



# WHY AN ACCESSIBLE ALBERTA ACT?

The status of accessibility policy in  
Canada and what is needed to  
support Albertans with disabilities

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on behalf of  
the **Alberta Accessibility Legislation Advisory Group**



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## ***Introduction***

The following is a review of existing disability policy in Canada, and especially Alberta, leading up to and including the passing of the Accessible Canada Act in 2019. This document will explore whether additional provincial legislation in Alberta is necessary to complement the Accessible Canada Act to support Albertans with disabilities and, if so, what should be included in it. British Columbia has already taken steps in this direction, having recently conducted consultations with people with disabilities and stakeholders in the province to inform future provincial legislation through an initiative called Accessibility through Legislation. Effective accessibility legislation requires careful deliberation: it should target real problems faced by people with disabilities, offer realistic, practical solutions to those problems and have clearly defined objectives to bring those solutions about, including mechanisms to ensure compliance. Therefore, an 'Accessible Alberta Act' should be well-informed, have its place amongst pre-existing legislation and bring real change to the lives of Albertans with disabilities. Alternatively, revisions to existing legislation can be considered.

The information gathered in this review will be used to inform a panel conversation on the topic of an Accessible Alberta Act. One outcome could be the creation of new legislation that will complement the Accessible Canada Act, another could be change to existing legislation to achieve the same effect. The purpose of the panel is to bring awareness to this issue, provide Alberta stakeholder groups and individuals an opportunity to offer alternative approaches, gauge the public's interest, and put the issue on the provincial government's radar.

Existing disability policy from the federal government and the provinces will be reviewed using the Canadian Disability Policy Alliance's *Review of Disability Policy in Canada, 2017*, by Mary Ann McColl et al. as reference.

## ***What disability policy is already in place in Alberta?***

Most disability policy in Alberta is disjointedly implemented to address specific issues, the vast majority of which was passed between 2000 and 2009. These are salient pieces of Albertan disability legislation; this list is not exhaustive.

The Alberta Human Rights Act protects the rights of all persons, including persons with disabilities, in equality of opportunity, ability to earn a living, finding a place to live, and access to all services available to the public. The Alberta Human Rights Commission's 2018/19 annual report indicates that discrimination in employment on the grounds of disability and gender continues to be the most common complaint made.

The Advocate for Persons with Disabilities Act establishes the appointment of the Advocate for Persons with Disabilities. The advocate identifies and studies issues related to disability and recommends actions when appropriate, participates in

consultations in which systemic decisions are made about persons with disabilities and promotes the rights and interests of people with disabilities through education. Within 2 years of appointment, the advocate is mandated to prepare a report on the effectiveness of the act including any amendments and recommendations relating to persons with disabilities.

The Persons with Developmental Disabilities Foundations Act allows for government health providers to create treatment plans for adults with pervasive developmental disabilities and to promote “activities to enhance the quality of life for persons with developmental disabilities in Alberta” (159). The Persons with Developmental Disabilities Community Governance Act, which funded programs and services to help adults with PDDs, was repealed on December 3, 2015.

The Premier’s Council on the Status of Persons with Disabilities Act created a council by the same name to serve as an advisory body to keep the government aware of issues facing Albertans with disabilities.

The Service Dogs Act entitles a person with a disability who requires accompaniment by a service dog, or a licensed service dog trainer, to take the service dog into establishments where animals would not normally be permitted.

Disability Related Employment Supports and Services (DRES) under the Income and Employment Supports Act may fund supports and services for people with disabilities related to employment. DRES provides services to address barriers to employment and assists people with disabilities to access education and training for employment (McColl et al. 164). A government internship program for recent graduates with disabilities has been discontinued, and its website has not been updated to indicate this as of July 24th, 2020.

The Student Financial Assistance Regulation, from the Student Financial Assistance Act, offers grants to students with disabilities who require financial assistance and to students who require adaptive technology (166). The act offers loan forgiveness to students who cannot pay their loans due to disabilities.

The Assured Income for the Severely Handicapped program and the Family Support for Children with Disabilities program supplements income for people with disabilities who are unable to work and for families with people with disabilities, respectively.

Alberta currently has several affordable housing programs that are open but not limited to people with disabilities. New applications for rent supplements are not being accepted as the programs are “currently under review” as of July 24th, 2020.

The Protection for Persons in Care Act addresses abuse of adult Albertans in public care, and the Alberta Aids to Daily Living program of the Public Health Act provides financial assistance to people with disabilities for medical equipment and supplies.

## ***What have other provinces done?***

Three of the thirteen provinces and territories—Ontario, Manitoba and Nova Scotia—have passed accessibility legislation prior to the Accessible Canada Act. Other provinces are considering passing their own, including British Columbia, which recently completed its consultation process in November of 2019. Ontario’s legislation in 2005 has served as a model for subsequent legislation in the other provinces and on the federal level, with each act improving upon the last. Nova Scotia in particular drew significant praise for its ACCESSAbility grant program, which offers support funding to small businesses to offset the costs associated with compliance to the new standards mandated in the legislation.

Quebec passed an ‘accessibility act’ in 2004, but it is merely a refurbished regulation from 1978. Quebec’s Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration only applies to the public sector.

### **Ontario**

When the Accessibility for Ontarians with Disabilities Act (AODA) was passed in 2005, it established five areas for development of new accessibility standards: information & communication, employment, transportation, design of public spaces and customer service. Standards were enacted in a rolling implementation model, resulting in a convoluted timeline for when different organizations were required to meet them, while standards themselves varied according to the organization’s ‘class’ (section 6 subsection 7) with respect to industry, size, and other attributes. This system made monitoring the effectiveness of the act very difficult for its three legislative reviews, as some standards had not yet been implemented, were too new for data to be available or were too ill-defined to assess appropriately (Mayo Moran’s second report, pg. 27). There are standards currently in development in two more areas: health and education.

A common thread among the legislative reviews and other criticisms of the Ontario act is uncertainty about certain terms and interactions between the act and other legislation, like between the AODA and the Ontario Human Rights Code.

The AODA requires all persons and organizations to which it applies to file accessibility reports annually, or when specified by the director (section 14, 1). The act also establishes inspectors to ensure standards are being followed. These inspectors are permitted to enter property without warrant where there is reasonable suspicion of an offense, except for private dwellings, which require occupant consent (section 19, 2 – 4). Where violations are found, the director may issue an order of compliance with a deadline, and/or issue administrative penalties (up to \$50,000 a day for individuals or \$100,000 a day for corporations) until compliance expectations are met. Appeals can be made to a tribunal appointed by the Lieutenant Governor (pg. 3). The enforcement of the AODA has been subject to great criticism. In the previous two legislative reviews,

improving enforcement was one of the primary recommendations. The 2017 Compliance and Enforcement Report found, among other figures, that less than half of private sector organizations required to submit accessibility reports did so, only 63% of organizations audited provided employees with accessibility training and only 64% had developed accessibility policies (pg. 7).

## **Manitoba**

The Accessibility for Manitobans Act (AMA) mandates the Accessibility Advisory Council (established previously under the Accessibility Advisory Council Act). The council is made up of six to twelve individuals that must include “persons who are disabled by barriers or representatives from organizations for persons who are disabled by barriers” and “representatives of persons or organizations that have the ability to prevent and remove barriers that disable people.” Its mandate is to make recommendations to the minister on matters of disability, including “the systematic identification, prevention and removal of barriers” and any other measures or policies that could improve accessibility. The council went on to serve a leading role, guiding the minister in the administration of the standards laid out in the act.

As in Ontario, Manitoba’s compliance mechanisms rely less on enforcement and more on education and engagement. This was encouraged in a legislative review, which recommended steps such as holding workshops on compliance with the AMA in small municipalities, and within smaller governmental organizations (e.g. agencies, boards and commissions). Unfortunately, this also leaves Manitoba subject to the same criticism Ontario faced for lacking the necessary “teeth” to ensure compliance. While education and engagement are valuable tools, there is clear concern that they are not enough, and that some sort of enforcement model ought to exist. An article from the *Canadian Journal of Disability Studies* says a major pitfall of the AODA was that enforcement of the act was left to the government, who was not willing to enforce it; a mistake Manitoba unfortunately did not learn from. To avoid repeating the same mistakes, provinces considering their own accessibility protections will need to contend with the issue of effective enforcement.

Another issue carried forward from the AODA is reliance on definitions from the social model of disability. Contrary to the traditional medical model, which argues that “disability results from an individual person’s physical or mental limitation,” the social model “views disability as a consequence of environmental, social and attitudinal barriers that prevent people with an impairment from a maximum participation in society” (Public Service Alliance of Canada). This model is beneficial in that it encourages sensitivity toward a wider array of disabilities, and is effective in framing a universal, barrier-free environment; which is a common theme among the stated goals of accessibility legislation. But the social model is said to inadequately address the importance of physical impairment and fails to account for differences in the disability community like intersectionality (Jacobs et al. 10-11), lived experience, and qualitative

and quantitative differences between disabilities, thereby representing the disability community as monolithic.

## **Nova Scotia**

Based heavily on the AMA, the purpose of the Act Respecting Accessibility in Nova Scotia (ARA) is almost identical, except for the addition of “education” to the areas in which barriers are to be removed, and the following added subsections...

*(b) provide for the involvement of persons with disabilities, the public sector and other stakeholders in the development of accessibility standards;*

*(c) facilitate the timely implementation of accessibility standards with a goal of achieving an accessible Nova Scotia by 2030;*

*(d) monitor, review and enforce compliance with accessibility standards; and*

*(e) establish an Accessibility Directorate that is responsible for supporting accessibility initiatives and advancing broader disability-related issues.* 2017,c.2,s.2

While not established by the ARA itself, one of the most widely praised aspects of Nova Scotia’s approach has been the ACCESS-Ability Grant Program, which offers funding to small businesses to alleviate the costs associated with compliance to the established standards. These costs can include everything from providing assistive devices to employees, to renovations to install ramps and accessible washrooms, among others.

Ostensibly having learned from uncertainty around interactions between the AODA and Ontario’s *Human Rights Act*, Nova Scotia added the following section to avoid similar ambiguity (pg. 5) ...

*4 (1) Nothing in this Act or the regulations diminishes the rights and protections offered to persons with disabilities under the Human Rights Act.*

*(2) Where a provision of this Act or the regulations conflicts with a provision of another enactment, the provision of this Act or the regulations prevails unless the other enactment provides a higher level of accessibility for persons with disabilities. 2017, c. 2, s. 4.*

The first draft of the ADA in 2016 received a great deal of public criticism. After being redrafted the following year, public perception was much more positive. Among the most pressing concerns addressed in the second draft were an increase in fines for violation from \$25,000 to \$250,000. (pg. 21), changing the expectation that standards be “improved” (similar to Manitoba’s standard) to “achieved” by 2030, setting clearer and higher expectations (pg. 3), expanding the definition of disability to include mental disabilities (pg. 4), and the inclusion of section 7(2), which gives the minister one year after the ADA’s passing to develop and publish a full implementation strategy, detailing plans and timelines to meet the province’s 2030 deadline (pg. 7).

## British Columbia consultations

British Columbia recently concluded a public consultation to aid in development of their own proposed accessibility legislation. The Summary Report of the Accessibility Legislation mirrors language used in the ACA, including principles and definitions.

Participants in the BC consultations indicated that standards of accessibility should be created in areas including service delivery in health, customer service, education, and retail; employment, including hiring retention; built environments like entranceways, parks, sidewalks, and parking; information and communication; and transportation. 87% of respondents said that all areas are important, and unlike the federal consultation, employment was not identified as the highest priority.

BC participants stressed the importance of a change in culture and people's views on disability to complement the accessibility strategy and legislation, which also appeared in the federal consultation. Central to culture change are education and awareness, suggested methods were: increased visibility of people with disabilities in the media; public education campaigns; ensuring people with disabilities are reflected in the government's priorities and can participate in development of legislation; targeted training programs for service-offerors; integration in schools and university; celebrating disability champions; and empathy and sensitivity training (26 – 27).

Participants suggested that a government body should be dedicated to providing oversight and receiving queries and complaints.

Participants suggested program funding as an incentive to support compliance. Compliance mechanisms were ranked: 77% of respondents prioritized program funding; 67% the creation of support, training, and resources; 63% accessibility inspections; 58% accessibility plans and progress reports (primary mechanism of the *Accessible Canada Act*); 43% monetary penalties; and 39% the creation of accessibility awards for people and organizations (23).

## ***What is the Accessible Canada Act?***

The Accessible Canada Act (ACA) was passed on June 21, 2019. It is the fulfillment of an election promise years earlier to pass legislation to improve participation and inclusion of people with disabilities. The ACA follows from a consultation conducted in 2017 that was overseen by Carla Qualtrough, then Minister of Public Services and Procurement and Accessibility and the first Paralympian elected to Canadian parliament.

### **Accessible Canada: Creating new federal accessibility legislation**

The Creating New Federal Legislation; What we learned report emphasizes the existence of ‘barriers’ in Canadian society, and that eliminating these barriers is necessary for the full inclusion of people with disabilities. They asked what the legislation should include, what barriers there are, what compliance mechanisms should be in place, ways to raise public awareness and ways to monitor the effectiveness of the legislation (5 – 8).

Participants indicated that there needs to be a ‘broad’ definition of disability to include all ranges of disabilities, including invisible ones like epilepsy or psychological disorders. They indicated that *anything* that prevents or limits people with disabilities from being included should be considered a barrier (10).

Participants recognized that all types of accessibility measures are interconnected and important in their own ways. When asked if the Government of Canada could focus only on one area, employment and job retention were ranked as the highest priority; followed by access to buildings and spaces; transportation by air, train, ferry, and bus; program and service delivery; information and communications; and procurement of goods and services (16). When discussing goods and services, participants pointed to standards used by the European Union and the United States for buying technology as good examples for the legislation.

Canadians in general are not privy to the difficulties faced by people with disabilities in their efforts to participate in society. A change in culture is important to bring attention to the problem of disability and for everyone to contribute to making Canada more accessible, especially regarding businesses and recruitment (28).

### **Accessible Canada Act (ACA)**

The Minister of Employment, Workforce Development and Disability Inclusion is mandated to realize a Canada without barriers on or before January 1, 2040. The minister along with the Canadian Accessibility Standards Development Organization (CASD), are responsible for leading Canada in creating standards of accessibility. They are to engage the community, people with disabilities and stakeholders, and conduct policy research to the benefit of people with disabilities. The minister has the power to create new regulations for accessibility standards.

The ACA distinguishes itself from the Charter. Whereas the Charter gives all persons equal protection and benefit from the law without discrimination, including people with disabilities, the ACA targets the ‘systemic’ problems that prevent people with disabilities “from achieving their full and equal participation in society” (1). These are the existence of ‘barriers’ that prevent the full inclusion of people with disabilities. Principles of the ACA are careful to codify the values expressed by people with disabilities in the consultations: that barriers stopping them from participating in society must be eliminated, that they want freedom to make their own decisions, and that they want to take part in policy decisions concerning them. What is interesting is that the first principle is dignity, which means considering people with disabilities as independent, rational adults; lack thereof is a major factor contributing to employment barriers, the area listed as the *biggest priority* for government action.

A reported shortcoming of the ACA is its limited scope: as federal legislation, it only applies to federally regulated entities. That means private businesses and public spaces not directly controlled by the federal government will see no change for people with disabilities. An average person has vastly more interactions with private businesses than with the public service.

The ACA gives responsibility to regulated entities to create three-year accessibility plans to increase accessibility for people with disabilities who use their services. The ACA gives deadlines of one year from when this act was promulgated, when entities must publish their plans publicly. The entities must consult with people with disabilities in creating their strategies. To ensure compliance to their plan, the entity must submit progress reports in a given timeframe over the course of the three years and invite feedback from people with disabilities and experts. Important to consider here is the power of exemption. A violating entity’s commission (Canadian Radio-television and Telecommunications Commission, for example) or minister may exempt the entity from section 42, “For any reason the Commission considers necessary;” that is, exempting the entity from being held accountable to an accessibility plan. Accessibility plans are the meat of the act, besides which are educational and research initiatives led by the minister and CASD to develop standards of accessibility for regulated entities and increase public awareness. CASD is given permission to request funding and grants, and to engage with stakeholders on issues of disability. The minister has power to enact new regulations as she sees fit, and as such has launched a hiring campaign to recruit 5,000 people with disabilities into the public service, including 125 interns with disabilities, between 2019 and 2024. As of July 2020, little progress has been made on this initiative.

There have not been comprehensive reviews or academic analyses on the ACA, as this legislation was passed only recently. The ACA contains strong principles that have the potential to set lasting precedent for the treatment of people with disabilities in Canada. But its applications are limited, only affecting organizations in the federal public sector in

Canada. Without additional legislation or voluntary adoption of the principles, people with disabilities will not see the effects of the ACA in most circumstances.

The regulatory measures of the ACA are currently limited, giving power to the minister and CASD to research and develop ‘standards’ of accessibility in the future and only mandating accessibility plans directly in the act. The plans and their content are created by the regulated entities themselves, besides being required to consult with people with disabilities, and there is an exemption clause for commissions or the minister to opt out an entity for whatever reason they deem necessary. The amount of monetary penalties seems frivolous for the size of most regulated entities, and they can avoid fines through compliance agreements. Thus, the legislation relies on the goodwill of entities and the commissions they report to and potentially renders compliance optional. The ACA creates a mechanism through which the government can promote accessibility, but only at the government’s discretion, and on a case-by-case basis. There are no universal regulations being imposed on regulated entities as it stands currently and it is now up to the government to bring these about. Similar problems have been indicated with the Manitoba and Ontario acts.

### ***What have been the results of the Accessible Canada Act?***

The Government of Canada promises to hire 5,000 employees with disabilities “in the next five years,” in a 2018 article posted after the act was tabled. The Government of Canada plans to give 2-year internship opportunities to 125 Canadians with disabilities between 2019 and 2024. The website does not list details of the internship and tells visitors to bookmark the page and check back later. The webpage was last updated on March 3, 2020 as of August 6, 2020.

The Canadian Transportation Agency (CTA) has already begun measures to satisfy the mandates of the ACA. There were already some protections in place for people with disabilities from the 2018 New Air Passenger Protection Regulations. The agency states in an article last updated in June of 2019 that the act gives the agency more power to investigate and take action on problems of accessibility regardless of whether a complaint has been made. The agency is also taking initiative to pass regulations of their own in line with the principles of the ACA. It is the responsibility of the CTA to ensure its regulated entities are held accountable.

The Canadian Radio-television and Telecommunications Commission (CRTC) also spoke on the act and its responsibility to uphold its principles and mandates before it was passed, in the CRTC’s 2019 public submission to the legislative review panel.

## ***What can provincial legislation do to advance the objectives of the Accessible Canada Act?***

Many issues broached in the federal consultations did not fall under federal jurisdiction but under provincial and territorial laws. The 2017 federal report encourages all levels of government to work together to improve accessibility and states that the new legislation “should lead to the development of accessibility standards” that provincial governments could adopt. They also indicate that “new legislation should build on existing standards that are already working well” (13). It follows that the act only applies to federally regulated bodies. Participants argued that *all* organizations should be subject to the legislation, while acknowledging nuances like international standards in airlines and banks.

The ACA introduced new standards for accessibility in facilities and services under federal jurisdiction. Provincial legislation requiring the same standards in provincial jurisdiction could ensure consistent accessibility in businesses and public spaces. For example, with airports and federal airlines being regulated by the ACA, provincial legislation would ensure that passengers can expect the same level of accessibility on other airlines and services.

Legislation is more difficult to change than provincial policies or regulations. By enshrining protections in legislation, Albertans with disabilities can be more confident in the durability of those protections.

While the exact effects of other provincial legislation are hard to quantify, there is reason to believe they have achieved at least some change. Despite being criticized for its lack of “teeth”, one advocate in Manitoba has noted changes in her neighborhood since the rollout, citing an increase in accessibility buttons on automatic doors ([CBC](#)).

The administrative reviews of Ontario’s AODA give reasons for some optimism with respect to awareness and compliance with accessibility standards. While the numbers still leave much to be desired, each review of the AODA has found a significant increase in the number of public organizations and private businesses reporting development of such plans and compliance with said standards.

The most relevant areas of accessibility – customer service and employment – demand everything from: conscious consideration of accessibility, accommodation during the job application and interview process, removal of physical barriers to access, increased awareness and compliance, and a gradual increase in such policies in our provincial and private sector. All of these would be of benefit to Albertans with disabilities, and we should expect the number and quality of standards to grow with the greater education and engagement that comes with such legislation.

## ***What could be included in an Accessible Alberta Act to make an accessible Alberta?***

All provincial legislation, as well as the ACA, have contained some variation on the same 5 core areas for accessibility standards – information and communications, employment, transportation, design of built environments, and customer service/access to goods and services. Two more areas for accessibility standards are currently in development in Ontario, and otherwise nearly universal: healthcare and education. These seven areas now have well-established precedent as important considerations in/for accessibility legislation.

With regard to setting specific standards, Ontario changed their development model twice already. Initially, committees representing each relevant industry or sector of the population were responsible for developing standards for their own jurisdictions based on language in the act. The first administrative review of the AODA found that the committees struggled with the technical complexity of the subject matter, a lack of central, clearly defined leadership, and uncertainty about the costs, feasibility, and effectiveness of the standards they were creating. The report urged the creation of a central, arm's length body for development and review of standards. The Ontario government experimented with this in 2017 with the creation of the Accessibility Standards Advisory Council (ASAC). Before long, however, ASAC found themselves overwhelmed with the workload, and most responsibilities were given back to the committees. ASAC's role in the project continued, with one ASAC member being invited to join each Standards Development or Review Committee. (David Onley's Third Review, pg. 13.)

A potential analog for the ASAC may already exist in Alberta, in the form of the Premier's Council on the Status of Persons with Disabilities. A similar arms-length oversight of development of standards is a task a group like this may be well suited for.

In terms of compliance, the norm has been to focus on education and engagement rather than explicit enforcement; this was also favored by participants in BC's consultation. There are obvious benefits to this approach, but it has been controversial. Conversely, even as small a change as an increase in fine amounts received praise in Nova Scotia. A more stringent system of enforcement may be worth considering.

As seen in Nova Scotia, funding to help small businesses with the cost of compliance can not only reduce the need for enforcement, but also serves to boost public perception.

In Ontario and Manitoba, confusion arose as to how different legislation interacted. Nova Scotia addressed this, giving presumptive authority to the new accessibility act unless another piece of legislation provided stronger protections for rights, thus clarifying legislative priorities.

## ***Can current policy in Alberta be reformed to achieve similar outcomes?***

Considering the current lack of coalesced disability policy in Alberta, reformative measures may be very difficult. Many policies already in place are in the form of regulations under broader acts, like under the *Student Financial Assistance Act* or the *Public Health Act*. Further regulations can be implemented within broader acts to provide more extensive protections to Albertans with disabilities.

Alberta currently has only one program in place (Disability Related Employment Supports and Services) to address employment and this is only to fund services provided by external parties like non-profits. Participants in the 2017 Federal consultation indicated that employment was *the most important area* of disability legislation. Employment policy should be improved if only to address the province's severe problem of income for people with disabilities. According to the Conference Board of Canada's *How Canada Performs*, Alberta is the worst performing province in regards to income for people with disabilities, earning merely two thirds of the average income of the general population. This could reduce strain on the Assured Income for the Severely Handicapped (AISH) program, which is the default for many Albertans who are struggling to work and make a living due to disability; the caseload of AISH has been steadily increasing.

Health was indicated as a very important area in the BC consultations (16) despite not having been addressed in Manitoba yet and only now being addressed by Ontario.

The Alberta Premier's Council on the Status of Persons with Disabilities has the potential to serve as a vehicle of change for the province. Their current role is to inform the sitting government on problems of disability. They can take a more active role in research and advocacy for disability policy and be given the power to motion the sitting government to take action on such problems.

## ***Glossary of Terms***

**AccessAbility Week:** The last week of May as established by the Accessible Canada Act to acknowledge the need for a more accessible Canada so people with disabilities can equally participate in society.

**Accessibility plan:** A plan, either written by a regulated entity or by a regulatory commission, to issue the goods and services of an entity in a way that is accessible to people with disabilities. This may also include changes in employment practice.

**Accessibility:** The measure of how much individuals with a variety of disabilities are able to access different resources, services, and other facets of society like employment. And the removal of barriers that prevent them from doing so.

**Act:** Legislation passed in order to advance the initiatives of federal or provincial governments and under which regulations are appended to enforce these initiatives. Such as the Accessible Canada Act, Service Dogs Act or the Alberta Human Rights Act.

**Areas of accessibility:** Categories that reflect different facets of society and in which disability acts and regulations mandate standards of accessibility for regulated entities. Such as employment, service provision, transportation, healthcare, and education.

**Barrier:** Obstacles that exist in a person's environment that, as a result of their disability, make it difficult for them to perform tasks and access goods and services. Discrimination that excludes an individual with a disability from things such as employment should also be considered as a barrier.

**Disability:** Impairments of different kinds that inhibit an individual from engaging with their environment and participating in society.

**Equality under the law:** The treatment of all individuals fairly under the laws of a governing body. The Canadian Charter of Rights and Freedoms gives all Canadians equal protection and benefit from the law without discrimination.

**Federally regulated organizations:** These private sector and public sector entities include, air transportation (airlines, airports, aerodromes and aircraft operations), banks, grain elevators, feed and seed mills, feed warehouses and grain-seed cleaning plants; First Nations Band Councils (including certain community services on reserve), most federal Crown corporations (such as Canada Post Corporation, port services; marine shipping, ferries, tunnels, canals, bridges and pipelines that cross international or provincial borders; radio and television broadcasting; railways that cross provincial or international borders and some short-line railways, road transportation services (including trucks and buses that cross provincial or international borders), telecommunications (such as, telephone, internet, telegraph and cable systems), uranium mining and processing and atomic energy; In addition this includes businesses that are vital, essential or integral to the operation of one of the above activities as well as federal public service; Parliament (such as the Senate, the House of Commons and the Library of Parliament). ([List of federally regulated industries and workplaces](#))

**Freedom of self-determination:** Independence and the ability to make choices that determine yourself and your life, and to have those choices respected by others and the government.

**Human rights:** Rights that respect the dignity and worth of all persons, and which all persons are entitled to. These are entrenched in constitutions, charters, and acts to protect the rights of individuals, and especially those vulnerable to discrimination.

**Intersectionality:** The theoretical concept that individuals can belong to more than one group vulnerable to discrimination, an *intersect*, and in consequence may experience discrimination differently than individuals who belong to only a single group.

**Regulation:** Laws that follow from an act to give concrete terms to an act's principles and to give more specific mandates to the state.

**Rolling implementation model:** An approach to entry into force which commences laws in an act gradually over time.

**Regulatory commission:** A commission responsible for establishing and overseeing certain standards and regulations to realize the principles of an act.

**Standards of accessibility:** Standards to which regulated entities are held in accordance with some act, where they must ensure their services are made accessible to people with disabilities. Standards are organized by areas of accessibility, like health and employment

**Systemic:** Used to describe an issue, usually of a social or political nature, that exists as a consequence of a society at large in its culture and institutions. This often looks at problems within a system, such as racism and discrimination.