

**THE CANADIAN HEARING SOCIETY  
LA SOCIÉTÉ CANADIENNE DE L'OUÏE**



## **Employment Equity Act Review**

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Presentation to the House of Commons  
Standing Committee on Human Resources Development  
and the Status of Persons with Disabilities

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April 16, 2002

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## **Introduction**

The Canadian Hearing Society (CHS) is pleased to address the effectiveness of the *Employment Equity Act* (EEA) as part of the five-year review of the Act by Parliament. In this paper, I will first discuss our concerns regarding Employment Assistance for Persons with Disabilities (EAPD) deficiencies, double taxation imposed on accommodations required by deaf and hard of hearing post-secondary students and consumers, barriers created by Human Resources Development Canada and issues that weaken the EEA. Lastly, I will recommend that the Standing Committee direct the Ministers of Human Resources Development Canada and Labour Canada to resolve these serious and longstanding issues.

## **EAPD Deficiencies**

As summarized in Table 1:

- EAPD does not provide a maximum of grants to students with disabilities who wish to attend foreign institutions of higher learning.
- EAPD does not provide a maximum of funding for tuition and other supports (e.g., tutors) for students attending institutions of higher learning in Canada.
- EAPD does not provide funding for assistive aids, devices and support services (e.g., sign language interpreters and captioners) for students attending private vocational schools for their part and full time courses in Canada.
- EAPD does not provide funding for specialized career support services, specializing in unique need for deaf, deafened and hard of hearing high school graduates, nor does it require that career support and counselling provided by most colleges and universities are communication accessible for deaf, deafened and hard of hearing students.
- EAPD does not provide funding for accommodations for job interviews, summer or part-time jobs or internships for students attending post-secondary institutions, including private vocational schools while studying in their post-secondary education.

## **Double Taxation Imposed on Accommodations Required by Deaf and Hard of Hearing Students and Consumers**

- Deaf and hard of hearing consumers and post-secondary students are issued tax bills for funds they receive to hire sign language interpreters and captioners. The interpreters and captioners pay tax on income received for providing the same services.

- Many students at both Canadian and foreign universities and colleges are being taxed on their disability-related supports and out-of-country bursaries, forcing them to forego or discontinue their studies.

## **Barriers Created by Human Resources Development Canada**

As noted in Table 2:

- Most local offices of Human Resources Development Canada are not accessible to deaf and hard of hearing consumers. While some offices have installed assistive devices such as TTYs (text telephone), frequently staff are not trained in their operation, rendering the equipment useless.
- There is a lack of qualified career specialists and employment consultants in most local Human Resources Development Canada offices trained to work with deaf and hard of hearing job seekers.
- Officials of Human Resources Development Canada confirm that they do not provide post-secondary students with funding for assistive aids, devices and support services (sign language interpreters, notetakers, assistive listening devices, etc.) to participate in career counselling, job interviews, part-time jobs or internships while studying in colleges and universities.
- Serious attitudinal barriers are evident in the expectations, perceptions, beliefs and behaviours of local staff of Human Resources Development Canada regarding the employability and capabilities of deaf and hard of hearing persons. An example is the HRDC's concern that skills training may take longer and may be more difficult for deaf and hard of hearing applicants and may exceed the budget for accommodation funds available to some of local HRDC offices.

## **Issues that Weaken the *Employment Equity Act***

- There has been a serious decline in the enrollment of deaf and hard of hearing Canadians at both Canadian and foreign universities and colleges.
- Educational institutions, social services agencies and employers on the *Employment Equity Act* list are experiencing extreme difficulty recruiting qualified deaf and hard of hearing university and colleges graduates to fill staff teaching, counselling and related positions
- The under-representation of deaf and hard of hearing employees in the banking, communications, transportation and other industries, as well as in the federal public sector, is well documented.
- The employment equity reports and annual reports published by the Canadian Human Rights Commission provide clear evidence of deep-rooted systemic discrimination against people with disabilities, including the deaf and hard of hearing.

We strongly encourage the Standing Committee to direct the Ministers of Human Resources Development Canada and Labour Canada to resolve these serious and longstanding issues as soon as possible.

## **Recommendations**

- 1) Introduce and pass into law a strong, effective and enforceable Canadians with Disabilities Act that will:
  - Strengthen programs sponsored by the Employability Assistance for Persons with Disabilities initiative.
  - Ensure equal access to post-secondary education in Canada by removing taxes on disability supports and out-of-country bursaries, restoring grants to students with disabilities, and removing barriers to accessibility encountered by students with disabilities.
  - Enforce accessibility standards in all federal offices, including Human Resources Development Canada and Labour Canada, and places of business operated by employers on the federal employment equity list.
- 2) Call for federal/provincial/territorial ministers responsible for education and social services to jointly address financial and accommodation barriers that effectively deny deaf and hard of hearing students and consumers access to professional employment opportunities.
- 3) Amend regulations to the *Employment Equity Act* to include the following:
  - Require employers to establish their own disability advisory committees consisting of employees and community members with disabilities.
  - Require employers to conduct separate employment reviews of both employees who are hired disabled and employees who become disabled after hire for their annual employment equity report and compliance audits purposes.
  - Require Human Resources Development Canada and Labour Canada to implement a program that guides local offices and employers in the development of policies and procedures to accommodate deaf and hard of hearing job seekers and employees.

## **Conclusion**

To prevent an increase in the number of deaf and hard of hearing professionals and unskilled workers forced onto the welfare rolls, we strongly encourage the Standing Committee to direct Ministers of Human Resources Development Canada and Labour Canada to adopt the above recommendations to resolve these serious and longstanding issues immediately. This way it will

strengthen the Employment Equity Act to make it easier for employers to recruit and hire more professional and highly skilled deaf, deafened and hard of hearing individuals

## **References**

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**TABLE 1: COMPARISON OF CONDITIONS BEFORE AND AFTER IMPLEMENTATION OF THE EAPD INITIATIVE**

<b>Before EAPD (VRDP)</b>	<b>After EAPD</b>
Provided student grants.	Provides student loans.
Provided funds for sign language interpreters and captioners in private vocational schools for part- and full-time courses.	Insufficient government funds available for sign language interpreters/captioners in private vocational schools for part/full-time courses.
Provided specialized career support and consultation services for deaf and hard of hearing high school graduates and post-secondary students.	No career support and consultation services, specializing in the unique needs of the deaf and hard of hearing are available to high school graduates and post-secondary students.
Provided funds to cover the cost of sign language interpreters for summer or part-time jobs for post-secondary students while studying in colleges and universities.	No funds available for sign language interpreters and captioners for post-secondary students who are not also clients of HRDC while studying at colleges and universities.
No taxes on disability-related supports and out-of-country bursaries for students with disabilities.	Taxes on disability-related supports and out-of-country bursaries for students with disabilities.
A significant increase in the number of professional and highly skilled deaf and hard of hearing individuals hired during the early 1980s.	A significant decline in the number of professional and highly skilled deaf and hard of hearing individuals during the early 2000s.
A significant increase in the number of college, university and private vocational school graduates with disabilities hired in the public, private and non-profit sectors during the early 1990s.	A dramatic decline in the number of college, university and private vocational school graduates with disabilities in the early 2000s, making it difficult for employers to recruit qualified deaf and hard of hearing employees.
A dramatic increase in the enrollment of deaf and hard of hearing post-secondary students in the early 1990s.	A significant decline in the enrollment of deaf and hard of hearing post-secondary students in early 2000s.
<b>More and more professional and highly skilled deaf, deafened and hard of hearing individuals available, making it easier for employers to recruit and hire these individuals.</b>	<b>Fewer and fewer professional and highly skilled deaf, deafened and hard of hearing individuals, making it extremely difficult for employers to recruit and hire these individuals.</b>

**TABLE 2: COMPARISON OF SERVICE DELIVERY MODELS**

<b>Mainstream Service</b>	<b>Specialized Service</b>
Service providers with no sign language communication skills and lack of sensitivity to and understanding of the needs of deaf, deafened and hard of hearing consumers.	Trained specialized service providers able to communicate using sign language; having understanding of and sensitivity to deaf, deafened and hard of hearing needs.
Service providers requiring the service of professional sign language interpreters and real time captioners.	Specialized service providers communicating effectively and directly with the deaf consumers and addressing their needs without possible language misinterpretation; having access to and working relationship with professional real-time captioners.
Service delivery and working environment not accessible for deaf, deafened and hard of hearing consumers due to language barriers and lack of telephone devices.	Service delivery and working environment accessible for deaf, deafened and hard of hearing consumers by staff who communicate using sign language and by the use of telephone devices and captioners.
No “one-stop shopping” service, resulting in poor and ineffective outcomes and inefficient case management services.	Service provider and consumer working as a team to provide comprehensive coordinated services in a cost-effective manner, resulting in appropriate, accessible case management service delivery.
Time-consuming coordination and confirmation of professional sign language interpreters and captioners, resulting in a delay of effective service delivery to deaf, deafened and hard of hearing consumers.	Service providers with a proficient skill level of sign language providing service promptly without delay to the consumer.
Lack of access to information about and knowledge of appropriate agencies, resulting in inappropriate referrals for deaf, deafened and hard of hearing consumers thus causing delays in service delivery.	Service providers well connected to local mainstream agencies and familiar with their mandates, level of accessibility and quality of service. Therefore, service providers make appropriate and efficient referrals for deaf, deafened and hard of hearing consumers as required.
Environments that lack access, generating a feeling of defiance in deaf, deafened and hard of hearing consumers.	Deaf, deafened and hard of hearing consumers feeling their language and accessibility preferences are accepted, thus developing a more positive self-identity and greater opportunity for success.

<b>Mainstream Service</b>	<b>Specialized Service</b>
Lack accommodations (use of sign language and captioning services), resulting in an awkward, unexpressive communication flow.	Use of sign language and captioners freely between service provider and consumer providing an expressive, free form of communication and flow of information/ ideas.
Create a pattern of ineffective and inefficient services, resulting in 85% underemployment and unemployment rate.	Efficient and cost effective services.
Excessive cost to secure professional sign language interpreters (e.g., a caseworker with 20 deaf consumers needing to purchase approximately 60 hours of interpreting services).	Cost of using professional sign language interpreters is kept to a minimum.
Service providers not having the necessary expertise and networks to deal with deaf, deafened and hard of hearing related services.	Service providers possessing specialized expertise in cultural differences (e.g., Deaf culture), community awareness and sensitivity issues between deaf, deafened and hard of hearing communities.
Service providers unable to service a high caseload of deaf consumers due to the severe shortage of professional sign language interpreters.	Specialized service providers using sign language, providing effective services in a timely manner to deaf consumers without disruption of service delivery.