Advisory Committee for Persons with Disabilities
REPORT 09-001
4:00 p.m.
Tuesday, January 20, 2009
Committee Room 207
Hamilton Convention Centre
One Summer’s Lane

Present: T. Nolan (Chair)
P. Cameron, F. Chesney, S. Derkach, B. Helwig, B. Lane, A. Mallett, T. Manzuk, K. Nolan, R. Semkow, M. Smithson, T. Wallis

Regrets: Darlene Burkett, Roger-Wayne Cameron

Also Present: Eddie Lee, Community Relations Advisor, Mayor’s Office
Jane Lee, Customer Service, Access & Equity
Kelly Barnett, Municipal Law Enforcement Coordinator, Parking and By-Law Services
Owen Quinn, Coordinator of Accessible Transit, Accessible Transit Services
Mary-Ann Meyer, City Clerk’s Office

THE ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES PRESENTS REPORT 09-001 AND RESPECTFULLY RECOMMENDS:

1. **Customer Service Sub-Committee Update (Item 5.2)**

   That the Public Review Form for Comments of the Initial Proposed Accessibility Standard for Information and Communications, attached hereto as Appendix A, be approved and submitted to Committee of the Whole for consideration and to the Ministry of Community and Social Services Accessibility Directorate of Ontario.

2. **Resignation from the Advisory Committee for Persons with Disabilities**

   That the resignation of Elizabeth Wagner from the Advisory Committee for Persons with Disabilities be received.
FOR THE INFORMATION OF COMMITTEE:

(a) SUBCOMMITTEE UPDATES (Item 5)

(i) Customer Service Sub-Committee Update (Item 5.2)

The Committee discussed the draft response to the Draft Accessibility Standard for Information and Communications. Comments included, but were not limited to the following:

- The standard lacks any requirement that the publishing industry to make their material available in a timely manner in an accessible alternate format in a timely manner. It also lacks a requirement that the retail industry be responsive to the needs of its retail customers in providing material in alternate format when they are placing their book orders. This should apply to libraries as well.

Jane Lee, Director of Customer Service, advised that she would add this to the comments section.

The following motion was made:

That the Public Review Form for Comments of the Initial Proposed Accessibility Standard for Information and Communications be approved and submitted to Committee of the Whole and to the Ministry of Community and Social Services Accessibility Directorate of Ontario.

Respectfully submitted,

Tim Nolan, Chair
Advisory Committee for Persons with Disabilities

Mary-Ann Meyer
Legislative Assistant
January 20, 2009
Public Review of the SDC’s initial Proposed Accessibility Standard for Information and Communications

Ministry of Community and Social Services
Accessibility Directorate of Ontario

PART ONE: RESPONDENT PROFILE INFORMATION

General Info

Contact First Name: Tim Nolan, Chair, City of Hamilton Advisory Committee for Persons with Disabilities

Contact Last Name:

Phone Number: 905-546-2424 ext. 2654 (J.Lee to contact the Chair)

Do you have a disability?
Yes: X, a majority of the members
No:

If you have a disability, please specify.
Type(s) of disability:
• Hearing X
• Vision X
• Physical X
• Intellectual
• Other
• If other please specify:

Are you an individual or are you submitting feedback on behalf of an organization?
• Individual
• Organization X

Individual
If you are an individual, what is the community where you live:

**City of Hamilton**

**Organization**
If you are an organization, complete this section.

Organization name: **City of Hamilton Advisory Committee for Persons with Disabilities**

Primary or Head office location: **City of Hamilton**

Approximately how many employees does your organization have in Ontario?

**14 Members**

Is your organization primarily Ontario-based?

Yes: X

No:

Are you a representative association or disability interest group?

Yes: X

No:

If yes, please describe what particular type of stakeholder, membership or group that you are representing:

- Disability (please specify type)
- Private sector such as trade, chamber of commerce, BIA or industry association (please specify sector)
- Disability support service provider association
- Other (please specify) **Municipal Advisory Committee**

Are you a municipality?

Yes:

No: X

Are you a health-related organization?
Yes:  
No:  \( \checkmark \)

If yes, please describe your organization:
- Hospital
- Long term care facility
- Professional health and medical service provider
- Other (please specify)

Are you an education-related organization?  
Yes:  
No:  \( \checkmark \)

If yes, please describe your organization:
- Primary/Secondary school
- College/University
- Private college or other training organization
- Other (please specify)

Are you a public funded or non-profit organization?  
Yes:  \( \checkmark \)  
No: 

If yes, please describe your organization:
- Provincial agency or corporation
- Non-profit/Not-for-profit enterprise
- Licensing and regulatory body
- Other (please specify) \textbf{Municipal Advisory Committee}

Are you a private sector organization?  
Yes:  
No:  \( \checkmark \)

If yes, please describe your organization:
- Retail/Commercial
- Publisher
• Telecommunication and media
• Technical service provider (e.g., Web designer, computer programmers, etc.)
• Accessibility service providers and vendors
• Other (please specify)

**Account Info**

In order to save your feedback form and access it at a later time, please provide a valid email address and choose a user name and password. For your records, your user name and password will be sent to the email address you provide.

Email Address (must be a valid e-mail address):

User Name (must be at least 4 characters):

Password (must be at least 4 characters):
PART TWO: FEEDBACK FORM

1. Effectiveness

Will the SDC's Proposed Standard help to achieve purpose and intent of the AODA by improving accessibility for people with disabilities?
   Yes: X
   No:

Please explain why or why not:

There has been a lot of thought to the standardization which will achieve a great deal. Access for people with disabilities will also be achieved through the number of assistive devices being required. The proposed standard encompasses all disabilities and will help to achieve the goals of the AODA.

2. Support

What is your overall level of support for the SDC's Proposed Standard as written? (Please indicate a number from 1-10, with 10 reflecting the highest level of support and 1 reflecting the lowest level of support)

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A. Are there any sections in the Proposed Standard that you particularly support and why?

There is general support of the Proposed Standard.

B. Are there any sections in the Proposed Standard that you particularly have concerns with and why. Please provide suggestions for improvement.

There are concerns with sections 5.4.5 (d) & 5.4.6 (b). It is unclear what these requirements will mean in order to implement. It is difficult to understand how a system could necessarily accept input from all possible devices.
Many of the specific sections require 3-5 additional alternatives available. Clause 5.2 (c), “providing the same availability in terms of time and place as is available to all others” is good in theory, but may not always be practical. Clauses 5.2 (a) and (b) cover most of the requirements of not disadvantaging people; providing some flexibility for time and place would make the provisions more practical in terms of availability and resources as well as cost.

Suggestion: consider requiring some of these as options for the service provider, rather than requiring all of them at every location.

There are concerns with the cost impacts generally, in that there are so many standard requirements that it will drive up the cost of service delivery even though some provisions may never be used. There is a concern of having to have ASL interpreters available and picking up the cost, particularly for the private sector. Also, the cost of having to have many options available on demand for municipalities is a concern, including provision of all materials in Braille and ASL interpretation.

Suggestion: There should be consideration given to having the provisions make more of these options available on request rather than all being standard on demand requirements, with the assurance that the person requiring these options not be disadvantaged in time or opportunities.

There is also a concern that there may not be sufficient resources available in the market to fulfill the standard requirements (i.e. ASL interpreters, real time captioners, etc.)

There is also a concern about how these provisions will be enforced.

Suggestion: There needs to be education sessions provided for people with disabilities, so that they are aware of what the standards require and how they will be able to access services, and what options may have to be requested rather than being readily available.

C. Are there any missing elements that should be added to improve the Proposed Standard? Please provide suggestions
The proposed standard is very comprehensive. There should be consideration given to the fact that many people have their own assistive devices.

The standard lacks any requirement for the publishing industry to make their material available in a timely manner in an accessible alternate format. It also lacks a requirement that the book retail industry be responsive to the needs of its retail customers in providing material in alternate formats when they are placing their book orders. This should apply to libraries as well, and it is not clear that it does.

3. Clarity

Is the SDC's Proposed Standard clear and understandable including intent, meaning of the clauses, requirements and proposed definitions?

The fact that the technical definitions and the requirements are in a separate schedule and at the back of the standard makes it confusing to read and understand what is required.

The technical definitions should be clearer about the intent of what is to be achieved.

If not, what specific suggestions would you make to improve clarity, support understanding and avoid uncertainty?

The terms in Schedule 1 should be integrated in the body of the regulation, so it would be clearer what is required. The definitions should be at the beginning of the regulation; it is not convenient to keep referring to the definitions and Schedule 1 to see what is required.

4. Scope & Application

Section 1 of the SDC's Proposed Standard sets out the broad scope and application of the SDC's Proposed Standard. Do you support the scope and application of Section 1?
Yes.

Is the grouping of organizations into small, medium, and large appropriate? Please explain why or why not, and include any suggestions for improvement.

The grouping of organizations into small, medium, and large organizations are appropriate. It is appropriate to mirror the divisions of the other standards for clarity and understanding.

Is the proposed definition and categorization of information and communications appropriate? Please explain why or why not and include any suggestions for improvement.

The proposed definition and categorization of information and communications is appropriate.

Are the timelines for implementation achievable? Please explain why or why not and include any suggestions to phase in requirements in order to achieve the vision of accessibility by 2025.

The timelines are considered reasonable.

5. Benefits/Costs

Please describe some of the potential positive effects of the SDC's Proposed Standard on you or your organization.

The benefits are that people with disabilities will have improved access to information, communications and services, and they will be able to more fully participate in the community. Equality will be addressed. There will be improved customer service.

Please describe some of the potential negative effects of the SDC's Proposed Standard on you or your organization.

Some of the potential negative effects are the increased workload and cost to implementation, particularly if all options have to be available in all locations at all times. Clause 5.2 (c), “providing the same
availability in terms of time and place as is available to all others” is good in theory, but may not always be practical; providing some flexibility for time and place would make the provisions more practical in terms of availability and resources as well as cost.

Some organizations and people will see the standard negatively as it impacts on their costs, resources and/or workload.

6. Feasibility

Are the requirements of the SDC`s Proposed Standard appropriate in terms of the feasibility of implementation?

Much of the standard appears to be feasible as written. The multiplicity of requirements, particularly requiring some little used options to be available on demand at all times, rather than on request (i.e. Braille) makes the feasibility of implementation more difficult. This also impacts negatively on the costs. The other matter that makes feasibility difficult is the lack of skilled and trained resources (i.e. ASL interpreters)

What suggestions, if any, do you have to make the requirements more practical for you or your organization?

It might be more practical to consider some of the requirements as options or required on demand, while respecting the requirements of 5.2 (a) & (b).

7. Additional Comments

Do you have any additional comments or suggestions that have not already been covered in the preceding questions?

The rapid pace of technology makes some of the required options little used over time; so some of the standard requirements for technology and devices should be considered as required on demand rather than all required as standard at every counter. Consideration should be given to regular updates to reflect the changing technology.