

# THE ADVOCATE



## Government Affairs Advisory

A Publication of March of Dimes Canada

### In This Issue

Page

|  |    |
|--|----|
| We need you! Your role is critical.....  | 1  |
| Hiring the right person with employers who lead by example.....                | 2  |
| Absent Citizens: Disability Politics and Policy in Canada – A book review..... | 5  |
| Caregivers – A viable solution.....  | 6  |
| The AODA- we are being watched.....  | 7  |
| AODA- news wrap-up.....  | 8  |
| Affordable Housing: We need an integrated approach.....                        | 9  |
| Meet our Ryerson field placement student.....                                  | 9  |
| “The Law as it Affects People with Disabilities”.....                          | 10 |
| Nortel LTD employees’ plight.....  | 12 |
| The way it is, as opposed to how it could be: An editorial.....                | 14 |
| By-election candidates speak.....  | 15 |

### Featuring Contributions From:

|   |           |
|---|-----------|
| Minister of Community and Social Services, Hon. Madeleine Meilleur..... | 2         |
| JOIN Chairperson Susan Howatt.....                                      | 3         |
| Judy Williams.....  | 6         |
| Robert Meynell.....   | 5, 12, 14 |



Honourable Madeleine Meilleur addresses the “Employing Individuals with Disabilities: Strategies on Inclusion, Recruitment and Retention” Conference for prospective employers hosted by JOIN.

## Your Role is Critical

As we move forward, our campaign consists of 3 main pillars: a comprehensive caregiving strategy, a national framework for home modifications, and a national plan for affordable, accessible and supportive housing for Canadians with disabilities. To create a sustainable foundation for these 3 critical pillars, Canada needs national disability legislation that, similar to the Ontario AODA and the UN Convention, will require our governments to identify, eliminate and prevent barriers to the full inclusion of Canadians with disabilities.



Advocacy at March of Dimes is invariably focused on designing better public policies for people with disabilities, their families, friends, caregivers and communities. But public policy without the participation of the public is less than effective. This is where the role and importance of you, the consumer, is critical.

Elected officials and key policy makers always want to see public support for the issues they are considering or designing. One way you can learn more about our work, and participate in our growing campaign is by visiting — [www.marchofdimes.ca/advocacy](http://www.marchofdimes.ca/advocacy).

There you will see that in past several weeks we have met with federal and provincial task forces, parliamentary committees and various Ministers on issues ranging from affordable housing and poverty reduction to accessible transportation, supports for home modifications, and the United Nations Convention on People with Disabilities.

You can add your name and voice to our national campaign. Register your online vote for national disability legislation – which goes directly to Prime Minister Harper and his colleagues. In our regular dialogue with federal officials we can tell you that Ottawa is monitoring our efforts, and welcomes them. However, on those 3 main pillars there is much work to be done.

Another simple way for you to participate is to spread the word. Send the link for our website to your contact list, and ask each of them to do the same.

A third way is to send us your comments, feedback, questions and concerns. We want to know what you think so we can incorporate your valuable feedback into our initiatives. In

the past year alone we have seen an increase in consumer feedback to our advocacy section by more than 50%, feedback that is helping make a difference to what we offer and how we continually look for new and better ways to reach out. We are currently in the process of incorporating consumer feedback, and will be launching new features in the coming weeks.



Kevin Frankish, co-host of *Breakfast Television* on Citytv, was Emcee for the event

**“ ... the extraordinary talent that can be gained from hiring people with disabilities”**

This quotation comes from the Ontario Minister of Community and Social Services (MCSS), Madeleine Meilleur, from an address she made at the annual Employer Conference on November 5th at the InterContinental Hotel in Toronto. Hosted by Toronto Region JOIN (Job Opportunity Information Network), JOIN is a collection of 50 community agencies,



including March of Dimes Canada, who deliver Employment Supports via the Ontario Disability Support Program (ODSP). JOIN assists persons living with disabilities to find and maintain employment, and assists employers to recruit qualified candidates to meet their hiring needs.

Entitled, "Employing Individuals with Disabilities: Strategies on Inclusion, Recruitment and Retention", the conference attracted 150 businesses and 300 delegates all of whom came together to look at the issues of hiring someone with a disability. Participants came from government, community-based organizations, industry leaders and business leadership networks.

JOIN Board of Governors Chairperson, Susan Howatt, acknowledged one of the results of JOIN's recent employer survey which was that "a major reason why executives don't hire people with disabilities is that they are often anxious about how to handle potential under-performance issues."

"That's why today's conference is so important. People living with a disability represent the largest, untapped human resources pool in Canada and they deserve a chance," said Ms. Howatt.

Minister Meilleur, who spoke in the morning session, pointed out, "There are many Ontarians with disabilities who want to work and who can work – but they face physical and social barriers."

The Minister also talked about the new disability legislation now being developed by the government (Accessibility for Ontarians with Disabilities – AODA).



*The Rt. Hon. David Onley, his wife Ruth Ann, Jennifer Arnold, Kevin Frankish and bystanders chat before the Employers conference.*

Employment Services Coordinator Shelly Pludwinski and Employment Specialist Anji Kozhikott, both at March of Dimes head office, attended the conference. "The conference is a great way for employers to connect with other employers and to take a closer look at hiring people with disabilities," says Ms. Pludwinski who was also a member of the conference planning committee.

The JOIN event was sold out several days before it started, indicating high public interest. The committee hopes to translate this into effective results, and works each year to attract more employers who have not yet been connected with JOIN. The more employers who are informed about the benefits of hiring people with disabilities, and who become familiar with the new accessibility legislation, the larger the job market becomes for people with disabilities.



Dr. Jennifer Arnold, TV star of "The Little Couple," The Learning Channel's hit show, also spoke to the group. Dr. Arnold is a pediatrician, neonatal specialist and professor. She spoke about the challenges she faced in trying to start her medical career. Kevin Frankish, host of Citytv's Breakfast Television, acted as Emcee for the event.



*Dr. Jennifer Arnold, pediatrician and reality TV star of TLC's hit show "Little Couple" gives an inspiring address.*

## Next step for people with disabilities to vote independently, with dignity

The McGuinty government introduced the Election Statute Law Amendment Act, 2009 on Dec. 8, 2009. If passed, it would open up several new possibilities for the voting public, including people with disabilities. Specifically, voters with disabilities of all types would be able to access new voting equipment that would allow them to mark a ballot independently without help from another person. (See Advocate article, "An Idea Whose Time Has Come," Issue No. 1, 2009, pg. 7).

As well, Ontarians would be allowed to vote by special ballot under the new legislation, and it would provide the Ontario's Chief Electoral Officer the flexibility to design a voting process that is responsive to voters' needs. If these amendments pass, the improvements would take effect for the 2011 provincial election. This is good news for the disability community. It would mark the first time the new voting equipment for people with disabilities would be available in a general election. It's logical to assume, if all goes well, it would be also available for a federal election.

Ontario Attorney General, Chris Bentley, remarked, "We have listened to calls for a more flexible and responsive electoral system in Ontario. ... this legislation will provide Ontarians with more opportunities to vote and increase accessibility for all voters."



### BOOK REVIEW:

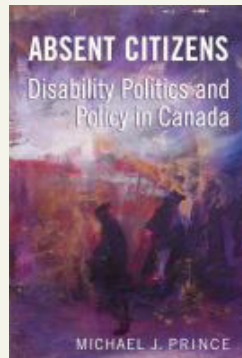
#### *Absent Citizens: Disability Politics and Policy in Canada*

Michael J. Prince

University of Toronto Press, 2009, pp. 240

Review by: **Robert Meynell**, Government Relations Associate, March of Dimes Canada

Citizenship involves far more than the right to vote, argues Michael Prince. There is a cultural, economic, and social dimension to citizenship, and if we look at the power relations affecting Canadians with disabilities, we find that “as a social group Canadians with disabilities are absent citizens.”



Prince is Lansdowne Professor of Social Policy at University of Victoria, and in this book he applies a critical policy studies approach to analyze the ways that Canadians with disabilities are excluded from the country's policy making and governance structures. The result is a study that is at once sharp and sweeping, identifying not only the physical, social, and political barriers that exclude Canadians with disabilities from effective citizenship, but also providing an invaluable overview of the many academic debates on how to understand and overcome those barriers.

Prince persuasively argues that by framing disability issues in terms of citizenship and equality rights, the disability movement can more effectively challenge the medical and worthy poor perspective that portrays

people with disabilities as incompetent and unemployable objects of charity, who are segregated from society. Not only does Prince identify myriad ways that the disability community is currently excluded from full citizenship, he proposes concrete policy initiatives for both disability organizations and governments to dismantle the social and physical divisions that keep persons with disabilities from becoming present citizens in Canada. Among these proposals is a call to reform the prevailing cultural assumptions about disability and thus set the groundwork to build a more inclusive social, economic and physical environment.

There is at least one aspect of *Absent Citizens* that may not be appreciated in certain quarters. Prince is openly concerned about the impact of the rise of neo-liberalism in Canada. He argues that the crude market-oriented conception of the individual creates a less than fertile ground for the sort of community commitment that is required to protect the equality of persons with disabilities. In contrast, he argues that social liberalism is the dominant ideology of the disability community because, as he states, “disability activism is a politics of economic redistribution, accompanied by political claims for societal recognition and democratic representation” (p. 225). How this is received will naturally depend upon the political palate of the reader.



## As Canada ages, caregivers will be vital

### *Judy Williams*

The LIFE Institute and Programs for 50+ at the G. Raymond Chang School of Continuing Education hosted a conference at Ryerson University on the recent Senate Committee Report on "Canada's Aging Population: Seizing the Opportunity." The keynote speaker was the very accomplished, Honourable Sharon Carstairs, chair of the standing committee. She also has numerous publications to her credit on the topics of aging and palliative care.

Canada's population is aging and living longer healthier lives. Although the terms "seniors" and "older person" are used interchangeably, the current definition of senior is those aged 65 and older. This age base serves to define those eligible to access programs and services. Current statistics show in 1971 the population of 65 and older was 8%, in 2031 it is projected to be 25% and in 2056 a staggering 60% - illustrating that baby boomers are aging rapidly.

Statistics point out that the baby boomer generation is living longer and healthier lives. The number of people aged 100 or older increased 50% between 1996 and 2006, and is set to triple by 2031.

These statistics lead to the daunting question of both health care costs and care giving. Public focus on the scale and costs have sometimes fostered a negative image of aging. The committee learned through surveys and testimonies that illogical care decisions are being made because the government is not

providing the right services. They are focused on budgets for long-term care, chronic care, home care and palliative care and not reviewing alternatives to formal care - supporting caregivers.

Canada lags behind countries such as the United Kingdom, Australia, Germany, Japan and the Netherlands in providing support to caregivers to assist physical disabilities or the needs of an aging individual. These countries have developed various compensation policies for caregivers, which include direct compensation to caregivers in the form of wages, salary, tax relief or pension credits.

Sweden offers direct payment, pension credit and compassionate leave from the work place to care for a family member; the United Kingdom has a National Strategy for Carers which empowers the government to provide caregivers a taxable allowance per week if providing services to an physically disabled or aging individual; Germany offers universal long term care insurance coverage which allows caregivers to register as employees and Australia and Japan also provide schemes that recognize a caregivers time and effort.

Canada needs to prepare better for its aging population and to financially support caregivers. Changing labour policies by possibly extending entitlement to paid leave, or providing flexible leave to allow people to provide care or even Compassionate Care Benefit could be expanded upon to meet the needs of caregivers and those for whom they care.



In providing financial support to caregivers, Canada would be saving money on beds for long-term care, chronic care and palliative care, to the tune of \$1,500 per day according to Senator Carstairs. Canada needs to focus less on warehouses for physically disabled and aging individuals. Canada's needs to collaboratively work with other provinces, territories, policy makers and families to come up to speed and establish a better integrated care initiative - one tailored to the needs and desires of those in need of care - a National Caregiving Strategy.

*Judy Williams is a part-time associate working with March of Dimes Government Relations and Advocacy.*

## A Manitoba AODA?

As part of our efforts to expand our national reach, we recently participated in the Government of Manitoba's public consultation on disability issues. That consultation examined the multitude of programs and services available through the Government of Manitoba for people with disabilities, and specifically asked stakeholders to consider what future legislative frameworks might be suitable for Manitoba. As part of that process, the Minister responsible, Hon. Gord Mackintosh, wanted to know if Ontario's AODA would be a suitable framework in Manitoba.

Manitoba is one of several governments in Canada currently monitoring Ontario's AODA, as well as possible federal legislation. And this consultation was yet another opportunity for March of Dimes to advocate for such legislation to be adopted not only in Manitoba, but to consider how to harmonize such laws with disability legislation in the other provinces and at

the federal level.

We also describe many of our programs and services in that Submission, including HVMP, Conductive Education, Employment Services, etc. That paper is posted online in our advocacy section, and represents an excellent initial dialogue with Manitoba's disability Minister, as that Province considers how to design even better programs and services for people with disabilities in Manitoba.

## UN Convention: from there to here

We reported to you earlier in the summer that March of Dimes participated in the National Roundtable on the UN Convention. Following that Roundtable, we sent our formal submission to the Minister responsible for disability issues on July 31. We recently received a response from the Hon. Diane Finley, Minister of Human Resources and Social Development, which outlines the policy trajectory of ratification of the UN Convention in Parliament. The Convention was tabled in the House of Commons on December 3rd of last year. This is an exciting step, as ratification requires enabling legislation in Parliament – a process that must necessarily consider post-ratification action, such as national disability legislation. However, as you probably heard, Parliament was prorogued in December. The return of Parliament in early March signals a new session, a Speech from the Throne – and hopefully a reintroduction of the UN Convention. We'll keep you posted. In the interim, keep sending your thoughts, opinions – and, most importantly, keep expressing your support for national disability legislation through our e-vote tool at [www.marchofdimes.ca/advocacy](http://www.marchofdimes.ca/advocacy). At the time of publication the UN Convention on the Rights of Persons with Disabilities was formally ratified by Canada at United Nations headquarters in New York City on March 11<sup>th</sup>. New doors are opening



## AODA Committees and Consultations

At the request of the Minister of Community and Social Services, we represented March of Dimes at the Minister's Roundtable on the proposed Transportation Standard of the AODA. It was confirmed at that meeting that both the federal and various provincial governments are monitoring the progress, process and initial outcomes of Ontario's AODA – with a view toward adopting similar legislation within their jurisdictions. Participants included then-Transportation Minister, Jim Bradley, TTC General Manager Gary Webster, TTC Chair, Councillor Adam Giambrone, representatives from various municipalities and transportation authorities, Deputy Minister Marg Rappolt, representatives from CNIB, CPA-Ontario, CHS, and various officials from the Accessibility Directorate. It would seem that the number of outstanding, contentious issues in the proposed Transportation Standard is narrowing, and we expect a final version in the coming weeks.

## Built Environment

The public review process for the proposed Accessible Built Environment Standard is complete. March of Dimes prepared and submitted a formal Submission and set of recommendations in mid-October. That report may be found at [www.marchofdimes.ca/advocacy](http://www.marchofdimes.ca/advocacy). Conspicuously absent from the Standard are retrofits and housing. Retrofits will be considered at some future point. We acknowledge the tremendous challenges associated with retrofits, and we recommend that a retrofit-specific committee immediately

begin considering possibilities for phased-in approaches and how various sectors might begin creating a more accessible Ontario – including the use of incentives through the tax system. We also urged greater clarity around the issue of “undue hardship”.

## InfoComm

The Information and Communication Standard received substantial revision, as we reviewed during the briefing session held in recent weeks at the Accessibility Directorate of Ontario. March of Dimes attended two sessions on this proposed Standard. The next step will see the Ministry and the Standards Development Committee giving a further review of the revisions, but we can report to you at this time that the Standard today is clearer and more feasible than was previously the case. We look forward to the next version.

## AODA Review

As you might know, the Government of Ontario is required to conduct an overall independent review of the AODA. The first review is being conducted by Charles Beer, former Minister of Community and Social Services. At the request of Mr. Beer, March of Dimes delivered recommendations to the Task Force Roundtable on October 14, preceded by March of Dimes' participation in Mr. Beer's invitation-only brainstorming session on October 8. The speaking notes from both can be found at [www.marchofdimes.ca/advocacy](http://www.marchofdimes.ca/advocacy)



### Housing

What does one usually think of when the terms affordable, accessible or supportive housing are mentioned? Waiting lists, inadequate supply to meet the ever-growing need, and not enough dialogue among the various Ministries that inevitably have some role.

Ontario not only lacks an affordable housing strategy, but we lack among our government officials an integrated approach that harmonizes the simultaneous requirements of affordability, supportive care and accessibility that underpin the needs of thousands of Ontarians with disabilities.

This is why it was a refreshing change to have attend the consultation on affordable housing, and several roundtables following that session, hosted by Hon. Jim Watson, the serving Minister of Municipal Affairs and Housing at that time. The purpose of the consultation and roundtables is to help develop Ontario's Long-Term Strategy on Affordable Housing.

Even though the formal consultation period is over, you can still make a difference!

Send your thoughts on Ontario's long-term affordable housing strategy – including what you believe should constitute immediate priorities – to the newly appointed Minister of Municipal Affairs and Housing, Honourable **Jim Bradley**, at [jbradley.mpp.co@liberal.ola.org](mailto:jbradley.mpp.co@liberal.ola.org)

### Partnership & Alliances

The first annual meeting of the newly-formed Community-University Research Alliance, funded by the Humanities and Social Sciences

Research Council, was held September 29. March of Dimes is a partner in this Alliance, and helped secure the funding for this Disability Policy Alliance. Our role will contribute to future policy directions and discussion in areas such as citizenship, education, employment and health services for people with disabilities over the next five years.

### Announcement

We are pleased to report that our newest student/consumer advocate in Government Relations, Tina Marano (3rd year, Ryerson University), has helped identify and implement simple, but important, changes to the front page of our corporate website. Tina is both blind and hearing impaired, and the changes implemented make that part of the website fully accessible to people with visual disabilities. As well as learning the practical issues related to government relations and advocacy, Tina will



*Tina Marano with Brandon Pludwinski (son of Shelley Pludwinski) sharing the Olympic Torch. Brandon actually carried the torch in North Bay, Ont, and brought it into March of Dimes for a walk-about.*



be helping our process enhancing accessibility at March of Dimes throughout this university year. Tina requested a field placement at March of Dimes because she hoped to be in an

organization that makes change. Tina joins our team on a 2-day per week basis as part of her field practicum requirements, and sits at office # 389, ext. 7389.

## DEFINING DISABILITY

The Law Commission of Ontario recently conducted the study, "The Law as it Affects Persons with Disabilities." The following is the result of our dialogue on this issue and the paper The Law Commission of Ontario's discussion on defining disability is timely. The dialogue around disability is increasing in the legislative and public policy circles. Yet there is still a division in approaches to disability issues (ie., exclusion as a result of impairments versus exclusion as a result of barriers).

In addition to the network of programs and laws relating to Ontarians with disabilities (ODSP, HVMP), we see considerable development and implementation of the Accessibility for Ontarians with Disabilities Act in Ontario – and the approach that guides one program is not necessarily the same in another.

Furthermore, the implications of developing a coherent approach to this area of the law are much broader in principle than the laws and programs based solely in the Province of Ontario. The Government of Manitoba is considering what overarching models of disability legislation might be appropriate in that Province. The Government of Canada just completed consultations on Canada's ratification of the UN Convention and the legislative steps necessary to do so. Not only are we seeing the emergence of disability

legislation in various jurisdictions, as your Discussion paper points out, one observes differing approaches to defining disability within the legislative and/or programmatic context.

Recent policy frameworks and international documents have focused on the barriers to equality and participation faced by persons with disabilities. That said, many existing statutes and policy frameworks continue to emphasize bio-medical impairments and functional limitations as the core of the experience of disability.

Increasingly, one's approach to defining disability will need to be expansive, in that we view disability as an evolving concept. Disability often results from the interaction between persons with impairments and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others.

Do the "general" laws meet the requirements of persons with disabilities? The "general" laws require a larger, coordinated approach to ensure complementariness across Canada. In fact, for more than two decades March of Dimes has been a leading voice in pressing our national government to introduce national disability legislation.



Is it necessary to have a single conceptual approach to disability as a basis for the law, or may there be a place for multiple or mixed approaches?

Disability must be viewed as an expansive and evolving reality. Given the tremendous diversity of disabilities, coupled with the relationships among disability, aging, attitudinal norms, equity, technology, bio-medical conditions and the spectrum of what defines inclusion and access, the definition of disability can be neither fixed nor static. In this context, disability is, and will continue to be, defined by multiple approaches.

From a legislative and/or programmatic perspective, one's approach to disability ought to embrace a three-pronged axis that considers (a) the barriers identified, eliminated and prevented, (b) the access to the programs, services and supports that enhance dignity and independence (or the need to implement and/or enhance such programs and services), and (c) the total societal inclusion created as a result of the existence of such programs or services.

Many of the existing government programs in most jurisdictions are less conceptual and more functional in application. Many need to be. Scarce or limited government resources often dictate the need for bio-medical definitions or some form of means testing. However, such programs can certainly be juxtaposed against a legislative framework as described in the above paragraph – namely, one that embraces an approach that ultimately serves as a benchmark for improving the quality of life and overall well-being of Canadians with disabilities.

What are the practical implications of the different conceptual approaches in terms of implementation, application and enforcement of laws and programs?

As we consider this question we refer to a passage in the Consultation paper: "Programs and policies take as their starting point, not the development of a barrier-free society, but the amelioration of the disadvantage experienced by persons with disabilities."

Program development in many governments is characteristic of this approach, which inadvertently creates an incremental and reactive policy trajectory that does not sufficiently meet the needs of persons with disabilities. This is precisely why March of Dimes continues to press for national legislation. The practical realities of caseload management and government financial expenditures will likely require some continued form of a functional approach and bio-medical definition; however, as a means toward creating a society inclusive of people with disabilities, such an approach and policy framework is dramatically insufficient.

Can we identify significant barriers or challenges to the development of a legal framework based on a social approach?

Like any approach relying on a single conceptual framework, a legal framework based on a social approach to defining disability runs the risk of ignoring both the diversity of experiences of people with disabilities as well as the diversity of disability itself. The practical implications of this could see the increased marginalization of some disabilities, not to mention a corresponding increase in the need for greater advocacy among some disability organizations and not others in raising



awareness, funds and policy/legislative change.

Regardless of jurisdiction, government tends to play a significant role among the population of people with disabilities, their families, caregivers and organizations like March of Dimes, therefore approaches to defining disability certainly dictate many outcomes and realities vis-à-vis eligibility, entitlement, and opportunity. Moreover, many of the existing programs and policies are based on various approaches to defining disability – and many of these programs will require the application

of a “disability lens” vis-à-vis national legislation to more effectively create a society defined by inclusion, independence, equity and dignity. This dialogue is the first of many that will help the Law Commission of Ontario develop an analytical framework that can be used as a tool for shaping legislative initiatives that affect people with disabilities or reforming current laws.

If you want to comment or add your voice to the dialogue, please drop us a line at [advocacy@marchofdimes.ca](mailto:advocacy@marchofdimes.ca).

## Disabled Nortel employees lose out

*Robert Meynell*

As Nortel divvies up its assets and former CEO Mike Zafirovski receives \$12.3 million (U.S.), employees on long-term disability are forgotten and abandoned, providing yet another example of how more than 40 per cent of Canadians with disabilities find themselves earning less than \$10,000 per year.

Imagine that you have a good job at Canada’s premiere telecommunications manufacturing company. You choose to make regular contributions to your company’s long-term disability (LTD) benefit plan because, while you are unlikely to ever need it, you don’t wish to risk finding yourself living in poverty or possibly institutionalized as a result of an accident or disease.

One day Fortune knocks, recruiting you into the world of the disabled. Though you’ve lost much, you are thankful that you’re not also left penniless. Then you receive a letter from your

employer informing you that, regrettably, your LTD plan was not really covered by an insurance company, and when the business evaporates so will your paycheque.

This financial spiral is the reality faced today by the 409 people on LTD at Nortel, except that they have yet to receive the letter. Indeed, Nortel’s lawyers are not disclosing much. It turns out that while Sun Life administered the LTD payments, most of the money came from Nortel’s operating revenue, which means that if Nortel stops operating, those on disability are on their own.

Unlike Nortel’s 17,000 retirement pensioners, the law does not require Nortel – or other employers that do not insure liability benefits (the majority of them) – to keep the money in trust for those on disability. And unlike the tens of thousands of other Nortel employees who have lost their jobs, those on disability leave are unable to find new employment.

*continued on next page*



In the United States, France and Britain, there are statutes that protect LTD beneficiaries, but Canada has no federal or provincial legislation that protects those who are most in need. Corporate directors get their bonuses. Lawyers and secured creditors walk away with full pockets. Pensioners are hurt (possibly losing more than 30 per cent of their pensions) but are still afloat. But the 409 people on disability may be left with nothing.

These are the most vulnerable. They are unable to work. Many are still trying to meet the cost of raising a family and they have not had the years in the workforce to build a substantial amount of savings. And their small number, compounded with their disabilities, renders them ill-equipped to mobilize a strong defence of their rights in the face of what can only be called systemic discrimination.

Some may wonder why this amounts to discrimination when nearly everyone associated with Nortel is being hurt financially in one form or another. True, thousands have taken a financial hit, but only the 409 on disability are being driven into almost irreversible poverty.

The collapse of Nortel is neither the first nor the last time that corporate bankruptcy in Canada will throw the most vulnerable into poverty. We saw it with Eaton's and Massey Ferguson. In the unsteady economy we face, we may see it again soon.

But we should stop it here – and we can. We owe it to ourselves as a country that cares for its most vulnerable to press Nortel to honour its promise to those on long-term disability, and call upon the federal government to reform regulations governing LTD pensions.

This is not a question of charity, it is a question of rights. In the LTD pension plans, Nortel promised financial security in the event that the employee acquired a disability. As Nortel dissolves, it must do its utmost to compensate each of the 409 people now relying on that promise. It was a pension they paid into, and it must be honoured as a pension.

In the late autumn of 2008, Minister of Finance, Jim Flaherty told the House of Commons that federal officials were looking at the situation.

Stay tuned.

*Robert Meynell is a Government Relations Associate at March of Dimes Canada.*



## “We have a dream today!”

### The International Day of Persons with Disabilities

December 3<sup>rd</sup>

*Robert Meynell, Government Relations Associate, March of Dimes Canada*

On December 3, 2009, the International Day of Persons with Disabilities, the government of Canada tabled the United Nations Convention on Rights of Persons with Disabilities, with an aim to ratify it. As we near approval of this historic treaty, we owe it to ourselves to take a moment to consider what this means for Canada.

In 1982 the Charter of Rights and Freedoms embedded in law Canada's commitment to the rights of persons with disabilities to equality and freedom from discrimination. As a statement of principle, this marked a great leap forward for equality and freedom in Canada but now, almost 30 years later, persons with disabilities are still not free from discrimination.

Persons with disability are still shackled by effective segregation, burdened by poverty in a prosperous country, and cut off from participation in the broader life of our society. The disproportionate number of Canadians with disabilities who live in poverty with limited access to education, employment, and political involvement is by no means unique to Canada. As has been stated by the UN, at 650 million, persons with disabilities are “the world's largest and most disadvantaged minority.” They are estimated to be 20 per cent of the world's poorest people.

Make no mistake: this is discrimination. When a

business cannot hire a qualified person because the office layout does not accommodate wheelchairs, this is an example of systemic exclusion or segregation. While the space may not have been designed to exclude those with disabilities, it was built with the assumption they would be excluded.

This is discrimination, but discrimination without malice or hatred, though perhaps a touch of fear and discomfort. And yet, how is it different from the discrimination practiced by those raised in racially segregated society who assume segregation is normal and acceptable, though they might feel affection and even friendship toward those who are systematically oppressed? At times, what is normal is also harmful.

There has been much progress in Canada. In 2005, for instance, Ontario passed the Accessibility for Ontarians with Disabilities Act, which is bringing much needed and very welcome change. But there is more to do, including passing national accessibility legislation. Some may wonder, “When will you be satisfied?”

I'm reminded here of Martin Luther King Jr.'s inspired 1963 speech at the Lincoln Memorial. In response to this same question he asserted that we can never be satisfied until the injustices are truly overcome. In his list of injustices, he invoked the continual assault on the dignity African Americans who were turned away by signs reading: “For Whites Only.”



When faced with such signs, he said, they were “stripped of their self-hood and robbed of their dignity.” And how different is it when a person in a wheelchair arrives at a shop or an MP’s constituency office, only to be turned away by a set of stairs? Three steps can be no less a barrier than a wall, and no less an assault on one’s dignity than a sign that reads: “For Persons Without Disabilities Only.”

But this form of discrimination and indignity need not continue. There are many among us who, like King, have a dream. It is a dream rooted in the principles of the Canadian Charter. We have a dream that Canadians will breathe life into the meaning of those words.

We have a dream that we as a country will come to see that the limitations faced by persons with disabilities lies not in their level of physical disability, but in our cultural assumptions and the way we choose to build our environment, and with that realization

both the culture and the environment will be changed

We have a dream that instead of being forced into institutions and thus breaching our mobility rights outlined in the Charter, Canadians with disabilities will be free to live where they choose, and enjoy in that place a warm home and fulfilling employment.

We have a dream that all the aspects of society integral to full participation as citizens will be accessible to those with disabilities, and that stigma and discrimination will be replaced with openness and accessibility for all.

This is our hope, and this is our faith, and this is the faith with which we can transform Canada and ensure that the rights and freedoms we are constitutionally bound to uphold are truly realized by all the country’s citizens.

---

## Tina, the candidates and accessibility

One week before voters went to the polls for the Feb. 4th provincial by-election in Toronto Centre, Ryerson student Tina Marano found out what advocacy in action is all about. Tina is doing her field placement at March of Dimes in the government relations and advocacy department. Part of her learning experience was to come up with five questions for all three mainline party candidates. The questions were designed to heighten awareness of disability issues

connected to the election, and to the many disability communities living in Toronto Centre.

Tina composed the questions on her computer, using JAWS software (Job Access With Speech) which allows people who are blind to access computer screens and programs. Otherwise known as a screen reader, Tina uses JAWS daily at school, at home and at her field placement. She also has an assistive system that allows her to

hear - in her right ear only. Tina is blind and hearing impaired. She is also in her third year at Ryerson studying Social Work.

Here are the issues Tina raised at the three riding offices that she visited personally:

- What goals do you have to help homeless people get off the street and lead a sustainable life?
- What is your stand on affordable housing for persons with disabilities?
- Do you have a policy to ensure women with a physical disability have full, adequate medical treatment, including mammograms?
- One of my issues as a person with disabilities who receives ODSP is the real hardship of paying sales tax on purchased items. Is there any way the government can give us a tax break here?
- What is your post-election action plan? What are the first three things you're going to do?

She also gave each candidate a "deaf-blind awareness kit," distributed by Rotary Cheshire Apartments, "North America's first and only non-profit, charitable organization that provides affordable housing, Intervenor Services and emergency services to tenants who have the dual disability of deaf-blindness." This is Tina's home. She also almost always has an "intervenor," or personal assistant, with her to help her get around, tell her what's going on around her, and assist with informing, and sometimes interpreting

for her what is being said when she is out of hearing range.

Tina and her entourage checked out the general accessibility of each riding office as part of the exercise. NDP candidate Cathy Crowe had a level entrance and office, as well as an accessible outdoor washroom. Glen Murray and Pamela Taylor, both had level entrances, however, Mr. Murray had accessible washrooms, while Ms. Taylor did not. Glenn Murray, the Liberal, and Pamela Taylor, the Progressive Conservative, both gave generously of their time and listened to and answered most of Tina's questions. Unfortunately, Cathy Crowe's schedule and Tina's availability meant they couldn't meet face to face. However, Ms. Crowe's riding staff were very welcoming and attentive to Tina's reason for being there.

After the assignment, Tina reflected on her experience visiting all three candidates' offices. When asked what she valued about the learning experience, she noted that Toronto Centre was a riding of many stark contrasts, i.e. Rosedale vs. Regent Park, immigrant populations, low-income families



*Tina Marano is greeted by Glen Murray in his downtown riding office. Mr. Murray was the Liberal candidate for Toronto Centre. He later went on to win the election.*





and an 18 to 20% population of people with disabilities. This is a significant group.

Tina remarked about the outdoor accessible washroom at one riding office, "If I were in a wheelchair, I definitely would not appreciate this. Would it make me feel a part of society's norms? I don't think so." Tina was impressed with Liberal candidate Glen Murray's vision for the riding, "He said he wanted to see this riding be a better place for everyone." Of various points Mr. Murray talked about, use of "universal symbols" to direct people, including people with disabilities, was important to him. He also

invited Tina to be a partner with him in raising awareness about people with disabilities and the issues they face.

Overall Tina commented that speaking to the candidates reflected back on her social work studies in that "(the experience) refers to learning about politics and how the social service system works. It also showed me the importance of talking with government officials about issues that affect social workers. If they hear our concerns, we can both work towards social change."



### Innovations in Accessible and Affordable Housing in Toronto

Mayor David Miller addresses a January 19<sup>th</sup> press conference at the Ontario College of Art and Design where OCAD design students were acknowledged for contributions to creative accessible housing projects around the city. March of Dimes was a member of the advisory group that guided this process. Student competition in universal design leads to accessibility retrofits in Toronto Community Housing units.

Produced by:

**Steven Christianson**, Manager,  
Government Relations &  
Advocacy

**Janet Macmaster**, Assistant  
Government Relations &  
Advocacy

**Andria Spindel**, President & CEO  
Executive Lead

### Contact:

[jmacmaster@marchofdimes.ca](mailto:jmacmaster@marchofdimes.ca)

March of Dimes Canada  
Government Relations &  
Advocacy

10 Overlea Boulevard

Toronto ON M4H 1A4

Tel: 416-425-3463, ext. 7388

[www.marchofdimes.ca](http://www.marchofdimes.ca)

© March of Dimes Canada 2010

[Click here for Facebook version.](#)