD, who we would like to mainstream more into society. It's very difficult for us down here. Hearings such as this happen to be in Thunder Bay. A lot of people think Thunder Bay ends there, but they don't realize that down in the rural areas like Red Lake they're travelling down one-lane dirt roads, with wildlife etc. It's very hard, and it would be nice to see them go beyond Thunder Bay for many services, not just this hearing.

I want to touch on children's services, adult services and education. We have almost nil services, no behavioural consultant. There are no daycare programs for individuals beyond the age of six. We would like to see daycare programs, summer camps. The only things families have to depend on are their workers covered through SSAH, and other home respite, which everybody has across the province. When we're looking at programs—for instance, Sudbury had come down to Kenora

to discuss a program. She had listed all these programs they had down in Sudbury. I said, "Can Kenora or Rainy River utilize these programs?" She said, "Well, I would hope so." But these are programs we've never ever heard of and we just don't have the professionals down here.

The AODA also needs to address appropriate education. Children need their needs met by specialized training; absence due to expulsion; discrimination due to the lack of special education for ASD students; lack of resources and equipment. Students with autism and many other disabilities also have a lot of sensory issues. A lot of this has to do with the equipment and the knowledge to go along with that. This is a big one for me. I find that people just don't have the knowledge of autism, and it's the parents who have to do the groundwork. I think it should be mandatory for teachers and education assistants to have adequate training, and that's not just meaning PD days when they do in-house training. I'm talking about actual communication devices and programs of speech, OT and the knowledge to implement programs. Our professionals here will tell you, "I don't know anything about autism. I don't know how to implement a program for autism. I don't have any background in sensory issues." To me, you have to deal with the sensory before you can deal with the actual disability, before any work can be done. That's a really big thing.

I would also like to address adequate service for adults. That is huge, especially down here. I don't know what it's like in the other parts of Ontario.

Residential housing for ASD: Kenora Association for Community Living has housing. We know we want to fulfill their lives to the best, so they have access to all the social programs, as you and I would like to have. Residential housing needs to be addressed, and daycare centres, vocational centres. I was up in Flin Flon, Manitoba, for a few years and I couldn't believe it. They had this vocational centre. It was for all forms of disabilities. It was like their own little shop. They ran a little business out of there. I just thought that was wonderful. That would be something I really would like to see happen.

1510

It would be beneficial to have a farm setting. I don't know if you're aware of St. John's, Newfoundland. They just put in this residential centre in a farm setting. They have a music centre there. This would touch you and me, but it touches them even more.

We need to have more trained dogs for people who have safety issues, because safety issues are a huge thing with individuals with autism.

The other thing we'd like to see is that a lot of people across the province have Snoezelen rooms, which is a sensory room for disabilities across the board, not just autism.

We need a place for our children and adults to experience what other people take for granted. An example is going to camp, going to work, social integration. The ODA needs to separate support—income programs should be separate from the welfare system.

I know this is a lot to take, but I really would like to see someone actually look at our area and see what services we have. They would clearly see that it's not what you may get down in the Toronto area. I don't think we should be penalized because we live in the north. I get many, many calls. Children aren't going to school because the education system just can't—I think it's because of the lack of resources and the lack of equipment and knowledge. Our children are going to get older and live just as long a life as you or I do, and the quality of life means a lot.

I guess that's it. I thank you for hearing me.

The Chair: Thank you. There is a minute for each party to ask questions. We'll start with Mr. Jackson.

Mr. Jackson: Thank you very much, Kim, for patiently waiting to connect with us today. First of all, I want to thank you for commenting on the concerns with respect to adequate funding. We're getting more and more deputants before this committee who are of the impression that the only way an Ontarians with Disabilities Act is going to be enacted and successful and accessible is if governments adequately fund programs of support to ensure that citizens can live on an equal basis.

You represent a distinct group of children and young adults whose needs have really only been identified in the last 20 years effectively, and to be more candid, probably really, in scientific terms, only in the last 10 or 12 years. So this is a whole new area, yet we're not really seeing the levels of support that should be applied to ensure that children with this disability or this handicap are able to function in our school system.

Are you concerned that this legislation doesn't deal with the requirement of governments to adequately fund specific programs?

Ms. Cariou: I guess I am. The education system gets a lump sum for each child, but it's not really for that individual child. It's about equipment. I know we go through this ISA funding thing. I know so many adults out there right now who are sitting at home doing nothing, literally nothing. It's very sad. Can you imagine living day to day, sitting in your house, doing nothing?

As I mentioned, what they've done in St. John's, Newfoundland, is amazing. It's like a stimulation for all levels of disabilities. We're not just talking about autism. That's something I would really like to see, because your adult life extends beyond your younger years. It's something to look forward to. You get up in the morning to go to work. Adults with disabilities also need to function within the community, to be in a job placement. They can get out there and actually feed the animals. They just totally relate to animals. I don't know why that is, but they do.

Mr. Marchese: Thank you, Kim. Just a couple of comments. I regret very much what has happened in the past 10 years. We've had an incredible economy and we haven't put the money into those services that were desperately needed. I'm afraid that problem will continue and is continuing. We know that families of people with autism have been lobbying to get support beyond age six.

We were hoping it was going to happen with the Liberal government, but it's not, so that problem will continue.

You're hoping this bill could accommodate people with issues other than just physical access or accommodation for people with disabilities in the workplace. The problem is that autism is a disability, but this bill really doesn't get to the services that you and your family and your child desperately need. What is your hope or your message to us, and to the government in particular, in terms of how we could have such a bill that could be a little more expansive and supportive of the needs you're talking about?

Ms. Cariou: They really need to revamp the whole funding process and put the money where it's most needed. Having a little empathy and putting themselves in these individuals' shoes—it's not their fault that they ended up autistic or mentally challenged. It's just an act of God, I guess. I don't know what it is. They're just lucky that they don't have to face these issues each day, and I would really like them to sit back and think, "Oh, my gosh, all we have to do is a little residential centre." I'm not a group home person per se, because I want something more stimulating. We all know they have the right to an independent dwelling, but I'm looking beyond. I want something more stimulating than just housing for my child or my neighbour's child or whoever. I guess that's where I'm coming from right now.

Ms. Wynne: Thank you, Kim. It's Kathleen Wynne. I'm a member from Toronto. I just want to take your point about the issue of regional resources and the fact that in the north and more remote areas, you're dealing with difficult problems. You probably know, because you're pretty close to the issue, that this government has just put in \$40 million, which will increase to \$100 million over the next couple of years, to deal with some of the professional development issues and the programming for autistic kids.

But the question I want to ask you is about the residential aspect, because we haven't really heard that in our deliberations. Provision of services has been a big issue, but we haven't had anybody talk about residential programming. Can you just talk about the Newfoundland experiment for a sec?

Ms. Cariou: I don't know a whole lot about it. A girlfriend gave me the article about how they put it together. It's like a residential home, and it's got like a Snoezelen type of room and a music centre. Outside, it has—I guess you would almost think it was like a petting zoo. They have animals. The kids interact with these animals, and they've made amazing progress with it.

Ms. Wynne: So it's like a live-in community?

Ms. Cariou: That's right. It could be a daycare program or they can live in the centre. It's pretty amazing. I don't know if you're aware of Temple Grandin, but she has just come out with a book on individuals interacting with animals. I haven't read it yet, but it's quite interesting. It seems to liven them up. I don't know what it is; it's something to do with music and animals. This is something that needs to be looked at. I'm also talking about the vocational centre. That's something for them to

get up and say, "Oh, I've got to go to work today." In the centre I was talking about in Flin Flon, they had wedding supplies.

Ms. Wynne: As Mr. Marchese said, we're really climbing out of a hole that's been dug in the last 10 years and there's a lot of research to do. So thank you very much.

The Chair: Thank you for getting to us through a teleconference.

1520

KENNETH STIENKE

The Chair: There are two more presentations. The next presentation will be from Kenneth Stienke. You have 15 minutes for your presentation. You can start whenever you're ready, sir.

Mr. Kenneth Stienke: My name is Kenneth Stienke. Good afternoon, Mr Chair and all members of the standing committee on social policy, ladies and gentlemen. I would like to take this time to thank you for giving me the opportunity to speak to all of you today about my concerns on Bill 118. As a third-year student in business administration, human resources, and a person with disabilities, such as a learning disability—throughout this, you'll see a couple of spelling mistakes. The program Read Please from Confederation College would have come in handy for me at this point in time.

The main purpose of Bill 118 is about removing and preventing barriers for people who have a disability in Ontario. My concern is with setting the mandatory accessibility standards in both the public and private sectors. How high or how far will these standards go? Will the building code for new buildings make it mandatory?

The second point I would like to make is the timelines and standards for each sector. My concern is that the length of time it will take is way too long, in my opinion. I am 40 years old, and accessibility will be in place when I am 60. Until then, what am I and many other people in the same boat, or worse off than me, supposed to do? Stay at home? All government and public buildings should be on-line within the next five years. How will the standards development committee get the private sector on-line, to what extent and at what cost? Most of the buildings in Ontario are older than me, and my children consider me ancient. Can employers get special grants or funding to comply if their office or business is in an old building? Make it mandatory that all doors open to the outside; not just the main entrances and exits but washroom doors etc.

In 1992, the United Nations proclaimed the International Day of Disabled Persons. My suggestion is, why not make it a special holiday every year, on a certain calendar date? It doesn't have to be a paid holiday or anything, but recognize it for everyone with a disability. That would be nice and a good start.

Plus, let's not forget that people with disabilities, most of us like myself, would like to say that there is no such

thing as disabilities; it's abilities. We do have the ability. We just need a chance to prove ourselves.

Last, it is my understanding that there will be several committee panels across Ontario. My question for you is, who will sit on each one or make up these panels? Many people and organizations would like to have at least one of their members sit on them. How many people will make up each one and have equal representation, such as, say, two government, two company, two organization and two people with disabilities? And to make it fair, one member of a company or organization should not have any commitment from another member from that, no affiliation of any kind. That way, it will be seen to be fair.

I would like to end by saying thank you to all of you for listening to me today about my concerns on such short notice.

The Chair: Mr. Marchese, two minutes.

Mr. Marchese: I'm happy that you're speaking to the issue of the time frame again, because I really believe that we are going to convince the government that the time frame is simply too long. Most deputants—90%, if not more—are saying that 20 years is too long; we need to shorten that—

Mr. Stienke: Yes.

Mr. Marchese: —and you agree with that.

We at Queen's Park do have a few minutes when members from the government and the opposition parties speak on issues on the International Day of Disabled Persons. While that is nice, it simply isn't enough, and that speaks to the whole notion of why we need public education, why the government ought to have time on television where they actually talk about how people with disabilities have been discriminated against for a long time and what we as a society need to do to break down those barriers. We need to do a lot more in that regard.

Mr. Stienke: Yes.

Mr. Marchese: The question you raised about who will sit on those standards development committees is a very good one, and many people have raised that as well. A lot of people just don't know who is going to be on that committee and who is going to decide, except by way of the ministry. We are concerned that some people will be left out, and we don't know what the process will be to appoint people. So you raise a good question that hasn't yet been resolved, and we hope that at some point the government will make it a little clearer.

The Chair: Thank you. Let's give an opportunity to Mr. Ramal, the PA of the minister.

Mr. Ramal: First, I want to thank you for coming on short notice, as you mentioned, and for the presentation. You raised good questions in terms of the time frame. I know there is a lot of confusion about the time frame. Some people think the results will start to appear after 20 years. I would assure you that 20-years' time is just the end of making Ontario barrier-free. It's going to be in increments of time. The ministry is going to monitor the process, and hopefully, through that period of time, there's going to be a lot of elimination of many barriers facing people with disabilities.

Mr. Stienke: What I would like to see, though, is to have it in place, for instance in all public buildings, within the next five years, if they're not already on that road or track.

Mr. Ramal: OK. Definitely. Not just government buildings, our intent in the proposed bill is to have all private and public places accessible as soon as possible. We listened to many presentations by the private sector. They are willing to do it as soon as possible, because they see it as an investment to increase their business, especially the hospitality sector: coffee shops, restaurants, movie theatres etc. All of them are willing to participate in eliminating barriers as soon as possible. They don't want to wait 20 years, because they see it as an opportunity to increase their business.

In terms of who is going to sit on the committee, I assure you there is going to be fair representation from all parties involved in this bill. There's going to be fair number of representatives from the disabled community in order to help construct a bill that would be good for the disabled community and for all Ontarians. This is what we are looking for.

The Chair: Thank you very much for your comments. I think those are all the comments. Thank you for coming today.

1530

SUSAN BLEKKENHORST

The Chair: We have another presentation before finishing. It's from Susan Blekkenhorst. Good afternoon.

Ms. Susan Blekkenhorst: Thank you for the opportunity to speak, and thank you for fitting me in at the last moment as well. My name is Susan Blekkenhorst. I've been advocating in the field of disabilities for just over 13 years. I have a personal and vested interest in it, in that I have five children and one of them, according to the various definitions that exist within the government and other associations, apparently has a disability.

I'm going to start by telling you a little bit of a story about when she was born. She had multitudes of health difficulties. She had two holes in her heart, lungs full of fluid and a few other things along with that as well. They didn't expect us to be able to take her home. Two times after that, they also told us that we would not be taking our child home. Within a three-year period, I was told three times that my baby was going to be gone. She fooled us all.

The point I want to make is that when the doctor was giving me all this information, he took me off to another room to give me privacy. He started to explain all the health difficulties. I got through that, in spite of the sleep deprivation and everything else that was going on at the time. But then he told me that my daughter looked different from my other children. Keep in mind that this is the fourth. I have five children, and this was my fourth. I had no idea what the man was talking about. He was trying to be good-hearted and everything else. So I assured him that my husband had fathered all of my children.

Anyway, it became an issue of him starting to explain about chromosomal abnormalities, developmental disabilities, etc. I didn't know what he was talking about, so I started to learn. I had no idea. That was the beginning of a lesson that is just phenomenal. It has brought a richness to our lives and opened my eyes, my heart, our door and our whole world, and I think the whole world should benefit from that.

Of all of the things that have been said here today, I cannot stress enough: attitude, attitude, attitude. We were talking about developing social policy, a concept about how we were all going to live together. I'm not even referring to my notes; this is something that is very, very important to us. Again, attitude has to be addressed before we can get into the rest of it. All the money in the world, every social policy, every program, all the training, anything you want to provide is not going to meet the needs of people with disabilities in our communities unless they are accepted, unless we accept inclusion as a concept for all of us.

When the doctor explained about the disability, I started to get upset. At first, I didn't know what it was, and I got upset. My family doctor said, "So what if she does?" Exactly. So what? She's no more different, or differently valued, within our family than any of the rest of us. Sometimes we have to do a little bit more work, and it has opened a door that I can't even begin to explain.

To go into some of the notes I was talking about, we need to look at people with disabilities and allow dignity. Accept them for who they are, instead of trying to make people better. I don't see that this act addresses that. Again, in order to address accessibility: attitude, attitude, attitude. I can't say it enough times, and I've heard it from a lot of the other people who were here as well.

We try to standardize according to disability, let alone within the school system and the things that are going on there. To me, this bill would be really, really good if we considered it a sales pitch or some kind of marketing strategy. We've already got the legislation, we have the Charter of Rights and Freedoms, we have the Ontario Human Rights Code. Let's make them as valuable as they were intended to be when they were written.

As for the 20-year time frame, I don't have that much time. In 20 years, I hope I'm trading in my Corvette for a new one, because I'm selling my house and I'm on the road once my kids are old enough. I don't have 20 years to wait for these kinds of things to be established for one of my children, and I can't expect my other four children to take that load. It's my responsibility, and I'm lobbying you here today to address it.

Some of the suggestions I might have around the physical changes that could take place: inter-ministerial co-operation. If I go to a community care access centre, I'm dealing with one ministry. Then I go to the school system and deal with another ministry; the health system, another ministry again. I'm telling my story over and over again, and I'm tired of it. I don't want to tell it anymore than I want anybody else to listen to it.

The negative descriptors in order to find funding, in particular within the education system—the reason I'm bringing these all up is because, again, it's attitude and it impacts heavily on how we look at people with disabilities. We need to start thinking and viewing people in terms of what they are able to do, instead of what they are unable to do or how much they deviate from some so-called norm that someone has decided we all have to be above or below. I've never asked my children to be normal, and they meet that mark every day.

The definition of "disability": Again, it's negative. It's in terms of what we cannot do. We're trying to encompass a multitude of different disabilities in terms of their negativity versus what they can contribute. So what? Do we go around describing everyone by the colour of their hair, the colour of their eyes? I know we get carried away sometimes with the colour of skin, and that is another area that we're working with. To me, if we want to be specific to disabilities, we're being just as discriminatory as in getting into racist types of issues.

The more one deviates from this so-called norm, the easier it is to get money. You don't necessarily get the services you want but, boy, will that money get banged on to your—whatever. That's it. Thank you for listening.

The Chair: Thank you. I'm sure there will be some questions. We have up to two minutes each. Mr. Jackson, do you want to start, please?

Mr. Jackson: Elizabeth, right?

Ms. Blekkenhorst: Susan.

Mr. Jackson: Susan, sorry. What's your daughter's name?

Ms. Blekkenhorst: I have four of them. The one with the disability is Lyndsay.

Mr. Jackson: Lyndsay. How is she doing?

Ms. Blekkenhorst: She's doing just fine. She's got attitude too, just like her mom.

Mr. Jackson: So she has different abilities, not a disability.

Ms. Blekkenhorst: I don't see her, nor does anybody else in our family see her, as having a disability at all. She's just a member of our family and she annoys us; she makes us happy. She's 13; she's a teenager; she's annoying.

Mr. Jackson: In my family upbringing with 10 brothers and sisters, I had a similar experience. We just didn't know that it was a disability. We were all taught to be equal and to be cared for.

I was fascinated by the clarity with which you thrust upon the table for us the issue of, why are we not armed with the Charter of Rights and Freedom and armed with the Ontario Human Rights Code and armed with a current ODA that is tied to the Human Rights Code? Why can't we make that work? That's been bothering me, because various groups have come forward because there's concern that the Human Rights Code and the process involved is a long-drawn-out affair. There are more and more and more cases of disability issues before them. They take two-plus years and some can take as long as four years. This legislation doesn't have in it something to accelerate that and resolve issues quickly.

You hinted at that latter point, but did you want to share with us some of your concerns in that area?

Ms. Blekkenhorst: My concerns in that area? It takes too long to go through the Ontario Human Rights Code process; I'll say that right up front. Maybe we need to put other mechanisms in place where we can be addressing issues either on a local level—I don't have the answer for this. I really, really wish that I did.

I'm fortunate in that I also get to advocate for people within our community who don't quite fit into the system. Typically, it would be kids within a school system. In almost every circumstance, we are able to come to some kind of agreement as to what we're going to put into place. We keep the child focused if we're talking about a school situation, and both sides come together and we say, "No, we can't do that. Yes, we can do that. Yes, we'll try this," and so forth. To me, that works far more effectively, but it also takes time.

I really wish I could answer your question, but I don't have that answer.

Mr. Marchese: Thank you, Susan. I congratulate you as a mother. I have a sister-in-law who has a son with cerebral palsy. The mother and father—the mother in particular—have tremendous resolve to defend his right not to be treated any differently from any one of her other children. It's incredible, the strength they have to be able to deal with that, and they deal with that happily. It's just amazing. I don't know what I'd do. That's why I congratulate those who do it so well.

Ms. Blekkenhorst: It's not a big deal sometimes.

Mr. Marchese: Perhaps.

Ms. Blekkenhorst: This is out of the norm.

Mr. Marchese: But I see the sacrifices.

The whole point of the time frame: I know that the government members will try to convince us that this is just a time frame and that things will happen. It's not a convincing argument. Most people who come before this committee are not convinced that the 20-year time frame is correct. People would be happier if it were a 10-year time frame, and then you work what you can in between and hopefully move fast in the first couple of years as a way of showing people that something is happening. So I'm convinced that the government will have to move on the time frame; otherwise, people will be upset.

1540

On the issue of education: When most bills come before us, I happen to be the one who always remembers that education ought to be part of the process of explaining the bill. Everybody agrees, and nothing ever happens. I'm worried that this will happen just as well with this bill. Hopefully it won't.

You raise interministerial issues, and I was hoping that this bill, dealing with disability, could consolidate some of the other problems that people have as we talk about issues of services relating to people with disabilities. But it won't do it. It'll just deal with issues of access, and that's about it. Then you'll have to go to every other minister to defend whatever right or service you're looking for. I find that deplorable. It's a shame.

Ms. Wynne: Very quickly, because I know my colleague would like to ask you a question—Susan, thank you very much for coming and speaking today. First of all, I want to acknowledge your point about the process of ISA funding and the ISA's identification of students being very much biased toward the most negative assessment possible. That's certainly something that we're trying to look at in the Ministry of Education, because in my opinion we should be looking more at excellent programming and results for kids. Is that the direction you'd like us to go, as opposed to the negative identification?

Ms. Blekkenhorst: Absolutely. Lyndsay is in grade 7 at one of the schools out here right now, and we have never gone through the formal identification process. At the time, I was not a single mum, and I wasn't working two jobs, so I was in a different financial position. I suggested that if we had to go through this process, then I would take it into the human rights realm and try and address it differently.

Not once has she been denied services in the school. Granted, we don't have a whole lot of extra funding, but she still gets the support she needs without the negativity. They just made it happen because they believed in her and they believed in the kids in the school system. They made it happen.

Mr. Ramal: Thank you, Susan, for your passionate presentation. I know it means a lot to you to present your case in front of us here and to tell the world about your case and about your experience.

I agree with you about a couple of issues you mentioned, about attitude. I know the bill doesn't speak about education; hopefully it will be included in the future due to people like yourself and the many people in the community, the many organizations that advocate on behalf of the disabled community across the province, working together in conjunction with the government in order to eliminate this important psychological barrier.

Second, when you talked about normality: I know "normal" and "abnormal" mean nothing. It's all relative. It depends on the structure of society and culture. What's normal for you and me may be different in different places and to other people. Also, this one here we have to eliminate if we want to get rid of the attitudinal barrier.

Another important thing you mentioned is about the 20-year time frame. I agree with you that for some things we have to move fast, especially public places, essential services like hospitals, restaurants, coffee shops, hotels, sidewalks, parks etc. But the 20-year time frame was meant for some historical places and some areas where we cannot hit it as soon as possible. It has to be phased in within a certain time frame in order to absorb the costs to the people who own those places. That's what we meant by a 20-year time frame. Other than that, hopefully, when the bill passes, we'll move as quickly as possible in order to address and eliminate the concerns you and millions other in this province are facing, to have Ontario barrier-free.

I thank you for coming, and I thank all the people who came before you and presented their cases and their

concerns before this committee. Hopefully you'll see results soon in the future.

The Chair: Thank you, everybody. That ends this evening's presentations. We will resume tomorrow in

Ottawa at 9 a.m. Thank you to the city of Thunder Bay and the vicinity for having us here. Have an enjoyable evening.

The committee adjourned at 1546.

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