

Nova Scotia Accessibility Advisory Board
Meeting Minutes
Thursday, November 17, 2022 – 9:30 a.m. to 3:30 p.m.

Rosalind Penfound (Chair), David Caswell (Vice-Chair), Linda Campbell, Birgit Elssner, Andrew Jantzen, Ellen Johnson, Anne Sinclair, Max Chauvin, Denise DiGiosia, Lewis Pope, Melissa MacKenzie

Regrets: Marcie Shwery-Stanley

Guests: Cynthia Bruce, Vice Chair Education Standard Development Committee, Andrew Jantzen, former board member

Staff: Dawn Stegen (Executive Director), Lashauna Smith, Amy Middleton, Hannah MacDougall, Kristel vom Scheidt, Josh Bates, Maddi Adams, Terri Lynn Almeda

1. Welcome and Introductions

Rosalind Penfound, Chair, welcomed everyone to the Accessibility Advisory Board meeting with a Mi'kmaq and African Nova Scotian land acknowledgement. Before beginning the meeting, she stated the importance of an in-person meeting after almost three years of meeting virtually. She also stated the importance of the appointment of the four new board members; Max Chauvin, Denise DiGiosia, Lewis Pope, Melissa MacKenzie and welcomed them to the group. All board members were given time to introduce themselves and their connections to the community.

2. Board Operations

a. Review of Agenda

The agenda as previously circulated was accepted, with a note that item 4a: 5th and 6th Accessibility Standards and item 4b: Vulnerable Persons Registry, would be presented only if time permits and the discussion is complete on item 3c: Recommendations for the Education Standard.

b. Approval of Minutes from September 22, 2022

Motion: The minutes for the September meeting were amended to update item 3b. from “dead space” to “deaf space”. These amended minutes were moved by Birgit Elssner and seconded by Linda Campbell. Motion carried unanimously.

c. Outstanding Business

Dawn Stegen, Executive Director gave an update on staffing changes at the Accessibility Directorate. Dustin Lyon, administrative assistant recently started a new position with another department in government and Josh Bates, Senior Policy

Analyst is moving to a position outside the Government of Nova Scotia. Staff will be actively working to fill these two positions.

The Directorate supported two half day orientation sessions for the new board members.

Dawn explained that an invitation to staff at the Halifax Regional Municipality will go out for them to attend a future board meeting in 2023.

The email with the board meeting package included a link to the website for the Speaker's office to show the current accessibility status of each MLA office.

The Office of Equity and Anti-Racism (OEAR) recently held public consultations on the definition of several terms used in their legislation. In September the board questioned the promotional information. The issues raised were addressed with their office. Dawn recommended the board consider having the OEAR as a guest in 2023.

Dawn explained that the second Government of Nova Scotia Accessibility Plan is awaiting approval and once this happens the Directorate will be working with departments on their implementation plans and a public release of the Plan.

The Accessibility Advisory Board work plan will be updated for 2023 and provided to board members in December for review and consideration.

At the December board meeting the final draft of the Accessibility Advisory Board Annual Report for 2021-22 will be presented for approval.

Addressing wage and availability issues for personal care assistants with the Department of Health and Wellness and other departments is outstanding. Dawn gave an update that the Department of Health and Wellness is leading the development a Health Equity Framework with partners across the health system, to be released in July 2023. The Health Equity Framework is a requirement in the "Dismantling Racism and Hate Act", passed in Spring 2022. The Health Equity Framework will call for actions to make Nova Scotia's health system more appropriate, effective, and free from barriers and discrimination. Health and Wellness will be asking the public to share their experiences with the health system through public consultations. Dawn recommended those leading this work be invited to the board's December meeting.

Dawn noted the call from disability advocates in community to establish a Vulnerable Persons Registry during the Fall sitting of the provincial legislature.

Recently the Accessibility Directorate led two sessions during the bi-annual Public Service Commission Diversity Conference. In total there was approximately 800 government employees who attend these sessions. In addition, the Public Service Commission will launch its bi-annual employee engagement survey later this month. This survey is for all employees and includes a section on accessibility and disability issues.

Dawn reminded the board that the theme for December 3 this year, the United Nations International Day for Persons with Disabilities is “Transformative Solutions for Inclusive Development: the Role of Innovation in Fueling an Accessible and Equitable World.

Dawn gave an update on the status of the Act Review with consultations completed and the reviewer currently completing the draft report, with the final report due to Minister March 1, 2023. The Act Review connected with over 700 people in focus groups, interviews and a survey.

Dawn spoke about her recent experience at an Accessibility Standards Canada forum to connect with standards work taking place in different provinces and territories. Several shared priorities emerged in these conversations including areas of collaboration and alignment.

Roz opened the floor for questions and comments and one board member brought attention to the International Week for the Deaf which takes place in September each year. They explained there were several events in Halifax and proposed that this annual event be recognized by the board in the future.

ACTION: Include International Week for the Deaf in the board’s 2023 work plan

3. Standards

a. Standard Development Committees

i. Employment: Update

Lashauna Smith, Senior Policy Analyst provided an update on behalf of the Employment Standard Development Committee Chair Charlie MacDonald and Vice Chair Alice Evans. She said the full committee last met on November 7 and 8 with focus on workplace accommodations and return to work processes. The committee has discussed the Labour Standards Code and Minimum Wage Regulations, gaps in relation to the Human Rights Act, policies related to the Employment Support and Income Assistance and the Disability Support, and the Workers Compensation Act.

The committee is taking the time to hear from many community and sector partners and is hoping to leverage some of the current work on inclusive employment while identifying the most appropriate employment standard recommendations. From November until February the emphasis of their work will be subgroup discussions and beginning to recognize solutions to identified issues and barriers.

Based on current timelines the committee will be drafting their recommendations early next year and there will be opportunities for the board to review these in Spring/Summer 2023 before consultations happen in the Fall.

Lashauna updated the board that the committee received one resignation, and now has 19 members.

The Disability and Work in Canada conference is being held virtually at the beginning of December and there is one committee member and one Directorate staff attending who will present back at the next full committee meeting, scheduled for February 8 and 9.

Lashauna was asked by the board if sheltered workshops is being considered by the committee. Lashauna responded that this will be addressed by the Fair Pay and Total Compensation subgroup.

Another question came from the board on the effect of the resignation affecting the percentage of the SDC with a disability and the response was no, as this individual did not self-identify.

A third question arose about the possibility of the committee discussing a living wage for persons with a disability, the response was this was out of their scope.

ii. Goods and Services: Update

Josh Bates, Senior Policy Analyst gave an update on the status of recruitment for the Goods and Services Standard Development (SDC). Once the application period closes December 4, a board subcommittee will come together to review these applications in January. The subcommittee's recommendations will go to the board at the next meeting, and once approved the board will submit its recommendations on committee composition to the Minister. The goal is to have the SDC announced in March and formally established by April 2023.

Josh gave an overview of the work of four separate external consultants who are working on materials and research for when the committee is established. This work will consist of conducting a jurisdictional scan and literature review on the delivery

and receipt of accessible goods and services. Public focus groups will be conducted with people with disabilities and frontline goods and service providers. Another consulting firm is conducting focus groups within the African Nova Scotian community and an additional firm is conducting focus groups with Indigenous Nova Scotians.

All four consultants have committed to provide the findings of their research by the end December and a summary of these findings will be shared with the board in 2023. This research will help inform members of the Goods and Services SDC when they begin their work.

There was a question from the board on the definition of the scope of Goods and Services. Josh responded to say there is not an established definition at the current time as this will be determined by the SDC.

Another suggestion from the board was the importance of connecting with ASL interpreters as they would have many examples of access to goods and services.

b. Built Environment Standard

Maddi Adams, Senior Policy Analyst provided an update on the development of the draft standard on the Built Environment. They reminded the board that the draft standard is currently being finalized through the Interdepartmental Working Group. This group is drafting an implementation plan which will outline how the standard applies to certain entities and when, including the compliance, education and awareness required.

The final draft standard and draft implementation plan will be advanced to Minister to seek feedback from the public in 2023. Although this final draft will be shared with board members before it is made public.

Maddi reminded the board that the Built Environment SDC remains a committee of the Board until after the public engagement on the draft standard. Currently, the committee is not active and does not meet regularly.

Maddi explained that recently Accessibility Standards Canada has shared its draft standard for the built environment publicly for feedback until January 7, 2023.

ACTION: An email with details as to how to share feedback with Accessibility Standards Canada will be sent to all board members.

There was a question about the built environment presentation from September and why some recommendations from the Board are being considered for change or not fully accepted. Maddi explained the development of the draft standard is still

underway and each recommendation from the Board is being carefully considered. If a recommendation is not accepted in full the rationale is well documented, and mainly because it was determined that the same outcome could be achieved through other measures. Interest was expressed in the comparison chart used by the Interdepartmental Committee drafting the standard.

ACTION: The Accessibility Directorate will take this request under advisement.

c. Recommendations for the Education Standard

Roz welcomed Cynthia Bruce, Vice Chair of the Education Standard Development Committee and Amy Middleton, Senior Policy Analyst. Roz explained that she is the Chair of the Education SDC but during this discussion she will remain in the board chair position and allow Cynthia and Amy to respond to questions. Roz confirmed that recommendations will be brought back for a decision using the Consensus Decision Making Model at the December board meeting.

Cynthia explained that the Education Standard Development Committee (SDC) members put a significant amount of time and energy into reviewing research and other materials, providing input and consulting with impacted sectors, families, educators, and first voice individuals over the past three years.

Several comments, questions and suggestions were received from the board about the recommendations in advance of the meeting. A document was provided to all board members in advance of the meeting that outlined the feedback received and responses from the SDC Chairs. The feedback varied and for the most part was accepted. The items that required further discussion were the focus for the rest of the meeting. The board reviewed the suggested edits and input, and clarity was provided on some of the issues identified by the board. Members were also invited to raise additional questions or provide additional feedback during the meeting.

The discussion began with areas of general feedback including the definition of disability that was used in the draft recommendations.

There was consensus among the board that to set the context for the rest of the document the definition of disability should be explained in the introduction of the document.

The second area of discussion was regarding the reasoning for specific recommendations for Deaf or hard of hearing students. Cynthia explained that these students face very unique systemic barriers that could not be adequately addressed within the other recommendations. Another member agreed saying these barriers start in the early years with barriers to language that result in barriers to education and barriers to learning.

A third area of discussion was the need to deliberately recognize intersectionality and intersecting barriers throughout the recommendations. There was a conversation about the larger community not always understanding experiences of disability within different contexts. The board discussed how all harms intersect, and that this concept is not well understood as disability knows no boundaries. The group agreed that an intersectional lens is important to these recommendations, and to ensure these perspectives are being addressed and applied to the work of other SDCs.

The board identified action and advice for other standards. The board is interested in making a recommendation to Minister re. the issue of addressing the accessibility of existing buildings with no plans for major renovations. This was raised in the context of university campuses. The board added a footnote to the Early Years recommendations that states the following: “While out of scope for these recommendations, the Education Standard Development Committee recommends the Accessibility Advisory Board recommend to the Minister of Justice that the Government of Nova Scotia’s Interdepartmental Committee on the Built Environment Standard consider accessibility requirements in the built environment for early learning and child care settings be developed and enacted as regulations under the Accessibility Act or the Early Learning and Child Care Act.” And, the board recommended the Goods and Services Standard Development Committee should consider a recommendation regarding ensuring adequate internet infrastructure for schools to support the use of assistive technology and communication services.

A board member spoke about specific barriers in accessing Mi’kmaq language for the Deaf community. This member also suggested there be a change in the document to state “Mi’kmaq and Indigenous” in all instances where “Indigenous” is used, and to include references to Mi’kmaq as our first official language of Nova Scotia.

The board highlighted that the recommendations about interpreter training should not list a specific diploma or degree, but to focus on screening and assessment rather than certification.

Discussion followed about public elementary and secondary materials that reflect diverse experiences, the difference in the recommendations for private schools and private career colleges, and “incentivizing” this work.

The board discussed the Glossary of Terms and recommended some changes to existing definitions and some additional terms to be added.

Roz thanked Amy and Cynthia for their work and time. By December 1, board members will receive an updated version of the recommendations that incorporates the feedback provided, and a summary document of the changes made.

5 c. Adjournment

The next meeting will be December 15 from 1 p.m. to 4 p.m. on Zoom.

The board then took the last few minutes to watch the video of Honour song translated into Mi'kmaq sign language

<https://www.nsc.ca/landing/honoursongtranslation/index.asp>