

The Advocate

A GOVERNMENT AFFAIRS ADVISORY

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National Disability Legislation On the Move

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Ontario Election on the Horizon

The Second Session of the 38th Parliament of Ontario was prorogued on June 5, 2007. Provincial Parliament is dissolved.

There were 103 Members at dissolution with the following distribution:

Liberal:	68
PC:	24
NDP:	10
Ind:	1

The next general election in Ontario will be October 10, with four more seats available, featuring 107 electoral districts (boundaries are no longer exactly identical to the federal boundaries).

Having an exact date months in advance is the result of "fixed date" elections every four years passed by the provincial government (the federal government passed similar legislation earlier in May of this year).

As quoted in the amended Election Act, "general elections shall be held on the first Thursday in October in the fourth calendar year following polling day in the most recent general election."

Of course, a government may still fall due to a non-confidence vote, and, accordingly, an election would then be held prior to the set date.



Ontario March of Dimes, Canadian Hearing Society, CNIB and Canadian Paraplegic Association Ontario Urge Premier to Implement Citizens' Assembly Report

In a letter dated July 11th, the four disability organizations listed above jointly communicated their desire to implement the recommendations of the Citizens' Assembly to take all steps necessary to remove barriers and to ensure that Ontario has a fully accessible electoral process.

In their final report, the Citizens' Assembly on Electoral Reform made recommendations relating to issues of access to the political process for Ontarians with disabilities.

As quoted from the Report: "Continue the process of removing barriers that prevent people from participating fully in elections and in the political process more generally. Accessibility for people with disabilities and for those who face language, literacy, and other barriers must be a central consideration in all efforts to increase voter participation. "

With a provincial election just around the corner, this recommendation couldn't be more timely.

UN Treaty Briefing

Historic Convention Opens for Signature at UN Headquarters on the Rights of Persons with Disabilities

On March 30, 2007, the United Nations opened for signature the Convention on the Rights of Persons with Disabilities.

This is the first UN Treaty of the 21st century, and affects more than 650 million people worldwide.

Canada is among more than 70 countries to sign on to the United Nations' Convention on the Rights of Persons with Disabilities. Foreign Affairs Minister Peter MacKay took part in a ceremony in Ottawa: "We have a strong commitment to ensuring that persons with disabilities enjoy full participation in society and can contribute to the community to their full potential," MacKay said in a statement .

The initial driving force behind the idea for this treaty was championed by Mexico more than five years ago.

The UN High Commissioner for Human Rights, Louise Arbour, described the work behind this treaty as "unprecedented collaboration". The High Commissioner also reminded delegates at UN Headquarters that the signatures of Member States signal their governments' commitment to protecting the rights of persons with disabilities: "States

make their pledge binding and give the Treaty legal force," stated Arbour, adding that those countries signing thereby commit that "things will not remain the same."

Her Excellency Ruth Dyson, New Zealand's Minister of Disability Issues, and key UN spokesperson, said that today's ratification has "the highest number of states ever to sign a convention on its opening day."

One of the key features of this Treaty is that it commits governments to actively involve disability organizations in developing public policy and enacting the Convention.

UN Civil Society Representative, Gideon Kaino Mandesi, closed the presentation ceremony with words of wisdom: "Today is the promise for full inclusion in communities....We have to remember that disability causes poverty, and poverty causes disability."



Canada Signs UN Treaty: A Personal Perspective

Dear Minister:

My name is Warren Rupnarain and I am the Government Relations Advocate for March Of Dimes Canada. As you might be aware, March of Dimes has been Canada's largest service provider for people with physical disabilities for 56 years, with the mission of creating a society inclusive of people with disabilities in all aspects of life.

On behalf of March of Dimes Canada, I would like to congratulate you on the ratification of the United Nations Treaty that recognizes the rights of persons with disabilities. This treaty helps ensure that people with disabilities will enjoy full participation and inclusion in society. Moreover, this is a heartfelt cause for all of humanity.

On a personal level, Minister, I am directly affected by disability through a life-long condition known as cerebral palsy. This Treaty represents both pride for our national participation as well as hope for myself and all those Canadians who live with a disability.

All of us at March of Dimes Canada celebrate your demonstrated commitment to people with disabilities and we commend you for the actions you have taken to help ensure a society inclusive of people with disabilities.



President & CEO, Andria Spindel, with Hon. Peter Mackay, Minister of Foreign Affairs, at the April 2006 Celebration of Accessibility on Parliament Hill.

Ontario March of Dimes Helps Inaugurate Emergency Guide

On Friday May 11, 2007, Ontario March of Dimes joined the Ministry of Community Safety & Correctional Services, the Accessibility Directorate of Ontario, and Emergency Management Ontario to launch the *Emergency Preparedness Guide for People with Disabilities and/or Special Needs*.

The Guide was prepared during the winter of 2006 with the input and assistance of twenty organizations in the field of service delivery for people with disabilities, notably Ontario March of Dimes.

"This guide is the most comprehensive of its kind in Canada," said Honourable Monte Kwinter, Minister of Community Safety & Correctional Services. "It will be a useful resource for people with disabilities and/or special needs and those who may have to assist them during an emergency. I want to thank all our partners for their role in bringing the guide to reality."

Warren Rupnarain, who was part of the contributing team from Government Relations & Advocacy, delivered remarks on behalf of Ontario March of Dimes. "We are delighted to have been part of developing this guide, and setting Province-wide procedures for people with disabilities in the event of an emergency or natural disaster," Warren said.

The announcement and launch were made during Emergency Preparedness Week, which ran from May 6 to 12.

Visit the Emergency Management Ontario web site for more information or to download a copy of the Guide.

Modernizing the Legal Framework Governing Ontario Not-for-Profit Corporations

In a recent submission to the Ministry of Government Services, Ontario March of Dimes recommended that reformed legislation governing not-for-profits in Ontario take a middle ground between a letters patent system and the "as a right" system.

"While excessive administrative and compliance processes can create barriers to the functioning of a not-for-profit, it is essential to employ a governing system that upholds and/or strengthens public trust in Ontario's not-for-profits."

Also in that Submission, we recommend that the government adopt a system that recognizes multiple classes of not-for-profit corporations, a model of classification that was outlined by the Ontario Law Reform Commission.

"Stronger definitions written into the legislation can help achieve greater clarity for organizations themselves, and establish a more relevant governing regime that recognizes the evolved and growing nature of Ontario's not-for-profit sector. Such distinctions written into a renewed statute can help strengthen the innovativeness of, and protections to, the sector as a whole, and ensure the best possible forms of organizational activity."

For more information about this Submission and the Government of Ontario's consultation process, visit www.dimes.on.ca.

National Movement on the NDA

The following is excerpted from a letter by the Director General of the Office of Disability Issues (as requested by the Prime Minister).

We appreciate that you have taken the time to share your views and concerns regarding disability legislation.

The Government of Canada recognizes that many people with disabilities continue to face barriers to full inclusion in Canadian society.

As you may know, on February 6, 2007, the Prime Minister announced the Government of Canada's intention to move forward with a Canadians with Disabilities Act.

We are currently conducting policy research to develop a proposal for the legislation. Over the coming months, we will be seeking opportunities to engage concerned stakeholders, including Canadians with disabilities.

I appreciate your ongoing efforts to raise awareness of disability and accessibility issues through the Ontario March of Dimes and would like to take this opportunity to congratulate you on your very informative website, www.warrensworld.ca, which I very much enjoy reading.

Thank you again for taking the time to write.

I look forward to working with you as we move forward in developing this important piece of legislation.

Sincerely,
Caroline Weber
Director General
Office for Disability Issues
Department of Human Resources and Social
Development

Accessibility
ROCKETS

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Government of Ontario's Accessibility Expo Features Ontario March of Dimes in Keynote Address

On May 28 and 29, the Accessibility Directorate of Ontario hosted the Accessibility Expo in the Government of Ontario's Macdonald Block in Toronto.

The Accessibility Expo was held during National Access Awareness Week commemorating the 2nd anniversary of the passage of the AODA (*Accessibility for Ontarians with Disabilities Act*).

OMOD's Warren Rupnarain delivered the keynote address on the first day of the Expo. His speech, entitled *Accessibility: It's Everybody's Business*, offered audience members a tangible way of understanding the importance and significance of accessibility.

"Here are 3 things that you can do to promote accessibility: Review your workplace for barrier-free access to persons with disabilities; Call your local mayor or MPP's office to find out what is being done in your community to include persons with disabilities; Have your co-worker, friend or family member adopt a disability by using a blindfold, earplugs or wheelchair to see how they would cope with a disability" said Warren.

In the latter half of the first day, the Hon. Madeleine Meilleur, Minister of Community and Social Services, and Minister Responsible for Ontarians with Disabilities, launched the government's public awareness campaign, *AccessON: Breaking Barriers Together*. The campaign is designed to increase awareness amongst businesses, the

public and government on the meaning of accessibility and how to promote and achieve greater accessibility for people with disabilities.

Ontario March of Dimes was one of several organizations to deliver experiential sessions including exercises, which enabled participants to directly experience and understand life with a disability. A special thanks to Nadia Temple of the Accessibility Directorate of Ontario.

For more information on the Government of Ontario's Accessibility initiatives visit <http://www.mcass.gov.on.ca/mcass/english/pillars/accessibilityOntario/>

National Do Not Call List One Step Closer

On July 3, the Canadian Radio-television and Telecommunications Commission (CRTC) released its rules pertaining to the operation of a National Do Not Call List for anyone who does not want unsolicited telephone calls.

The CRTC will issue a Request for Proposal to solicit bids for a potential operator of the List.

Canadians who do not want to receive unsolicited calls will be able to add their phone numbers to the database. This means that telemarketers will be prohibited from calling anyone registered on the list - with the exception of the following types of organizations:

- * registered charities;
- * political parties;
- * nomination contestants, leadership contestants or candidates of a political party;
- * opinion polling firms;
- * general-circulation newspapers;
- * organizations that have an existing business relationship with a consumer; and
- * organizations to business consumers.

The first step in this process is the bidding and selection of an independent operator of the National Do Not Call List. Further information will be provided as it becomes available.

Disability Issues at Toronto City Hall

The new Disability Issues Committee of the City of Toronto will be chaired by Councillor A.A. Heaps. The term of the Committee will run to the next municipal election in 2010.

Working to Advance Human Rights in Ontario

In late March of this year, Michael Gottheil, Chair of the the Human Rights Tribunal of Ontario, requested the participation of Ontario March of Dimes as part of the reform of the Human Rights Tribunal of Ontario.

Government Relations Advocate, Warren Rupnarain, accepted the appointment to serve on the Task Force.

The Task Force was struck as a result of the Ontario government's passage of *An Act to Amend the Human Rights Code 2006*. This legislation updates the province's human rights system. Among other changes, the legislation will allow individuals with complaints of discrimination to have direct access to the Tribunal.

One of the challenges the new Tribunal expects to face is an increase in cases from approximately 150 referrals a year, to an estimated 3000 complaints received by the Tribunal annually. In addition, the new Act allows the Tribunal to adopt alternate approaches to the traditional adjudicative or adversarial procedures, to achieve fair, just and expeditious resolutions on the merits of each case. To meet its new responsibilities, the Tribunal is committed to the core values of accessibility, transparency, fairness, and timeliness.

It is with respect to the Tribunal's commitment to accessibility that Warren contributed and provided insights, both in terms of physical accessibility and functional accessibility to all who use its materials and processes.

Michael Gottheil, Chair of the Human Rights Tribunal of Ontario, described the project as one that is dedicated to ensuring "that the new Tribunal reflects the best thinking for this important renewal of human rights protections in Ontario."

One of the main points brought to the Task Force focused on the newly established Legal Resource Centre, notably seeking greater clarification in the Centre's role, mandate and function in the revised human rights process in Ontario.



Michael Gottheil, Chair of the Human Rights Tribunal of Ontario (standing), addresses participants at the Human Rights Dialogue hosted by Ontario March of Dimes' Warren's World, October 2006.

Update on the AODA Initial Proposed Transportation Accessibility Standard

The proposed standard is open for public review, and seeks your comments, opinion and feedback by August 31, 2007.

The Initial Proposed Transportation Accessibility Standard, if adopted as a regulation under the Act, would apply to all persons or organizations that provide the following types of passenger transportation services and vehicles under provincial and municipal jurisdiction:

Municipal transit, including buses, specialized transit (specifically for persons with disabilities), subways and rapid transit, street-cars and light rail (e.g. trolleys);

Commuter rail and bus (e.g., GO Transit);

Inter-city rail and coaches (e.g., Ontario Northland Transportation Commission, and other inter-city coaches operating exclusively in Ontario);

On-demand taxis;

Community transportation services (e.g., those provided by volunteer agencies);

Ferries operating in Ontario;

School transportation services;

Booked transportation services (e.g., taxis, shuttles, limousines, tour buses, and community transportation services); and

Other organizations that provide transportation services, but are not primarily in the business of providing transportation (e.g., hospitals and long-term care homes, employers, colleges and universities, amusement parks, zoos).

The standard would not apply to federally regulated transportation providers such as: airlines, Via Rail, inter-city coaches (e.g. Greyhound, Coach Canada) that travel across Ontario borders, rental car agencies water taxis and rickshaws.

The standard would not apply to personal use of private vehicles.

The standard would not apply to buildings and facilities, like bus and subway stations. Those would be covered under a standard to be developed for the built environment.

The online instructions for sending your feedback to the Minister of Community & Social Services are found at:
http://209.167.40.13/transportation_review_public/reviewform_eng/

AODA's Customer Service Now Law

What is customer service? According to the definition in the Customer Service Standard, customer service entails policies, procedures and practices that relate to an interaction between a customer and a provider of goods or services.

The Standard for persons and organizations falling into this category has just been approved by Cabinet (as August 2, 2007), and is now a regulation – O.Reg 429/07.

This regulation breathes legal life into the AODA – the Accessibility for Ontarians with Disabilities Act – with respect to providing accessible customer services in Ontario. The Regulation will come into force on January 1, 2008.

Announcements & Appointments

We are delighted to acknowledge three appointments over the past month.

Shirley Marie Garcia, Manager of Employment Development at Ontario March of Dimes, will serve on the Employment Accessibility Standards Development Committee.

Warren Rupnarain, Government Relations Advocate at Ontario March of Dimes, will serve on the Accessible Built Environment Standards Development Committee.

Both appointments were formalized by Hon. Madeleine Meilleur, MPP, Minister of Community & Social Services, and Minister Responsible for the *Accessibility for Ontarians with Disabilities Act, 2005*.

Standards Development Committees play a critical role in drafting proposed standards that, once passed as regulations, set out in law the series of steps that our society will take in order to become accessible for all Ontarians.

Congratulations!

And of a more "regal" nature, we are delighted to celebrate the appointment of David C. Onley as the 28th Lieutenant Governor of Ontario. The announcement was made by Prime Minister Stephen Harper on July 10. The Lieutenant Governor is the vice-regal representative of the Queen of Canada in the Province of Ontario.

The following is quoted from the official website of the Prime Minister of Canada: "David Onley is a respected author, broadcaster and tireless champion for persons with disabilities. Through this work, he has demonstrated the qualities needed for such an important position," stated the Prime Min-

ister. "He has loyally served the province and his country in a number of roles, and I'm confident as Lieutenant-Governor, he will continue to do so."

Born in Midland and raised in Scarborough, David Onley joined Citytv as a science/weather specialist in 1984. Since then, he has served as an education specialist, a science and technology specialist, a news anchor, and producer.

Stricken with polio as a child, Mr. Onley was one of the first on-air personalities with a physical disability in Canada. In 1996, he received the Clarke Institute's Courage to Come Back award, and in 1997 he was inducted into the Terry Fox Hall of Fame. He was also awarded the King Clancy Award for Disabled Persons and remains active with the Canadian Foundation for Physically Disabled Persons, the Ontario March of Dimes, and Variety Village.

Congratulations, Your Honour.

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