



# Government of Canada Response to

## “Accessibility for All”

Eighth Report of the Standing Committee on  
Human Resources, Skills Development, Social Development  
and the Status of Persons with Disabilities

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# Government of Canada Response to *Accessibility for All*

## Eighth Report of the Standing Committee on Human Resources, Skills Development, Social Development and the Status of Persons with Disabilities

### CONTENTS

Overview	1
Background	3
Summary of recommendations	5
Synopsis of Government response	5
Leadership and instruments: the foundations of accessibility	5
Access to services	8
Access to programs	10
Government as a model of accessibility	10
The way forward	12
Steadfast commitment	13
Detailed responses to the recommendations	13
Conclusion	24
Appendix 1: List of Recommendations from <i>Accessibility for All</i>	25

# Government of Canada Response to *Accessibility for All*

## Overview

The Government of Canada welcomes the Eighth Report of the Standing Committee on Human Resources, Skills Development, Social Development and the Status of Persons with Disabilities: *Accessibility for All*.

The Standing Committee has consistently been a catalyst for action and a valuable partner in advancing the Government of Canada's disability agenda, identifying important issues and providing guidance to shape action on the disability community's priorities. The Committee can be confident that the Government of Canada shares its commitment to accessibility for all and the vision of a world that is fully inclusive for Canadians with disabilities.

Accessibility is the bridge between laudable goals and meaningful results. Without it, even the most carefully crafted policies and programs will not ensure that Canadians with disabilities enjoy the full benefits of Canadian society. *Accessibility for All* provides a helpful overview and assessment of accessibility within the federal jurisdiction, and deepens the understanding of the broad and complex role that the Government of Canada plays in the lives of people with disabilities. It reminds Canadians that significant progress has been made in recent decades, but more is needed to achieve inclusion for all.

The Government accepts and endorses the Committee's broad definition of accessibility, understanding that eliminating obstacles to the full enjoyment of the services, programs and public goods provided within the federal jurisdiction is an essential part of levelling the playing field and building an inclusive society for people with disabilities. It also shares the Committee's concern that, despite progress, barriers remain and concerted action is needed to address continuing gaps. This is vital both to the 3.6 million Canadians currently living with disabilities and to the growing number of people affected by disability, directly or indirectly as caregivers and family members.<sup>1</sup>

Three quarters of Canadians without disabilities know someone with a disability.<sup>2</sup> Given that the incidence of disability increases later in life, more Canadians will be soon affected by disability and by the Government of Canada's response to accessibility as the population ages.

The Government of Canada takes this responsibility very seriously, which is reflected in a range of initiatives introduced over the past 25 years. Canada is recognized as a world leader for its employment-equity legislation, expenditure programs, targeted tax

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<sup>1</sup> Government of Canada, 2004, *Advancing the Inclusion of Persons with Disabilities 2004*.

<sup>2</sup> Ibid.

measures and community services that support people with disabilities and their families. The Government will continue to build on this foundation, taking further steps to ensure it remains a model of inclusive employment practices and accessibility for Canadians with disabilities.

The Government of Canada is committed to improving coordination, research and knowledge development, and is interested in examining instruments and mechanisms that will increase coherence and accountability. The Office for Disability Issues at Social Development Canada can play an important role in this regard. The Government will strive to bring greater consistency to policies affecting expenditures and tax measures for Canadians with disabilities, and in removing barriers to transportation, government buildings, public-service employment practices, and services that fall within the federal government's jurisdiction. It will continue to produce high-quality research, such as the Participation and Activity Limitation Survey (PALS), which enables improvements to policies, programs, accountability, and the mobilization of resources. Using the federal disability report, *Advancing the Inclusion of Persons with Disabilities*, the Government will continue to report regularly on its progress so Canadians and their Parliament see tangible evidence of measurable progress on inclusion and accessibility for all.

However, the barriers to inclusion extend far beyond the federal domain. Levelling the playing field and building a truly equitable society requires the support and participation of all jurisdictions.

Canadians want their governments to work together to increase the participation and inclusion of people with disabilities. The Prime Minister and Premiers identified disability issues as a collective priority in 1996 and reaffirmed their commitment at their meeting in 1997. In 1998, federal, provincial and territorial governments jointly published, *In Unison: A Canadian Approach to Disability Issues*,<sup>3</sup> which continues to provide a shared framework for full participation for people with disabilities. Strong federal, provincial and territorial relations have been the pillars of progress to date, particularly in increasing employment, income and disability supports for Canadians with disabilities.

The Government of Canada values its work with its long-standing partners as well as the contributions of new allies committed to equality for all Canadians. Linkages with youth, seniors, and First Nations, Inuit, and Métis people are important to successful transformation. The Government can continue to play a leadership role by engaging other orders of government, as well as the private and voluntary sectors, employers and individual Canadians to revitalize their shared commitment to inclusion and accessibility.

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<sup>3</sup> Quebec shares the concerns raised in the *In Unison* report. However, the Government of Quebec did not take part in the development of this document because it wishes to assume control over programs for people with disabilities for Quebec. Consequently, any references in this document to joint federal, provincial, and territorial positions do not include Quebec.

## Background

The Committee's Eighth Report builds on a quarter century of continuous improvements in the quality of life and life prospects of Canadians with disabilities. History has shown the importance of a small number of bold and foresighted initiatives that draw attention to disability issues, shape action, and create momentum for several years to follow.

In 1981, the United Nations General Assembly declared the International Year of Disabled Persons, heralding a global commitment to ensure people with disabilities share equally in the full benefits of citizenship. In that same year, a Parliamentary Special Committee on the Disabled and the Handicapped released *Obstacles*, providing a roadmap for improvements in legislation, programming, public recognition, research and the physical accessibility to public buildings, including federal offices, Parliament, and Government of Canada facilities abroad. The Government's response provided an accountability framework and a model of successful collaborative processes.

*Obstacles* was a trigger for Government of Canada action that led to significant progress in employment, income and taxation. *Obstacles* set the stage for including disability as a prohibited ground for discrimination in the *Canadian Charter of Rights and Freedoms* which came into effect in 1982, and provided an agenda that could be used to gauge progress. In 1981, the Parliamentary Committee released a follow-up report that examined and made recommendations to address the impacts of disability on First Nations, Inuit, and Métis people, who experience significantly higher rates.

In 1985, the Parliamentary Committee on Equal Rights released, *Equality for All*. The report made a series of recommendations to ensure that federal legislation, policies and programs conformed to section 15 of the new *Canadian Charter of Rights and Freedoms*, the section which guarantees the right to equality, including people with mental and physical disabilities, but which came into effect three years after the rest of the Charter. The report included recommendations that people with disabilities be included in developing employment equity programs and that federal training and education programs be made accessible to people with disabilities in order to level the playing field. In 1986, the Government of Canada introduced the *Employment Equity Act*, designating Canadians with disabilities as one of four priority groups for increased inclusion in the federally-regulated labour market.

The next decade marked a watershed for increased awareness and national action on disability issues. In 1995, the second *Employment Equity Act* received Royal Assent and came into force in 1996. The Act covers private-sector employers under federal jurisdiction and almost all employees of the federal government. Built on the framework provided by the earlier legislation, it clarifies and enforces employer obligations under the legislation.

Also in 1996, the federal, provincial and territorial governments identified Canadians with disabilities as a national priority for social policy renewal at a First Ministers' Meeting. The same year, the Federal Task Force on Disability Issues published, *Equal*

*Citizenship for Canadians with Disabilities*, which recommended federal government leadership to ensure the full inclusion and participation of citizens with disabilities. The report proposed several mechanisms to achieve consistent action, coordination and accountability across the many federal departments whose work affects people with disabilities. A further reflection of the growing recognition of the need to address disability concerns was the decision by Government in 1998 to amend the *Canadian Human Rights Act* to add a statutory duty, short of undue hardship, to accommodate employees with disabilities.

In 1998, the federal, provincial and territorial governments jointly published, *In Unison: A Canadian Approach to Disability Issues*. It articulated the first shared provincial, territorial and federal vision of full citizenship for people with disabilities within a framework based on three fundamental building blocks: disability supports, employment, and, income. In 1999, the Government elaborated on the *In Unison* framework, releasing a report entitled, *Future Directions to Address Disability Issues for the Government of Canada: Working Together for Full Citizenship*. The report outlined a broad agenda for action on disability issues.

Canadians' commitment to accessibility for all continues into the 21<sup>st</sup> century. *Getting it Right for Canadians*, adopted by the Standing Committee in March 2002, examined the Disability Tax Credit. This report was pivotal to the subsequent inclusion of tax measures for Canadians with disabilities in Budget 2005, as was the 2004 report of the Technical Advisory Committee (TAC) on Tax Measures for Persons with Disabilities. The TAC was established by the Government to examine tax measures for people with disabilities. Its report, *Disability Tax Fairness*, proposed a range of improvements to make the tax system more equitable, most of which have prompted Government action.

The Standing Committee's June 2002 report, *Promoting Equality in the Federal Jurisdiction: A Review of the Employment Equity Act*, enhanced both Government and public understanding of the ongoing employment challenges facing Canadians with disabilities. The report recommended an increased effort to promote employment equity and the Government responded by strengthening its outreach activities to educate employers and providing more guidance, technical support and advice.

The 2003 report of the Standing Committee, *Listening to Canadians*, reviewed the Canada Pension Plan Disability program. It prompted numerous improvements, including the automatic reinstatement of benefits if a client's return to work is not successful due to a recurrence of disability.

As a lesson for us today, these reports, actions, and legislation collectively served as catalysts for, and validation of, the Government's approach to increasing the inclusion of Canadians with disabilities. The approach, vision, frameworks and the Committee's continuing examination of the status of Canadians with disabilities provide strong policy foundations which will support future work by the Government of Canada. As we move forward, we need to build on the lessons of the past.

## **Summary of recommendations**

The Standing Committee on Human Resources, Skills Development, Social Development and the Status of Persons with Disabilities makes 16 recommendations related to accessibility in its June 2005 report, *Accessibility for All*. The recommendations can be grouped under five themes:

1. Instruments and leadership that promote accessibility (Recommendations 1 and 7)
2. Accessibility of Government of Canada buildings (Recommendations 2, 3 and 15)
3. Access to programs and services (Recommendations 4, 5 and 6)
4. Access to employment within the public service (Recommendation 8)
5. Measures to ensure accessibility within the Parliamentary Precinct (Recommendations 9, 10, 11, 12, 13, 14 and 16)

Detailed responses to these recommendations are provided later in this document, with the exception of those beyond the Government's scope. While the Government fully supports the right of all Canadians to access to public buildings and is determined to lead by example, it does not have authority over Parliament's facilities and administration and cannot respond to recommendations 9 to 14 and 16.

## **Synopsis of Government response**

The Government's response to the Committee's report is organized around the following broad themes:

1. Leadership and instruments that build a foundation of accessibility
2. Access to services
3. Access to programs
4. Government as a model of accessibility
5. The way forward

### **Leadership and instruments: the foundations of accessibility**

Canadians' commitment to equality is a defining feature of our country. Canadian society is firmly anchored in the principle that every man, woman and child can expect dignity, justice, fairness and equality of opportunity in every aspect of their lives. Canadians are aware that the playing field is not level for people with disabilities. Three quarters of Canadians believe it is either very difficult or somewhat difficult for people with disabilities to participate in certain aspects of life.

They are aware of the barriers and inequities that prevent them from achieving financial security, having access to reliable transportation, or maintaining stable employment. Only 10 percent of Canadians believe that people with disabilities are fully included in



society. Most Canadians support removing obstacles to full inclusion and they recognize that the social benefit is worth the cost.<sup>4</sup>

Recognizing, as the Committee has noted, that accessibility issues are complex and wide-ranging, the Government of Canada will continue to work in unison with its long-standing partners and will develop new allies across society. With the disability community, other orders of government, the voluntary and private sectors, and individual Canadians, it will continue to build on its strategies to fully include Canadians with disabilities in all facets of society. One of the important vehicles to enable ongoing progress is a new department focussed on social policy development.

Given the national scope of social issues, including disability issues, and the important federal leadership role in addressing them, the Government created Social Development Canada in December 2003. The department is dedicated solely to social development and designed to bring greater coherence to federal social policy. Its mission is to strengthen Canada's social foundations by supporting the well-being of individuals, families and communities and their participation through citizen-focused policies, programs and services. Social Development Canada has made the full participation of Canadians with disabilities a priority in promoting social well-being for all Canadians.

The Department's Office for Disability Issues serves as a focal point for the Government of Canada and for key partners working to promote the full participation of people with disabilities in learning, work and community life. The Office provides leadership to foster policy and program coherence, contributes to the capacity of the voluntary sector, creates networks, provides knowledge, and supports awareness.

Social Development Canada also works with other federal departments to ensure a coordinated horizontal approach to disability issues. Following recommendations of the Standing Committee in 1999, the Government formed an Assistant Deputy Ministers' Steering Committee to provide leadership on cross-cutting disability issues now led by Social Development Canada. The Steering Committee includes representatives of Veterans Affairs Canada, Canada Mortgage and Housing Corporation, Human Resources and Skills Development Canada, and Health Canada, all of which provide supports to people with disabilities that ensure income security, accessible housing and health services.

In addition to Social Development Canada's work on disabilities across the federal family, many departments employ other mechanisms that deal with specific disability issues. The Public Health Agency of Canada leads interdepartmental committees related to HIV/AIDS, fetal alcohol spectrum disorder and mental health. Cross-departmental work on a United Nations' Convention on the Rights of Persons with Disabilities is led by Foreign Affairs Canada. Recently, Canadian Heritage created a 2010 Olympic and Paralympic Winter Games Federal Secretariat with goals that include

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<sup>4</sup> Environics Research Group, 2004, *Canadian Attitudes Towards Disability Issues*.

improved access to the Games and the provision of leadership and coordination to build a strong legacy for Canada as a result.

Established in 2003, the National Committee of Federal Public Servants with Disabilities is a group of federal employees who advance the internal federal government agenda concerning employees with disabilities. It has partnered with the Public Service Human Resources Management Agency of Canada and other departments and agencies to improve recruitment, retention, career progression, and accommodation for employees with disabilities in the federal workplace.

Progress across the spectrum of services, programs and public goods over which Government exercises jurisdiction is encouraging but admittedly uneven. Even though the Government of Canada is committed to continued work on interdepartmental initiatives, it recognizes that more must be done.

The complex array of federal legislation, regulations, policies and programs affecting Canadians with disabilities reduces the capacity for transparency and for achieving measurable progress. The Committee's work highlights the need to reconcile priorities and objectives inherent in an organization as large as the Government of Canada. The Government agrees with the Committee that avenues beyond the Committee's recommendations which could support greater coherence, transparency and accountability merit further exploration.

Achieving coherence could be realized through a number of mechanisms. The Committee's report noted the possibility that it might at some point conduct a study on the advisability of adopting legislation that could "...*better express Canadians' vision than the confusing multiplicity of acts, standards, policies and programs that currently prevails.*" The Government is also committed to exploring a range of options to provide policy and program coherence in the interest of advancing accessibility and equality, and welcomes the Committee's views on possible options.

Another opportunity for achieving coherence is the annual federal disability report, *Advancing the Inclusion of Persons with Disabilities*, which the Government uses to disseminate information and research, and to raise public awareness among Canadians of the inequities faced by people with disabilities and the progress made in levelling the playing field. The Government's investment in the collection and dissemination of research into disability issues provides valuable empirical evidence for decision-making and a means to report to Canadians about progress, or the lack of, in building a more inclusive society.

The federal disability report is an evolving tool, and the Government will explore ways in which it can become a stronger instrument in providing consistent measures and monitoring of progress to Canadians and to Parliament. The Government would welcome the Committee's advice on this and on other mechanisms that could provide further support toward continued progress, transparency and measurable outcomes.

## Access to services

Serving the public is the *raison d'être* for the Government of Canada. Each year, it provides a great number of programs and services to 32 million Canadians and over three million businesses and voluntary organizations – more than 350 million interactions in all. For all its successes, public opinion surveys reveal that many Canadians find that government is complex and confusing, with good reason in the case of Canadians with disabilities. Forty-four different government programs for people with disabilities can be found on the Canada Benefits website ([www.canadabenefits.gc.ca](http://www.canadabenefits.gc.ca)). Many of them require the same or similar personal information from clients, yet it is currently not possible for clients to easily use, repeat or transfer their own personal information between programs.

Accessing Government services electronically is not the only challenging area for Canadians with disabilities. In 2005, the Canadian Human Rights Commission reviewed telephonic communication access (TTY) to Government services. TTY is the teletypewriter technology that allows people who are deaf, deafened or hard of hearing to use telephones. The Commission's report, *No Answer: A Review of Government of Canada Telephonic Communications with People Who Are Deaf, Deafened, Hard of Hearing or Who Have a Speech Impediment*, concluded that not all Government departments are making their services fully TTY accessible and it highlights the need for the Government to develop a more comprehensive strategy to improve accessibility across the full range of communications technologies and tools.

The Government of Canada is committed to ensuring that information and services are accessible to all Canadians. Social Development Canada will deepen its consultation activities with Canadians who are deaf, deafened, or hard of hearing and work with the Treasury Board Secretariat and other departments to develop coherent strategies, policies and guidelines to explore developing technologies and to ensure that all Canadians have equitable access to Government services.

The Government's determination to improve access for Canadians with disabilities to programs and services is demonstrated in its September 14, 2005, launch of Service Canada. Service Canada will provide a single Government of Canada service-delivery network with easy access to services on line, on the phone, by mail, and at one of the 320 local service sites in communities across the country.

Service Canada is working with numerous departments to ensure information is readily accessible to support people with disabilities. The Government of Canada website ([www.canada.gc.ca](http://www.canada.gc.ca)) and the Service Canada website ([www.servicecanada.gc.ca](http://www.servicecanada.gc.ca)) ensure equal access by providing documents in alternate formats and adhering to international standards for accessibility established by the Treasury Board for all government websites. Service Canada has ensured that the key public and media documents related to its launch were available in alternate formats such as Voiceprint, a radio network that provides access to visual media and announcements for people with vision or print restrictions.

Service Canada will develop further enhancements to help people with disabilities to identify the most appropriate government services and benefits. It is exploring opportunities to simplify application forms and to assist people who need help completing the forms, ensuring that support is available by phone, by mail and in person assisted by trained staff, and via the Internet. A recent example is a joint current pilot between Social Development Canada and Service Canada on Canada Pension Plan Disability (CPPD), in which applicants are assisted in completing the form over the phone. Other examples include on-going research and analysis between CPPD and the Disability Tax Credit to compare the take-up rates and required medical information between the two programs, and to explore options to simplify the process for applicants who could be eligible for both programs.

Access to transportation services is vital to Canadians with disabilities, enabling integration into the community and participation in the economy. As a reflection of its on-going commitment to improve the accessibility of the federal transportation system, Transport Canada is developing a study that will examine comparative advantages of regulatory and voluntary approaches in improving accessibility for people with disabilities and seniors to modes of transportation under federal jurisdiction. This study will explore the need for additional activities to improve accessibility in the federal transportation system to inform future policy decisions that respond to concerns raised in the Committee's report.

Further study of other instruments may also advance a more coherent approach to inclusion for people with disabilities that promotes equality and levels the playing field. There is a need to examine whether collaborative leadership, moral suasion and role modeling by the federal government can produce the concerted action called for by the Committee. Such an examination should be informed by lessons learned in other jurisdictions. These experiences may provide a fresh perspective on the coordinated approach called for in the 1996 Task Force report.

Aside from activities within federal jurisdiction, the Government of Canada continues to work with its provincial and territorial partners to further enhance services to Canadians with disabilities. In December 2004, the federal, provincial and territorial Ministers responsible for Social Services released an analysis of needs and gaps in supports and services for adults and children with disabilities in Canada<sup>5</sup>. At that time, Ministers committed to further work in the area of disability supports. The Government of Canada will continue collaborating with provincial and territorial governments to improve benefits and services that promote the full inclusion of Canadians with disabilities.

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<sup>5</sup> *Supports and Services for Adults and Children Aged 5-14 with Disabilities in Canada* is available on the Social Union website at [www.socialunion.ca/pwd\\_e.html](http://www.socialunion.ca/pwd_e.html)

## **Access to programs**

The Government of Canada welcomes the Committee's continuing interest in the Canada Pension Plan (CPP), particularly the Committee's suggestions for improvements to assist applicants and recipients of disability benefits. *Listening to Canadians*, the Government's first progress report on its response to the Committee's 2003 report on CPPD, outlines important strides in implementing several of the Committee's key recommendations.

The CPPD is the largest long-term disability insurance program in Canada, providing basic earnings replacement for eligible CPP contributors who cannot work regularly at any job due to a severe and prolonged mental or physical disability. CPPD provides monthly benefits to more than 290,000 individuals and 90,000 of their children. The program receives some 60,000 new applications each year. A new Automatic Reinstatement provision to the CPPD provides a substantial safety net for program beneficiaries who wish to attempt to return to work.

The Government shares the Committee's conviction that accessibility to government programs is as important as access to buildings, services and public goods. Access to statutory programs for Canadians with disabilities, such as CPPD, is directly related to the goals and legislative intent of each program.

## **Government as a model of accessibility**

A true measure of Canadians' commitment to equality for people with disabilities is employment, which assures them access to the same standard of living and quality of life as other Canadians. Unfortunately, most sectors of the Canadian economy would not meet this standard. Employment rates and average levels of remuneration for people with disabilities remain lower than for other Canadians, contributing to the significant number of Canadians with disabilities living in poverty.

Across Canada, the employment rates of people with disabilities were about 25 to 30 percentage points lower than those of people without disabilities between 1999 and 2002, and were even worse for women than men. Employers' attitudes and assumptions about the abilities of Canadians with disabilities frequently create major barriers to employment.

Many employers know that hiring Canadians with disabilities gives them access to a diversity of largely underutilized skills and talents that improve their productivity and competitiveness, an illustration of the value of knowledge in affecting attitudes and removing barriers. This knowledge is a major asset for employers at a time when Canada is beginning to experience skills and labour supply shortages in many sectors. They also know that, with Canada's aging population, there is a growing market for disability supports, services and products.

The Government of Canada has taken steps to capitalize on the skills of Canadians with disabilities within the federal workforce. It has demonstrated that recruiting and retaining workers with disabilities is desirable, achievable and beneficial to the employer. It has yet to fully meet its target of hiring people with disabilities equal to their availability in the Canadian labour market, which is currently 3.6 percent. Canadians with disabilities accounted for 3.1 percent of all new hires for 2003-2004. However, workers with disabilities represented 5.7 percent of the federal public service as of March 31, 2004 – far in excess of their availability in the Canadian labour force.

These workers make up a growing percentage of the federal workforce, which reflects the valuable contributions they make to public service and to the Government's leadership as a model employer.

In meeting its ongoing obligations under the *Employment Equity Act*, the Government will continue to develop strategies to facilitate employment for Canadians with disabilities in the public sector. It will work with employees and managers to raise awareness of the duty to accommodate employees through educational services developed by Social Development Canada and the Canadian Human Rights Commission.

The Government of Canada has also established high standards for physical accessibility to federal buildings and will continue to demonstrate its commitment to inclusion by consistently meeting these standards. The Government will work with researchers and other employers to provide models of inclusion and accessibility for Canadians with disabilities that can be adapted to workplaces outside the public service.

The Government recognizes that physical access to government buildings, and to the Office for Disability Issues at Social Development Canada in particular, is important for both practical and symbolic reasons. The Government endorses the Committee's observation that accessibility is more than the absence of physical obstacles to a building. It agrees that it also means fostering work environments that value and facilitate the full participation of employees with disabilities, as well as increasing the fairness of approaches to recruitment, retention, advancement, and workplace accommodation.

Public Works and Government Services Canada and Social Development Canada plan to provide barrier-free space to the Office for Disability Issues by September 2006. The two departments have developed an interim plan to improve access to the Office for Disability Issues by the autumn of 2005. The Office for Disability Issues will represent an exemplary workplace where technology and modern employment practices combine to foster accessibility. Work to establish these particular premises as a model will be supplemented by the development of a program to audit the accessibility of other spaces that the Government owns or leases.

Public Works and Government Services Canada will establish a program to audit the physical accessibility of the buildings that house over 210,000 public servants across the country. The Department will also work with other Government of Canada departments and agencies that manage their own buildings to raise awareness of the importance of physical accessibility and encourage other administrators of public buildings to participate in the audit program. Public Works and Government Services Canada will work with Social Development Canada to ensure that the offices of Social Development Canada and its Minister are among the first public spaces to be audited for accessibility.

### **The way forward**

Knowledge is key to understanding the context of disability, creating sound policies and programs, and measuring progress. Appreciating the first-hand experiences of Canadians with disabilities, being fully informed about the nature and severity of disabilities, and recognizing the need for and access to assistance, education, employment, income, housing and transportation are essential in discharging the responsibilities of Government. Public involvement strategies are being modified and developed to ensure that first-hand experiences become part of the information and knowledge that are used to shape policies and programs. The Minister of Social Development has held several roundtables with citizens, and in May 2005, Social Development Canada launched an on-line consultation with Canadians about issues affecting people with disabilities, caregiving, and seniors (<http://sdc-dsc.dialoguecircles.com>) to enrich its knowledge base and the range of policy choices.

Disability research will continue to provide the evidence base for policy and program development. The Government will carry on its work with its current partners and build new relationships to develop the necessary knowledge to ensure Canadians have access to the best possible research and indicators of success. It is equally committed to communicating progress on disability to all Canadians.

Statistics Canada's Participation and Activity Limitation Survey (PALS) provides important information about the nature and severity of disabilities and how these affect education, employment, income, housing and transportation. As well, *Advancing the Inclusion of Persons with Disabilities* provides a regular report to Canadians on progress in promoting full inclusion based on key indicators.

Continued research and reporting of high calibre will contribute to the Government's achievement of meaningful and measurable progress in enriching the lives of Canadians with disabilities and their families, and demonstrate to Canadians how their tax dollars are spent and how outcomes are achieved.

## **Steadfast commitment**

The Government readily accepts the challenge of acting as a leader and role model for accessibility and will work towards the full integration of Canadians with disabilities into Canada's social, economic and cultural life.

Many of the recommendations in the Committee's report are already being acted on by the Government of Canada. Undeniably, however, there is still a need to level the playing field for Canadians with disabilities who continue to face transportation, accommodation, employment and attitudinal barriers that prevent them from achieving their full potential. There is still a long way to go in ensuring the full inclusion of people with disabilities and their access to the full range of programs, services and supports they need to enjoy the same high standard of living and quality of life as Canadians without disabilities.

Action in this area must be both government-wide and nation-wide. This will require ongoing evaluations of government practices to identify concrete actions to address the needs of Canadians with disabilities. It also means continuing to work closely with partners to encourage simultaneous action on multiple fronts, and securing new allies along the way to develop new transformational visions and approaches, as no single sector has all the levers or resources to meet the challenge.

Moving forward on the recommendations in *Accessibility for All* will require the input and active support of all orders of government, disability organizations, communities, voluntary and corporate sectors, and individual Canadians. This is not simply an admirable social goal – it is an economic imperative. The Government of Canada cannot rest on past successes, but will build on these successes as a springboard for the future.

The Government of Canada is grateful to the Standing Committee on Human Resources, Skills Development, Social Development and the Status of Persons of Disabilities and its Subcommittee for this valuable report which provides impetus for continuing progress and for its unflagging commitment to securing *Accessibility for All*.

## **Detailed responses to the recommendations**

### **RECOMMENDATION 1:**

**The Subcommittee recommends to the Government of Canada that it report on when it intends to implement recommendation 5.1 in the report of the Technical Advisory Committee on Tax Measures for Persons with Disabilities.**

Response: The Technical Advisory Committee (TAC) on Tax Measures for Persons with Disabilities was created by the Government of Canada to provide advice to the Ministers of Finance and National Revenue on how to address issues related to tax



measures for Canadians with disabilities. In December 2004, the TAC released its report, *Disability Tax Fairness*, which examined the fairness and effectiveness of tax measures for people with disabilities in the context of social inclusion and accommodation.

The TAC noted many of the ways in which living with disability – as a person with a disability or as a caregiver – creates additional costs for aids and devices, lost opportunities and diminished capacity to earn income. The TAC noted that tax measures are not intended to reimburse individuals for out-of-pocket expenses, or redress income inequalities, or compensate for low income, but stated that the Committee “...felt compelled to ask questions about fairness from the perspective of public expenditure and relatively scarce dollars.”

The TAC made numerous recommendations regarding the tax system. These included recommendations focused on the disability tax credit that suggested legislative and interpretive changes, as well as improvements to its administration. The TAC made several suggestions related to tax measures that would help people with disabilities to pursue education and employment, and another group of recommendations directed at improving tax measures for caregivers. The TAC also reviewed other actions outside the tax system, such as building more inclusive communities, strengthening labour-market initiatives, investing in the supply of disability supports, and providing a disability-supports allowance to provide assistance to those too poor to pay tax.

As the Standing Committee notes in *Accessibility for All*, the Government has acted on virtually all the TAC recommendations in Budget 2005. The major changes include extending eligibility for the Disability Tax Credit (DTC) to those who face multiple restrictions that have a substantial impact on their everyday lives. The TAC also suggested amending the DTC to ensure the eligibility of more people who require extensive life-sustaining therapy. Budget 2005 expanded the list of expenses eligible for the disability supports deduction, increased the maximum amount of the refundable medical expense supplement from \$571 to \$750 a year, and increased the maximum Child Disability Benefit from \$1,681 to \$2,000 a year as of July 2005.

Taken together, the measures proposed by the Government as a result of the TAC's advice will increase tax relief for people with disabilities and their caregivers by \$105 million in 2005-06, growing to \$120 million by 2009-10. An additional \$2 million annually has been committed to the Canada Revenue Agency to improve its administration of the DTC and other disability-related tax measures. It will also help to create a committee to advise the Minister of National Revenue on administering these tax measures. The TAC notes that the Government has taken “...significant steps to improve tax fairness for persons with disabilities.”

The Government recognizes that disability issues must be addressed broadly, using the tax system as just one of a number of tools. In recent years, the Government has also introduced measures outside the tax system. It created a new up-front grant of up to \$2,000 per year for post-secondary students with disabilities to ensure that a post-

secondary education is accessible. To fulfill the commitment to improve the workplace integration of people with disabilities, support for the federal, provincial, territorial Multilateral Framework for Labour Market Agreements for Persons with Disabilities has increased by \$30 million per year, for a total Government of Canada's annual contribution of \$223 million. In addition, federal discussions with provincial co-stewards of the Canada Pension Plan led to legislative changes to encourage Canada Pension Plan Disability beneficiaries with regained capacity to take the risk of returning to work knowing that their benefits are protected if they fail.

The Standing Committee's Report reiterates the TAC position that options for expenditure programs must be developed in close collaboration with provincial and territorial governments and communities. In this respect, in December 2004, the federal, provincial and territorial Ministers responsible for Social Services released an analysis of needs and gaps in supports and services for adults and children with disabilities in Canada. At that time, Ministers committed to further work in the area of disability supports. The Government of Canada will continue this collaboration to promote the full inclusion of people with disabilities through its ongoing work with provinces and territories on benefits and services for people with disabilities.

## **RECOMMENDATION 2:**

**The Subcommittee recommends that the Department of Public Works and Government Services Canada identify as promptly as possible premises where the activities of the Office for Disability Issues could be housed as of 2006. These premises will serve as a model for fully barrier-free installations and will have to be compliant in all respects with the 2004 edition of standard B651 (CAN/CSA-B651-04), as formulated by the Canadian Standards Association.**

Response: Public Works and Government Services Canada (PWGSC) is seeking premises that permit the Office for Disability Issues (ODI) to consolidate its activities. PWGSC is working closely with ODI staff to ensure the new facilities will comply with their needs and be ready for the targeted move-in date of September 2006.

PWGSC is committed to providing premises to the ODI that will serve as a model of barrier-free accommodation, through full compliance with the Canadian Standards Association's CAN/CSA-B651-04 Accessible Design for the Built Environment standard. The standard contains requirements making buildings and other facilities accessible to people with a range of physical, sensory, and cognitive disabilities. This standard is recognized as the most stringent technical standard of accessibility in the country, easily surpassing those in the National Building Code and all provincial and territorial building codes.

The Canadian Standards Association created CSA B651 in 1990, with all the consultation, rigour and thoroughness of process demanded of an organization accredited by the Standards Council of Canada. To guarantee that its technical

standard for accessibility remains leading-edge, CSA must review and revise the standard on a regular basis. The most recent version, published in August 2004, is based on a consensus of the 27-member Technical Committee on Accessible Design, which represents a broad spectrum of regulatory, manufacturer and consumer interests. The Government is pleased to have membership on the technical committee, with delegates from Public Works and Government Services Canada, Canada Mortgage and Housing Corporation, Canadian Human Rights Commission, Canadian Transportation Agency, Industry Canada and the Office for Disability Issues. The Government of Canada has exercised its leadership role in being the only jurisdiction in the country to have adopted CAN/CSA-B651-04 Accessible Design for the Built Environment. Being fully compliant with all its exigencies will ensure that the new premises of the Office for Disability Issues will serve as a model of barrier-free accommodation.

### **RECOMMENDATION 3:**

**The Subcommittee recommends that the Department of Public Works and Government Services Canada establish in 2005 an ongoing audit program of the compliance of federal buildings with technical standard CAN/CSA-B651-04, as formulated by the Canadian Standards Association. A progress report should be tabled in 2007, and all federal buildings must be audited by no later than 2009.**

Response: Public Works and Government Services Canada (PWGSC) is developing an auditing strategy, electronic database system, and training tools to establish a program to audit the accessibility of all its facilities, both owned and leased. The audit program will simultaneously follow twin tracks. Firstly, it will audit for compliance with the Treasury Board Accessibility Policy. Secondly, it will audit for compliance with the Canadian Standards Association's technical standard, CAN/CSA-B651-04 Accessible Design for the Built Environment. The federal government is the only jurisdiction in Canada, so far, to adopt this rigorous standard.

The approach PWGSC has chosen for its audit program will help identify gaps between the requirements of Treasury Board policy and the 2004 version of CAN/CSA-B651-04, and provide valuable information for future investments in renovations and acquisitions. A further benefit of the audit will be the opportunity to optimize the department's monitoring and reporting on accessibility within its inventory.

The audit program will comply with, and be guided by, the Treasury Board Accessibility Policy. PWGSC will work with Social Development Canada to ensure that the offices of the latter and its Ministers are among the first public spaces to be audited for accessibility. A progress report on the audit program will be tabled by December 2007, for completion by December 2009.

Since PWGSC is responsible for accommodating the activities of more than 210,000 federal employees across the country, the department's audit program will address facilities visited by people who want to do business with the federal government. The department is also exercising its leadership role by meeting with fellow custodian departments to encourage them to undertake a similar audit program for their own facilities. PWGSC will share the auditing tools it is developing, along with the expertise it has gained on accessibility issues. In early discussions, other large departments including National Defence, Correctional Services Canada and Agriculture and Agri-Food Canada have expressed a willingness to share their experiences with auditing and retrofitting their own facilities for accessibility.

#### **RECOMMENDATION 4:**

**The Subcommittee recommends that no application for disability benefits under the Canada Pension Plan be rejected for medical reasons without this rejection being a decision made by a physician.**

Response: About 60,000 individuals apply each year for Canada Pension Plan Disability (CPPD) benefits. Social Development Canada is responsible for reviewing these applications and ensuring that those who meet the eligibility criteria are granted benefits.

Eligibility for CPPD benefits requires applicants to adhere to a test that some do not meet, despite having a significant medical condition. The test specified in the legislation is that the applicant must have a "...severe and prolonged mental or physical disability," that renders him or her incapable of performing any job, not just his or her own job.

Eligibility is based on the person's capacity to work, which often involves obtaining information from sources other than physicians, such as employers, vocational rehabilitation experts, physiotherapists and occupational therapists. Non-medical factors, such as age, education and work history are also taken into account in assessing the capacity to work. Decisions on eligibility must be consistent with both the letter and intent of the legislation. Decisions of the Federal Court provide additional direction, which is incorporated into written policy guidelines.

Medical adjudicators with nursing backgrounds determine CPPD eligibility at the initial application and reconsideration stages. Adjudicators have the combination of skills and knowledge required to determine eligibility for CPPD benefits and receive specific and extensive training on the CPP legislation and policy framework. They have medical knowledge of physical and mental impairments, of the effects of medication and treatment, and of the expected outcomes of therapy. This knowledge is essential to properly assess reports received from medical practitioners, both family physicians and specialists, and from other professionals such as psychologists, chiropractors, physiotherapists, and occupational therapists. In addition, medical adjudicators with

nursing backgrounds have been trained to assess functional limitations and how they affect individuals in their daily and work activities.

In recent years, client contact by telephone was introduced as a standard part of the application and reconsideration processes. The objective is to ensure that clients understand the eligibility determination process, are afforded every opportunity to provide information to support their claim, and are personally advised of a decision to deny benefits and the reasoning behind it.

Medical adjudicators with nursing backgrounds have extensive training and professional experience in interpersonal communication and are very effective at this important aspect of client service.

Physicians also have detailed medical knowledge of physical and mental impairments, however, their training is much more focused on medical conditions and disease processes. While medical doctors could no doubt be trained in the criteria of the program and develop the additional skills necessary to adjudicate CPPD applications, this would not be cost-effective since medical doctors have very high salary levels compared to medical adjudicators. Physicians are also in short supply in certain regions and sectors of the health care system and asking them to perform functions which other professionals with medical training can perform equally well, if not better, is of questionable value.

CPP does have physicians on staff who are involved at the last level of appeal for CPP cases. Their role is to serve as expert witnesses in support of the department's position at Pension Appeal Board hearings. Appellants often bring forward more complex medical data at these hearings than in their initial applications, and these require interpretation. The CPP physicians provide medical expertise to the judges relating to medical conditions and advise on difficult disability determinations, when the difficulty arises from the interpretation of medical reports, medical investigations, prognosis and treatments.

Prior to 1989, regulations specified that all adjudication decisions on CPPD applications were to be made by a two-person board comprised of a physician and an adjudicator. This sought to ensure consistency in decision-making at a time when there was little administrative precedence in Canada for adjudicating disability entitlements and no written guidelines existed.

The two-person board resulted in lengthy delays in decisions because the process required a full review and sign-off by two different individuals. The regulation was therefore repealed in favour of the current system. Medical adjudicators with nursing backgrounds were hired and trained to make decisions on CPPD applications. Written guidelines were developed to provide direction on legislative requirements and medical factors that must be taken into account when adjudicating applications.

After an initial adjudication, denied clients have three opportunities to have their cases re-examined, with or without presenting additional evidence: 1) at reconsideration, an administrative review within the Department; 2) upon appeal to the Office of the Commissioner of Review Tribunals; and 3) by requesting an appeal to the Pension Appeals Board. In light of the significant incremental costs that would be involved, the Government does not consider that introducing an additional process to have denied applications reviewed by a medical doctor is necessary.

#### **RECOMMENDATION 5:**

**The Subcommittee recommends that the medical report form accompanying an application for Canada Pension Plan disability benefits be amended to include at least one question allowing the applicant's physician to give an opinion on his patient's ability to hold a job.**

Response: The role of the client's physician is to diagnose, treat, and report on medical findings. They are not, and Social Development Canada does not expect them to be, experts in the eligibility criteria for CPPD, which involve considerations that transcend medical factors. However, while there is not an explicit question soliciting the physician's opinion on the applicant's ability to hold a job, the current application does seek physician input on the capacity to work. In addition to providing medical evidence, physicians are asked to comment on their patients' functional limitations. This provides CPPD adjudicators with a more complete understanding of the applicant's overall situation and provides valuable input on the applicant's ability to work.

There was a period when physicians were asked explicit questions about their patients' ability to work at their own job or any job, but these questions were removed in 1989 at the request of the medical profession. Physicians were concerned that such questions could negatively affect the patient-physician relationship, since physicians could feel pressured to make a supportive assessment. The courts have also noted the risk of physicians moving into an advocacy role, rather than remaining neutral by providing objective medical evidence.

Social Development Canada will explore what additional information could be provided by family physicians that would assist CPPD adjudicators to determine an applicant's work capacity. Since no medical professionals appeared as witnesses before the Subcommittee on this matter, and since the medical profession stated its view on this subject in the past, this review will need to include consultations with the Canadian Medical Association and other medical professionals to determine whether such questions may negatively affect the patient-physician relationship.

## **RECOMMENDATION 6:**

**The Subcommittee recommends that the Department of Social Development compile statistical data, on an ongoing basis, on the reasons for rejecting Canada Pension Plan disability benefit applications, as well as on rejected applicants' socio-economic circumstances.**

Response: The Government agrees that it is important to collect more data on its clients, including those who are denied. In the past, CPPD has focused its data collection and research efforts on beneficiaries. In recent years, data collection on all applicants has improved, including those whose applications are denied.

The Government concurs with the recommendation to compile and publish data on reasons for denial. It will need to consider the best mechanism and frequency but there are limits on collecting and retaining additional data on denied applicants' socio-economic circumstances.

Like other administrative programs, CPPD can only collect the information needed to make a decision on an application. Information on applicants' economic circumstances is not required to make a CPPD benefit decision and is not collected, regardless of how useful it could be for research purposes. Furthermore, denied applicants who do not exercise appeal rights cease to be CPPD clients, leaving the Minister with no authority to collect additional data on those cases.

Social Development Canada is prepared to explore ways to track outcomes for denied clients, as per the Committee's recommendation, although it must be noted that tracking the outcomes of denied applicants raises serious privacy issues. Any feasible option in this regard would require prior approval of the Privacy Commissioner or the explicit written consent of the individuals concerned.

Discussions are underway with the provinces and territories regarding the possibility of research on applicant outcomes. Any research proposal would require approval of the federal Privacy Commissioner, and likely from provincial and territorial Privacy Commissioners as well. The outcome of this research could assist with possible improvements to policy or to the application process.

## RECOMMENDATION 7:

**The Subcommittee recommends that the Minister of Transport immediately order an independent study of the comparative advantages of the regulatory and voluntary approaches to improving accessibility for persons with disabilities to modes of transportation under federal jurisdiction. The parameters of this study should be determined by the Minister of Transport's Advisory Committee on Accessible Transportation, and presented to the Subcommittee on the Status of Persons with Disabilities. It should take into account the experiences of other countries. With an irrefragable methodology, the study would serve as a basis for discussion in which the viewpoints of government, advocacy groups for the rights of persons with disabilities and the Canadian transportation industry could all be voiced, in order to arrive at a long-term solution by no later than 2007.**

Response: In 2003, Transport Canada released a comprehensive policy document entitled, *Straight Ahead - A Vision for Transportation in Canada*. It announced that the department "...will evaluate the impact of existing legislative provisions and codes of practice and determine whether other measures are needed to improve access to the federally regulated transportation system."

Transport Canada has already taken steps to develop a methodology to study the comparative advantages of the regulatory and voluntary approaches to improving accessibility for people with disabilities in all modes of transportation under federal jurisdiction. The Advisory Committee on Accessible Transportation was informed of the department's work to date, including policy evaluation work on the success of the United States regulatory model.

The Advisory Committee on Accessible Transportation is currently undergoing modernization and the first meeting of the new committee is planned for late 2005. At that meeting, Transport Canada will table for consultation a draft methodology to evaluate the success of the Canadian legislation, regulations and voluntary codes of practice as compared to the success of the United States legislation and regulations in achieving accessibility. Transport Canada will seek feedback from consumers and the transportation industry membership of the committee to finalize a methodology that will provide a rigorous evaluation and balanced assessment of the relative effectiveness of the policy approaches used in Canada and the U.S.

The department is also working with the European Conference of Ministers of Transport (ECMT) to develop a common methodology to quantify the relative successes of the various policy frameworks for accessible transportation in place across Europe and in Canada. European countries are not yet in a position to provide an evaluation of their success in this area. This methodology would allow Transport Canada and its ECMT counterparts to measure and compare the extent to which improvements in accessibility under various policy frameworks have succeeded in enabling seniors and people with



disabilities to extend their personal mobility. Initial interest has been expressed, and details will be discussed in early 2006.

It must be noted that, while Canadian regulations have been in place for many years, the success of the voluntary codes cannot be evaluated adequately until they have been allowed to work for a reasonable period of time. The earliest Code of Practice was launched in 1997 and the latest in 2004. The timetable for the completion of the study of the Canada versus United States models will be determined once the methodology, which must consider such factors, has been finalized. Transport Canada can present the methodology to the Subcommittee in the spring of 2006, along with the planned timetable for completion.

#### **RECOMMENDATION 8:**

**The Subcommittee recommends that, without neglecting representation statistics, the performance of the federal Public Service with respect to the employment of persons with disabilities from now on be measured on the basis of hiring statistics. This change should be reflected explicitly in the next employment equity report tabled by the Public Service Human Resources Management Agency of Canada.**

Response: The Government of Canada is committed to increasing the representation of Canadians with disabilities in its workforce. The *Employment Equity Act* requires federally-regulated employers and the Government itself to improve accessibility to jobs for four designated groups, including people with disabilities. The objective of the legislation is to create and maintain a workforce representative of the Canadian population and to reflect their representation among all Canadian workers.

As the Standing Committee noted, it is encouraging that the overall representation of people with disabilities in the federal public service was 5.7 percent as of March 31, 2004, compared to their availability in the Canadian workforce of 3.6 percent. The fact that Canadians with disabilities comprised 3.1 percent of all federal government hires over the 2003-2004 fiscal year may appear inconsistent with the general representation of 5.7 percent, but a direct comparison of the two numbers can be complicated by the dynamics of disability status and self-identification.

After hiring, employees can develop a disability as the prevalence of disabilities increases with age. As well, many workers become more aware of the importance of self-identifying a disability. This can lead to a higher proportion of employees identifying themselves as having disabilities, compared to the proportion that are hired each year.

The complexities associated with disability underline the importance of collecting and publishing annual statistics on hiring, promotion and termination of employees with disabilities in the public service. Taken together with the representation statistics, these numbers provide a more comprehensive measure of the federal government's performance on employment equity than any one of the statistics on their own. All of

these figures are available in reports tabled by the President of the Treasury Board. These reports also chart hiring trends over a decade and provide tabular detail on hiring performance with respect to Canadians with disabilities.

The Government of Canada is committed to implementing employment equity within the federal public service and hiring statistics will continue to be one of the indicators used to measure performance.

Furthermore, hiring practices and other employment systems are continuously examined to ensure they do not contain barriers. The federal public service will continue to ensure members of all designated groups are treated equitably, both during the selection process and once in the workplace. The Government will play a strong role in the Parliamentary Review of the *Employment Equity Act* in 2006-2007 to ensure that issues related to people with disabilities in the public service are adequately addressed.

To make federal workplaces more inclusive, the Policy on the Duty to Accommodate Persons with Disabilities in the Federal Public Service is designed to eliminate barriers that prevent the full participation of potential recruits and existing employees within the Public Service of Canada. The policy ensures that the needs of workers with disabilities are taken into consideration when designing new programs, technological applications or physical environments. The policy reflects the Government's determination to create and maintain a barrier-free workplace by fostering a culture of "inclusion by design." It supports the Government's hiring goals and makes the working environment better for everyone by demonstrating that recruitment and retention of workers with disabilities is both desirable and beneficial to the employer.

There will continue to be further improvements to policies and programs as the Public Service Human Resources Management Agency of Canada works with other federal departments and agencies as well as the National Committee of Federal Public Servants with Disabilities. It will enhance accessibility, recruitment and career progression, and develop a more inclusive workplace for people with disabilities.

#### **RECOMMENDATION 15:**

**The Committee recommends that Public Works and Government Services Canada ensure that all authorities undertaking renovation or construction projects in the Parliamentary Precinct consult with experts in addressing accessibility issues and persons with disabilities to make certain that their needs will be well integrated into all projects.**

Response: Public Works and Government Services Canada (PWGSC) recognizes the pragmatic and symbolic importance of Parliament Hill being accessible to all Canadians. To ensure the needs of Canadians with disabilities are always taken into account, the department employs full-time accessibility specialists and engages expertise from the private sector. PWGSC stays current on emerging accessibility issues through its

membership on the Canadian Standards Association Technical Committee on Accessible Design. The committee has 27 members who represent a broad spectrum of consumer, manufacturer, regulatory and health science interests related to accessibility. Participation in the Technical Committee on Accessible Design provides its members with mutual, ongoing consultation on accessibility.

PWGSC is pleased to have been the subject of a complimentary article in the newsletter published by Disabled and Proud. Staff at the department's Parliamentary Precinct office invited members of the organization on a tour of the facilities to gain insight into where improvements could be made. Helpful suggestions were received and have since been implemented.

Staff serving the House of Commons, the Senate and the Library of Parliament are the front line for awareness of accessibility concerns on Parliament Hill. The Parliamentary Precinct office of PWGSC has fostered excellent working relations with these employees, allowing the department to provide a prompt and effective response when accessibility issues arise.

Through its own expertise and a network of contacts with people having an interest in accessibility, PWGSC can ensure the needs of people with disabilities are well integrated into all renovation and construction projects undertaken in the Parliamentary Precinct.

## **Conclusion**

The Committee noted, *"...there is a promising future for the advancement of full and complete access to all services, programs and public property over which the Government of Canada [and] the Parliament of Canada exercise jurisdiction."*

The Government of Canada is pleased to report that many of the recommendations in the Committee's report have already been, or are in the process of being, addressed. It is determined to move forward with further improvements to meet the needs and priorities of Canadians with disabilities. The Committee can be confident that the Government shares its commitment to accessibility for all and the vision of a promising future.

## **Appendix 1: List of Recommendations from *Accessibility for All***

### **RECOMMENDATION 1**

The Subcommittee recommends to the Government of Canada that it report on when it intends to implement recommendation 5.1 in the report of the Technical Advisory Committee on Tax Measures for Persons with Disabilities.

### **RECOMMENDATION 2**

The Subcommittee recommends that the Department of Public Works and Government Services Canada identify as promptly as possible premises where the activities of the Office for Disability Issues could be housed as of 2006. These premises will serve as a model for fully barrier-free installations and will have to be compliant in all respects with the 2004 edition of standard B651 (CAN/CSA B651 04), as formulated by the Canadian Standards Association.

### **RECOMMENDATION 3**

The Subcommittee recommends that the Department of Public Works and Government Services Canada establish in 2005 an ongoing audit program of the compliance of federal buildings with technical standard CAN/CSA B651 04, as formulated by the Canadian Standards Association. A progress report should be tabled in 2007, and all federal buildings must be audited by no later than 2009.

### **RECOMMENDATION 4**

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### **RECOMMENDATION 5**

The Subcommittee recommends that the medical report form accompanying an application for Canada Pension Plan disability benefits be amended to include at least one question allowing the applicant's physician to give an opinion on his patient's ability to hold a job.

### **RECOMMENDATION 6**

The Subcommittee recommends that the Department of Social Development compile statistical data, on an ongoing basis, on the reasons for rejecting Canada Pension Plan disability benefit applications, as well as on rejected applicants' socio economic circumstances.

## **RECOMMENDATION 7**

The Subcommittee recommends that the Minister of Transport immediately order an independent study of the comparative advantages of the regulatory and voluntary approaches to improving accessibility for persons with disabilities to modes of transportation under federal jurisdiction.

The parameters of this study should be determined by the Minister of Transport's Advisory Committee on Accessible Transportation, and presented to the Subcommittee on the Status of Persons with Disabilities. It should take into account the experiences of other countries. With an irreproachable methodology, the study would serve as a basis for discussion in which the viewpoints of government, advocacy groups for the rights of persons with disabilities and the Canadian transportation industry could all be voiced, in order to arrive at a long-term solution by no later than 2007.

## **RECOMMENDATION 8**

The Subcommittee recommends that, without neglecting representation statistics, the performance of the federal Public Service with respect to the employment of persons with disabilities from now on be measured on the basis of hiring statistics. This change should be reflected explicitly in the next employment equity report tabled by the Public Service Human Resources Management Agency of Canada.

## **RECOMMENDATION 9**

The Committee recommends:

- that the Speaker of the House of Commons take immediate steps to develop a communications strategy to promote a greater awareness of and sensitivity toward the abilities of persons with disabilities and the services available to accommodate people with disabilities within the Parliamentary Precinct; and
- that the strategy provide separate emphasis for managers, health and safety personnel, and employees with disabilities.

## **RECOMMENDATION 10**

The Committee recommends:

- that the Speaker of the House of Commons, in collaboration with the Senate, undertake a thorough accessibility audit of all facilities in the Parliamentary Precinct to ensure that barrier free design principles included in the CSA Standard CAN/CSA B651 04 are respected, except where this standard will significantly reduce the heritage quality of the facility;

- that, based on the results of this audit, a Parliamentary Precinct accessibility plan be developed highlighting what needs to be done to eliminate remaining barriers;
- that an accountability framework be developed, approved and implemented to assign responsibility for ensuring that the Parliamentary Precinct is fully accessible to people with disabilities (including sensory or mobility disabilities); and
- that the framework set out performance indicators and reporting mechanisms; and that its ongoing implementation be reported yearly in the performance report of the House of Commons.

## **RECOMMENDATION 11**

The Committee recommends:

- that the House Administration, under the responsibility of the Speaker of the House of Commons, collect information and conduct an analysis of its workforce in order to determine the degree of underrepresentation of persons with disabilities in that workforce, as defined in the Employment Equity Act and regulations;
- that based on this analysis, the House Administration, under the responsibility of the Speaker of the House of Commons, be encouraged to continue to develop, approve, implement and monitor employment equity initiatives with clear and measurable outcomes in the areas of recruitment, retention, accommodation, and career progression of persons with disabilities; and
- that the progress made in the implementation of employment equity initiatives be reported yearly in the performance report of the House of Commons.

## **RECOMMENDATION 12**

The Committee recommends:

- that the Board of Internal Economy create an accessibility fund to pay for modifications or retrofits needed to make constituency and House of Commons offices of Members of Parliament fully accessible to persons with disabilities;
- that the Board of Internal Economy determine the amount of this fund and establish the rules and limitations regarding its use;
- that the Board of Internal Economy provide guidance to MPs when selecting office space;
- that, on approval of this recommendation, the Board of Internal Economy amend the Members' Offices By-Law (By Law 301) to include the newly created

accessibility fund and approved expenditures; and amend the Manual of Allowances and Services for the Members of the House of Commons to reflect such changes. Listing these expenditures separately will increase awareness of the importance of access, and make it easier to assess the commitment of the House Administration to improving accessibility for persons with disabilities.

### **RECOMMENDATION 13**

The Committee recommends:

- that the Speaker of the House of Commons take immediate steps to ensure that the protocol for the emergency evacuation of persons with disabilities is up to date and widely disseminated; and
- that emergency fire drills and information sessions on emergency preparedness be held at least once a year.

### **RECOMMENDATION 14**

The Committee recommends:

- that the Speaker of the House of Commons take the necessary measures to develop and adopt a policy requiring the application of an “access and inclusion lens” to the design, retrofit and procurement of all information services and information technology infrastructure, including, but not limited to network services, Web sites, printing services, electronic publications and Chamber technology infrastructure; and particularly,
- that all parliamentary Web sites fully comply with the World Wide Web Consortium’s (W3C) Priority 1 and Priority 2 requirements within a year; and
- that closed captioning and sign language of House of Commons proceedings and committees’ broadcast be provided in both official languages, and that this issue be referred to the House of Commons Standing Committee on Official Languages.

### **RECOMMENDATION 15**

The Committee recommends that Public Works and Government Services Canada ensure that all authorities undertaking renovation or construction projects in the Parliamentary Precinct consult with experts in addressing accessibility issues and persons with disabilities to make certain that their needs will be well integrated into all projects.

## **RECOMMENDATION 16**

The Committee recommends:

- that, on approval of the recommendations, an implementation team, led by the Clerk of the House of Commons, be established to begin work on recommendations 9 to 15 of the report;
- that the names of people assigned to this implementation team be forwarded to the Subcommittee for its review within the next 120 sitting days; and
- that the implementation team report back to the Subcommittee on its progress within a year.