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Federal Disability Reference Guide

Canada

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The Disability Reference Guide: Its Purpose and Function

The Disability Reference Guide (the Guide) is a tool for identifying, clarifying and promoting policies to address issues that affect people with disabilities. While the objective of the Guide is to help ensure that federal programs, policies and services maintain or enhance the social and economic inclusion of people with disabilities, much of the Guide's content may be of use to other governments, organizations or institutions.

The Guide can help to ensure that legislation, policies, programs and services:

- are inclusive of people with disabilities;
- respect the rights and needs of people with disabilities; and
- promote positive attitudes and raise awareness about the needs of people with disabilities in order to prevent unintended negative outcomes.

Electing to use the Guide will help employees to:

- systematically assess and address the impacts of all initiatives (policies, programs, services or decisions) on people with disabilities;
- obtain a more nuanced understanding of the multi-dimensional challenges that impact people with disabilities;
- build partnerships across government departments, and with NGOs and other stakeholders that work with and represent people with disabilities; and
- act as a resource in the creation of policies and programs that reflect the rights and needs of people with disabilities.

About the Guide

The Guide is divided into sections based on the program and policy development cycle.

The "Before You Begin: Key Considerations" section outlines the legal, political and socio-economic context for disability issues in Canada.

Each section of the Guide contains a set of questions and resources. The questions are designed to raise awareness of the diverse needs of people with disabilities and assist in the development of policies, programs and services that are inclusive of people with disabilities from the outset. To help you learn more about disability in each stage of the policy and program development cycle, the Guide contains numerous annexes with in-depth information on accommodation, learning and training, and safety and security for people with disabilities.

While the Guide is intended to inform policy and program development by providing a wealth of information on various aspects of disability issues in a checklist format, it is by no means exhaustive. Analysts are encouraged to select and apply only those items that are relevant to the nature of their policy, program or service.

Before You Begin: Key Considerations

Definition of Disability

Disability is a complex phenomenon, reflecting an interaction between features of a person's body and mind and features of the society in which they live. A disability can occur at any time in a person's life; some people are born with a disability, while others develop a disability later in life. It can be permanent, temporary or episodic. Disability can steadily worsen, remain the same, or improve. It can be very mild to very severe. It can be the cause, as well as the result, of disease, illness, injury, or substance abuse.

Because of its complexity, there is no single, harmonized "operational" definition of disability across federal programs.

Reflecting this complexity are the different approaches to understanding the experience of disability. According to the traditional, bio-medical approach, disability is viewed as a medical or health problem that prevents or reduces a person's ability to participate fully in society. In contrast, the social approach views disability as a natural part of society, where attitudes, stigma and prejudices present barriers to people with disabilities, and prevent or hinder their participation in mainstream society.

The most widely accepted definition of disability is provided by the World Health Organization:

> Disabilities is an umbrella term, covering impairments, activity limitations, and participation restrictions. An impairment is a problem in body function or structure; an activity limitation is a difficulty encountered by an individual in executing a task or action; while a participation restriction is a problem experienced by an individual in involvement in life situations.

For a more in-depth discussion of the definition of disability in the context of Government of Canada programs and services, please see Annex 1A.

Disability in Canada

According to the 2006 *Participation and Activity Limitation Survey* there are roughly 4.4 million children and adults with disabilities in this country, which means that approximately one in seven Canadians now has a disability. This represents an increase in the overall population reporting a disability, from 12.4% in 2001 to 14.3% in 2006. This increase is largely due to an aging population, as well as to an increase in reported learning disabilities.

The most common types of disabilities among adults are pain-, mobility-, and agility-related disabilities. These three types of disability increased significantly from 2001 to 2006, which is partially attributable to a growing percentage of seniors reporting these disabilities relative to the total population.

For a more detailed snapshot of disability in Canada, please consult Annex 1B.

Disability within the Federal Legal Framework

Canadian laws and regulations protect the equality of rights of people with disabilities. The 1982 *Charter of Rights and Freedoms* prohibits discrimination on the grounds of mental or physical disability and governs relationships between a private individual and government entities. *The Canadian Human Rights Act* of 1985 seeks to prevent discrimination and improve access to employment, services and facilities in all areas of federal jurisdiction.

Other laws define the duties and responsibilities of policy makers, employers and unions in removing discriminatory practices, providing accommodation, and ensuring equal and respectful treatment of persons with disabilities.

Please review the resources in Annex 1C for information on the federal laws and regulations concerning people with disabilities.

Policies, programs and services for people with disabilities should assist in overcoming barriers to participation in society. These barriers can include barriers to accommodation (physical, communication, etc.), language and communication, learning and training, and safety and security. The following sections outline some of the key barriers to participation for people with disabilities.

Accommodation

The Government of Canada's commitment to ensuring the equality of people with disabilities is expressed, in particular, through the Treasury Board Secretariat's *Policy on the Duty to Accommodate Persons with Disabilities in the Federal Public Service*. The policy strives to create and maintain an inclusive, barrier-free environment in the federal public service. It commits federal government employers to "eliminating or changing rules, policies, practices and behaviours that discriminate against persons based on a groups' characteristics… including disability". These policy objectives are achieved through the identification and removal of barriers to the employment and career development of persons with disabilities, and through the accommodation of individuals when these barriers cannot be removed.

Please review the Duty to Accommodate policy in Annex 1E.

To enable people with disabilities to overcome physical, technological, or informational barriers, various types of accommodation may be required, including:

- physical accommodation;
- communication accommodation;
- assistive accommodation through technological and human support; and
- procedural accommodation through flexible work/educational schedules and alternate formats.

Analysts should be aware of the appropriate accommodations required, and incorporate them into each stage of policy design, implementation and evaluation.

Links to tools, policies, guides and other sources of information on accommodation are provided in Annex 1E.

Communication

It is important to note that all government documents should use appropriate and inclusive language that helps to eliminate the stigma of disability and the perception of people with disabilities as "dependent". For examples of terms that promote equality, independence, and value of all individuals in society, please consult *A Way with Words and Images* in **Annex 1A**.

Safety and Security

Safety and protection from victimization are essential for all Canadians. People with disabilities can experience higher levels of victimization in the form of abuse, violence, neglect, harassment or discrimination, often because of economic and physical vulnerability. Every effort should be made to empower people with disabilities by increasing their knowledge of self-protection and protective environments, as well as by helping them recognize personal vulnerabilities and environmental risk factors.

Links to tools, policies, guides and other sources of information on safety and security are provided in Annex 1D.

Key Stakeholders

There are a number of national, provincial, and local disability organizations within Canada. Disability organizations hold important first-hand knowledge and expertise on disability-related issues. Stakeholder consultation is an effective way to tap into this expertise, as is engaging individuals with disabilities and their families in the policy-making process.

For a list of national disability organizations, please consult the following link: **http://www.ilcanada.ca/article/national-disability-organizations-334.asp**

The names of over 5,000 national, provincial, and local disability organizations are listed at: **http://www.abilities.ca/agc/disability_organization/**

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Key Policy Publications

Over the past few decades, a number of publications, position papers and court decisions have helped shape disability policy in Canada. Human Resources and Skills Development Canada (HRSDC), through the Office for Disability Issues, releases annual reports intended to further knowledge on disability issues in Canada. The reports provide an overview of existing data, knowledge gaps, and accessibility supports available to people with disabilities.

The reports can be accessed through HRSDC's website: **http://www.hrsdc.gc.ca/eng/disability_issues/ reports/index.shtml**

For a comprehensive list of key disability policy publications and Supreme Court of Canada decisions, please consult Annex 1F.

Guiding Principles

The key principles that informed the development of the Guide include full participation, equality of opportunity, opportunity for independent living, and economic self-sufficiency. These principles are modelled after the General Principles of the *United Nations Convention on the Rights of Persons with Disabilities.*

▸ Full Participation
Physical, technological and cultural barriers can limit a person's ability to participate fully in society, the economy and the community. Breaking down these barriers can help facilitate the full inclusion and participation of people with disabilities.

▸ Equality of Opportunity
Every person with a disability should have the opportunity to remain in his or her local community and receive needed supports from mainstream education, health, employment, and social services, as well as specialized services and supports where required.

▸ Opportunity for Independent Living
The principle of independent living advocates for a society where people with disabilities have opportunities to live life to its fullest and take advantage of what society has to offer. Independent living enables people with disabilities to self-actualize and fulfill their rights and responsibilities as Canadian citizens.

▸ Economic Self-Sufficiency
Promoting self-sufficiency and independence is of key importance to program design and service delivery. While individual needs will differ, the starting presumption should be one of independence, rather than dependence, with public services providing the support needed to maximize the self-sufficiency of people with disabilities.

Research and Knowledge Development

This section will help to ensure that people with disabilities are considered and included in each stage of research and knowledge development.

Key Considerations:

▶ Developing inclusive policies, programs and services requires adequate knowledge of the conditions of all Canadians, including those with disabilities. Research is needed on the social, economic and participation issues that affect the lives of people with disabilities and their families.

▶ When designing research projects and data collection instruments such as surveys or polls, specific issues that impact people with disabilities need to be considered. Researchers should ask themselves what knowledge gaps remain and what further research is required on the issue. The expertise of the Office for Disability Issues or recognized community organizations may be helpful in identifying potential knowledge gaps.

▶ It is essential that all research projects be conducted in a manner that takes into account the unique needs and situations of people with disabilities so that they can fully participate in the research process. This may require additional considerations and accommodation.

▶ People with disabilities should be able to access, interpret and benefit from the results of research and knowledge development projects. Sharing the knowledge that is gained from research is key to building an inclusive society. It is important to share research results with other branches and departments, and where appropriate, with disability organizations.

Research Design

Checklist:

❑ Have you identified information gaps about people with disabilities in relation to your research or policy area?

❑ When you design research projects and data collection instruments such as surveys or polls, do you consult with people with disabilities or the organizations who represent their interests on the content and format?

❑ When you design research projects and data collection instruments such as surveys or polls, do you include people with disabilities or the organizations who represent their interests in your target sample? If not, is there a justifiable reason to not include them?

❑ When conducting research related to people with disabilities, do you examine multiple facets of the issue?

Examples of issues to consider:

- population (e.g., women, Aboriginal people, seniors, children and youth);
- disability type (e.g., sensory, physical, mental);
- cause of disability (e.g., genetic, illness, injury, aging);
- severity and frequency of disability;
- geographic distribution; and
- barriers to full participation (e.g., income, access to transportation, employment, education, housing, supports).

Conducting Research

Checklist:

❏ Are research mechanisms, such as surveys, polls, and consultation exercises, conducted in a format accessible to people with disabilities?

❏ If conducting on-site research, have the transportation, communication, equipment and physical access needs of proposed participants been considered?

❏ Have you ensured that all participants have had the opportunity to request accommodation?

❏ Does the data/research collected include quantitative and qualitative information about people with disabilities?

Analysing and Disseminating Research Findings

Checklist:

❏ When assessing research outcomes, do you consider the impact on people with disabilities?

❏ Are results presented and disseminated in a way that is accessible to people with disabilities?

Links to tools, policies, guides and other sources of information on research and knowledge development are provided in Annex 2.

Policy and Program Development

This section shows how you can ensure that policies, programs and services are, from the outset, designed to be inclusive of people with disabilities.

Key Considerations:

▶ Any decision by government may have an impact on people with disabilities. It is necessary to ensure that government policies and practices do not have unintended negative consequences on people with disabilities and their families. To prevent barriers to accessibility, policy and program design should consider the needs of people with various types of disabilities, and allocate sufficient funds for disability-related costs and expenses.

▶ People with disabilities are the leading voice on issues related to the experience of disability. Involving people with disabilities and disability organizations in the policy-making process helps ensure that people with disabilities are integrated into community life on their own terms and that their priorities, goals and aspirations are reflected in government policies, programs and services.

▶ People with disabilities are not a homogeneous group. There can be considerable variations in the type and severity of disability. Government policies and programs should ensure equality of access to support services regardless of gender, age, cultural background, type of disability, or how the disability was acquired. In addition, every effort should be made to ensure that people with disabilities can access, read and understand all information that is made available to the public.

It is necessary to ensure that government policies and practices
do not have unintended negative consequences on people with disabilities
and their families. To prevent barriers to accessibility, policy and program design
should consider the needs of people with various types of disabilities.

Policy Design

Checklist:

❏ Have you considered the needs of people with disabilities and the impact of your policies or programs on people with disabilities?

❏ Have you consulted existing data sources on people with disabilities that can be used to inform policy or program design?

Please see Annex 2 for a list of key statistical resources.

❏ Does the data on which your policy is based include quantitative and qualitative information about people with disabilities?

❏ Have you consulted with internal experts on disability issues on the design of your policy or program?

❏ Have you consulted with people with disabilities and disability organizations, where appropriate, on the design of your policy or program?

Please see Key Stakeholder Links on page 4.

❏ Is your policy or program design consistent with legislation, Treasury Board policy or specific departmental guidelines that require inclusive or non-discriminatory approaches?

Please see Annex 1C for a list of key resources.

❏ Is your policy designed in such a way as to ensure that there are no obstacles in the physical environment that would prevent people with diverse physical abilities from fully participating?

❏ Does your budget contain sufficient funds to cover costs for the accommodation of people with disabilities, such as sign language interpretation, Braille and/or wheelchair access?

Policy Implementation

 Checklist:

❏ Have you ensured that there will be no physical or technological barriers that would prevent people with disabilities from benefiting from your policy or program?

❏ Have you considered the needs of special client groups such as Aboriginal people or immigrants with disabilities, who may experience additional challenges because of cultural characteristics and geographical barriers?

❏ In training for service providers, is there a mandatory component dedicated to diversity, accessibility and inclusion?

❏ If your program is delivered by a third party, do you ensure that they have the capacity necessary to ensure accessibility and usability by all Canadians?

Policy Communication

 Checklist:

❏ Do you use inclusive images and language that focus on ability rather than disability to convey messages about your program or service?

❏ Do you include positive images of people with disabilities in publications and reports, promotional and educational materials, and advertising campaigns?

❏ Do your activities/initiatives use every opportunity to challenge stereotypes that promote dependency, isolation and powerlessness?

❏ Do your activities/initiatives aim to increase knowledge within the disability sector of self-protection and protective environments, as well as recognition of personal vulnerabilities and environmental risk factors?

❏ Is the information you provide about your policy or program available in accessible multiple formats such as Braille, audio format, large print, captioning, clear and concise language?

Policy Evaluation

 Checklist:

❏ Will your evaluation mechanisms measure the efficacy of your policy or program for people with disabilities?

❏ Will you be able to consult people with disabilities in your evaluation process by providing sign language interpretation and/or DeafBlind interpretation?

❏ Is proper accommodation available for people with disabilities in order to ensure accessibility, safety and security?

Links to tools, policies, guides and other sources of information on policy and program development are provided in Annex 2.

Monitoring and Evaluation

This section will help you ensure that monitoring and evaluation frameworks attached to programs and services take into account people with disabilities.

Key Considerations:

The Guide can help ensure that monitoring and evaluation frameworks:

▸ integrate monitoring and evaluation mechanisms into program and service design from the outset, increasing the likelihood that the initiative will achieve positive policy objectives for people with disabilities;

▸ involve stakeholders in the monitoring process by inviting continuous feedback through a formal mechanism that allows everyone to participate in the improvement of a program or service;

▸ identify obstacles and suggest suitable measures that can facilitate the full inclusion of people with disabilities;

▸ raise questions about assumptions and strategies;

▸ use evaluation results to plan and allocate resources for future projects; and

▸ demonstrate results as part of accountability to key stakeholders, including people with disabilities.

 Checklist:

❏ Are you using qualitative as well as quantitative indicators to evaluate the impact of policies and programs on people with disabilities?

❏ Have indicators been included throughout the evaluation framework to assess short-, medium- and long-term impacts?

❏ Have you included indicators that will assess whether the policy or program has contributed to full participation, equality of opportunity, opportunities for independent living, and economic self-sufficiency for people with disabilities?

Examples of such indicators could include whether the policy or program will:

- provide people with disabilities with increased opportunities for social, economic and civic participation;
- reduce disparities for people with disabilities with regard to income, employment, health, housing, education, transportation and information; and
- help people with disabilities overcome barriers to self-sufficiency and independence (e.g., transportation, physical barriers to accessibility, cost, home and work supports).

❏ Are beneficiaries passive recipients or does the process enable them to take part in decision-making processes?

❏ Do your evaluation mechanisms measure whether the policy or program creates any direct or indirect obstacles to the full participation of persons with disabilities? For example:

- lack of supports for disability-related costs (transportation, equipment);
- eligibility criteria which may not be justified;
- physical accessibility; and
- accessible service delivery.

❏ Is the initiative sustainable, or will its impact cease when the program ends? Will there be any specific consequences for people with disabilities if the program's impact does cease?

❏ Do you involve a variety of stakeholders, including people with disabilities, in the creation of solutions when problems are revealed during the monitoring process?

❏ What is the satisfaction rate of people with disabilities participating in the program or receiving the service?

Links to tools, policies, guides and other sources of information on monitoring and evaluation are provided in Annex 3.

Service Design and Delivery

This section will help you to design and deliver services that are accessible from the outset and that can accommodate the needs of people with disabilities.

Key Considerations:

▸ To ensure services are accessible, it is important to be aware of the obstacles encountered by people with disabilities. Obstacles can result from service design (systems, policies and procedures) and service delivery (practices, communications, the physical environment, outreach strategies, and the level of awareness held by service providers about disability).

▸ There can be considerable variation in the type and severity of disability. Because of this, multiple and accessible service-delivery channels are necessary for ensuring equality of opportunity and the full participation of people with disabilities. Extra time and flexible approaches in service delivery may be required.

▸ The way in which information is communicated can have an impact on how people with disabilities perceive a program or service, and on how people with disabilities are perceived. Using language and images that recognize the diversity, ability, and strengths of people with disabilities can help to challenge negative attitudes and promote positive ones.

▸ It is important that those responsible for designing, overseeing and delivering programs and services be provided with training and learning opportunities to raise awareness about disability and accessibility issues. These activities can challenge myths and stereotypes about people with disabilities and lead to an increased understanding of the tangible and intangible barriers they may face.

To ensure services are accessible, it is important to be aware of the obstacles encountered by people with disabilities. Obstacles can result from service design (systems, policies and procedures) and service delivery (practices, communications, the physical environment, outreach strategies, and the level of awareness held by service providers about disability).

Service Delivery Strategies

Checklist:

❑ Are your services delivered in physically accessible locations (e.g., access ramps, automated door openers, accessible parking spaces, accessible elevators, low service counters, accessible washrooms, appropriate lighting)?

❑ Do you provide TTY for telephone service?

❑ Can you arrange for sign language interpretation, given reasonable notice?

❑ Is your information technology (hardware and software) accessible?

❑ Is the information you provide about your programs and services available in multiple accessible formats such as Braille, audio format, large print, captioning, clear and concise language?

❑ Are persons with disabilities informed of the availability of materials in multiple formats?

❑ Is your website accessible?

❑ Do you allow for flexibility in your service delivery? For example:
  • application processes;
  • timelines;
  • management processes; and
  • communication processes.

Training for Accessible Service Delivery

Checklist:

❑ In training for service providers, is there a mandatory component dedicated to diversity, accessibility and inclusion?

❑ Do you provide information on disability-related training courses to your colleagues and employees?

❑ If your program or service is delivered by a third party, do you ensure that they have the capacity (knowledge and understanding of accessibility issues) necessary to ensure usability by all Canadians in the related service agreement and that they are contractually obligated to comply? Considerations include:
  • transportation needs;
  • communication needs;
  • equipment needs; and
  • physical accessibility.

Analysing Service Delivery Strategies

Checklist:

❏ Do you conduct analyses to find out how services are being used by people with disabilities, and if there are any barriers to full participation?

❏ Do you consult with stakeholders and people with disabilities in your analyses to increase the likelihood that solutions are appropriate and practical?

❏ Do you promote measures, solutions, and best practices so that the general public, and most importantly people with disabilities, are made aware of them?

❏ Do you have enough flexibility in your services and programs to adapt processes to respond to accessibility issues?

Communications

Checklist:

❏ Do you provide people with disabilities with appropriate and accessible information so they can make informed choices?

❏ Do you provide family caregivers and other members of a person's network with the tools, knowledge and resources they need to support that individual?

❏ Do you use inclusive images and language that focus on ability rather than disability to convey messages about your program or service?

❏ Do you include positive images of people with disabilities in publications and reports, promotional and educational materials, and advertising campaigns?

❏ Do you engage key stakeholder organizations in outreach and distribution strategies?

Links to tools, policies, guides and other sources of information on service design and delivery are provided in Annex 4.

Summary Checklist

1. Have you considered the impact of your policy or program on people with disabilities? ❏

2. Have you consulted the Canadian legislative framework that protects the equality of rights of people with disabilities? ❏

3. Does the data/research collected to inform the development of your policy or program include quantitative and qualitative information about people with disabilities? ❏

4. What analyses have you conducted to examine the impact of your policy or program on people with disabilities? ❏

5. Have you consulted disability experts, including people with disabilities, about the design of your policy or program? ❏

6. Does your policy, program or service help people with disabilities overcome barriers to accessibility, training, safety and security so that they can live as self-sufficiently as they wish? ❏

7. What steps could be taken to leverage the policy / program / service direction in favour of vulnerable groups / people with disabilities? ❏

8. Have you ensured that people with disabilities have the information to make informed choices? For example, will you provide forms and other communications products in plain language and in a variety of alternate accessible formats, such as Braille and large print? ❏

9. Have you used inclusive images and language to convey messages about your policy or program? ❏

10. Will your evaluation mechanisms measure the efficacy of your policy, program or service for people with disabilities? ❏

ANNEXES

1A. Defining Disability in Canada

The Government of Canada does not have a single, official definition of disability. However, it is advisable to consult the definitions of disability used by the World Health Organization (WHO) and by the United Nations (UN) in its *Convention on the Rights of Persons with Disabilities*.

According to the WHO, disabilities are not defined in terms of specific categories of individuals, but rather, as the interactions between people and the societies in which they live. For a complete explanation of the WHO's approach to disability, please consult the following link:
http://www.who.int/classifications/icf/en/index.html

The UN *Convention on the Rights of Persons with Disabilities* describes persons with disabilities as those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others. For more information, please consult the following link:
http://www.un.org/disabilities/convention/conventionfull.shtml

People with disabilities often face the stigma of being labelled "dependent." These types of labels are offensive, as they ignore the abilities of people with disabilities and their real and potential contribution to society. In order to contribute to an inclusive environment for people with disabilities, it is essential to use terms that promote equality, independence and value of all individuals in society. For more information on correct usage of terms pertaining to people with disabilities, please review the following document:

A Way with Words and Images
http://www.rhdcc.gc.ca/eng/disability_issues/reports/way_with_words/index.shtml

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It is advisable to consult the definitions of disability used by the
World Health Organization (WHO) and by the United Nations (UN) in its
Convention on the Rights of Persons with Disabilities.

1B. Disability in Canada: Demographic Profile

This annex provides a statistical snapshot of people with disabilities in Canada.

General Observations

- There are roughly 4.4 million children and adults with disabilities in Canada. The overall disability rate in Canada rose from 12.4% in 2001 to 14.3% in 2006, meaning that approximately one in seven Canadians reported having a disability.

- There was an increase in reported disability in all age groups, particularly among adults over 65 (up about 3%, to 43.2% in 2006). This increase is due in part to the aging population and an increase in reported learning disabilities.

- The most common types of disabilities among adults are pain-, mobility-, and agility-related disabilities. These three disability types saw large increases in the incidence rate from 2001 to 2006, which is partially attributable to the larger percentage of seniors reporting these disabilities relative to the total population.

Disability Supports and Services

- Adults with disabilities were more likely to have their requirements for aids and devices fully met in 2006 than in 2001.

- In 2006, 56.5% of adults with learning disabilities who required aids and devices had their needs fully met, up 17.4% from 2001. However, adults with communication disabilities experienced a drop in their level of met needs, with just over one-quarter having their needs fully met in 2006.

Education and Training

- Overall rates of inclusion and educational attainment increased between 2001 and 2006, with the majority of people with disabilities obtaining a high school diploma.

- Education rates have also increased by 12.3% since 2001, with 74.6% of working-age adults with disabilities obtaining a high school diploma or higher educational certification.

- However, working age adults with disabilities (aged 15 to 64) are still less likely to have completed post-secondary education (39.8%) than those without disabilities (47.9%).

- The income gap between people with disabilities with a university degree and their counterparts without disabilities is $15,160.

Employment and Income

- Since 2001, the employment rate for working-age Canadians with disabilities has increased by 4%, reaching 53.5% in 2006.

- Labour force attachment and the employment rate for people with disabilities increased during a period of economic expansion between 2001 and 2006, notably growth in full-time year-round employment and in the employment of women with disabilities. However, there continues to be a sizeable gender gap in annual salaries, with women with disabilities earning approximately $11,000 less per year than men with disabilities.

- The gap in total income between adults with and without disabilities increased slightly between 2001 and 2006. However, the gap between seniors with and without disabilities that was present in 2001 decreased by over half.

Disability Rates by Age Group

▸ Approximately one in seven Canadians has a disability. The disability rate among children aged 5 to 14 has seen a notable increase (from 4.0% to 4.6%), as has the disability rate among adults of all ages. The disability rate for children aged 0 to 4 remained stable.

▸ 43.4% of Canadians aged 65 and over, and over half (56.3%) of persons aged 75 and over report having a disability.

▸ The proportion of Canadians aged 65 and older in the population is expected to increase from 13.7% in 2006 to between 23% and 25% by 2031.

▸ As people age, they are more likely to acquire a physical rather than a mental disability (e.g., difficulties with mobility, agility, hearing, vision and pain).

Sources:

Statistics Canada, Social and Aboriginal Statistics Division (2007). *The 2006 Participation and Activity Limitation Survey: Disability in Canada.* (Catalogue no. 89-628-X No. 2). Prevalence of disability in Canada 2006, Ottawa, ON.

Statistics Canada (2005). *Population Projections for Canada, Provinces and Territories.* (Catalogue no. 91-520-XWE), Ottawa, ON.

Statistics Canada, Social and Aboriginal Statistics Division (2006). *Participation and Activity Limitation Survey 2006: An Analytical Report.* (Catalogue no. 89-628-XIE No. 002), Ottawa, ON.

1C. Disability within the Federal Legal Framework

a. Anti-discrimination legislation:

▸ *Charter of Rights and Freedoms*: The Charter guarantees rights and freedoms to all Canadians, including those with mental or physical disability. **http://laws.justice.gc.ca/en/charter/**

▸ *Canadian Human Rights Act*: The Act ensures equality of opportunity and freedom from discrimination in all areas of federal jurisdiction. Federal jurisdiction includes federal departments, agencies and Crown corporations. **http://laws.justice.gc.ca/en/H-6/index.html**

b. Ad hoc legislation with disability provisions:

▸ *Canada Evidence Act*: The Act regulates evidence-gathering involving persons with mental and physical disabilities. **http://laws.justice.gc.ca/en/C-5/**

▸ *Criminal Code*: The Code ensures the protection of persons with mental and physical disabilities. **http://laws-lois.justice.gc.ca/eng/acts/C-46/**

▸ *Employment Equity Act*: The Act ensures that federally regulated employers provide equal opportunities for employment to the four designated groups: women, Aboriginal peoples, persons with disabilities, and visible minorities. Federally regulated employers include federal departments, agencies and Crown corporations. **http://laws.justice.gc.ca/en/E-5.401/**

c. Treasury Board Secretariat policies:

▸ *Communications Policy of the Government of Canada*: The Policy aims to ensure that communications across the Government of Canada are well coordinated, effectively managed, and responsive to the diverse information needs of the public. This includes requiring that published information be available on request in multiple formats to accommodate persons with disabilities. For more information about the Communications Policy, see:
http://www.tbs-sct.gc.ca/pubs_pol/sipubs/comm/comm_e.asp

▸ *Policy on the Duty to Accommodate Persons with Disabilities in the Federal Public Service* (Treasury Board and Public Service Commission): The Policy aims to ensure the full participation of federal employees by creating an inclusive, barrier-free environment in the federal public service through accommodation, the design of accessible systems, and the identification and removal of barriers
http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12541

d. Individual programs and services subject to specific legislation requiring inclusive approaches:

▸ *Elections Act:* The Act requires that polling stations be accessible (e.g., providing material in multiple formats, open and closed caption videotapes for voters who are hearing impaired, a voting template for people with visual disabilities, and many other services).
http://laws.justice.gc.ca/eng/E-2.01/page-1.html

To **search for federal legislation** that might be relevant to your particular program or service, visit:
http://laws-lois.justice.gc.ca/eng/index.html.

1D. Safety and Security Resources

a. Planning for Safety: Evacuating People Who Need Assistance in an Emergency is a guide that provides building occupants and emergency managers with information regarding the needs of at-risk individuals in emergencies, along with practical strategies to ensure their safety.
http://www.rhdcc-hrsdc.gc.ca/eng/disability_issues/doc/pfs/page00.shtml

b. The *Federal Elder Abuse Initiative* launched a public awareness campaign to help seniors and others recognize the signs and symptoms of elder abuse. It also provides information on supports available to seniors.
http://www.seniors.gc.ca

c. On its website, the *Canadian Network for the Prevention of Elder Abuse / Réseau canadien pour la prévention des mauvais traitements envers les aîné(e)s* provides information to raise awareness of key issues around abuse and neglect in later life and to ensure that older adults are treated as full citizens in Canadian society.
http://www.cnpea.ca/

d. In 2007-2008, the *Canadian Centre on Disability Studies* conducted a participatory action research project entitled *Aging with Disabilities.* The results of the research led to the development of recommendations for policies, programs and services to more effectively assist individuals aging with disabilities.
www.agingwithdisabilities.com

1E. Accommodation Resources

This annex provides resources on different types of accommodation.

a. General Accommodation:

▶ T*he Policy on the Duty to Accommodate Persons with Disabilities in the Federal Public Service* (Treasury Board / Public Service Commission) can be found at:
http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12541

▶ *Creating a Welcoming Workplace for Employees with Disabilities* provides a range of suggestions on things such as how to communicate with employees with disabilities to create a more inclusive workplace.
http://www.tbs-sct.gc.ca/pubs_pol/hrpubs/tb_852/cwwed1-eng.asp

▶ *Accessibility Experts* provides resources and links regarding alternate formats, accessible websites, legislation and government information.
http://www.accessibilityexperts.ca/resources.php

▶ Ontario's Ministry of Community and Social Services has a *Make Information Accessible* website that provides information on alternate formats, assistive technologies and web accessibility.
http://www.mcss.gov.on.ca/en/accesson/tools/making_information_accessible.aspx

▶ The Ontario Human Rights Commission's *Guidelines on Accessible Education* provides an overview of the principles of accommodation and the steps required to promote the full participation of students with disabilities.
**http://www.ohrc.on.ca/en/resources/Guides/AccessibleEducation?page=
AccessibleEducation-PRINCIPL.html**

▶ *The Guide to Planning Inclusive Meetings* provides meeting and conference organizers with practical tips and advice to ensure the full participation of people with disabilities.
http://www.hrsdc.gc.ca/eng/disability_issues/doc/gpim/page00.shtml

b. Physical Accommodation:

▶ The 2006 Treasury Board *Policy on the Management of Real Property* holds deputy heads responsible for providing barrier-free access to, use of and exit from, federal properties in accordance with the 2006 *Accessibility Standard for Real Property.*
http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12044

▶ The Canadian Standards Association's *Accessible Design for the Built Environment* (CSA-B651) contains requirements for making buildings and other facilities accessible to people with a range of physical, sensory, and cognitive disabilities. It is available for purchase at:
http://shop.csa.ca/en/canada/accessibility/cancsa-b651-04-r2010/invt/27021232004/

▶ *The Americans with Disabilities Act Checklist for Readily Achievable Barrier Removal* is a comprehensive guide to architectural and communication barriers that may require accommodation adjustments in public spaces.
http://www.ada.gov/checktxt.htm

c. Communication:

‣ The Treasury Board Secretariat's *Communications Policy of the Government of Canada* requires that information published by the federal government be available upon request in multiple formats to accommodate people with disabilities.
http://www.tbs-sct.gc.ca/pubs_pol/sipubs/comm/comm_e.asp

‣ The *Common Look and Feel 2.0 (CLF)* website assists federal departments and agencies with the implementation of Treasury Board CLF standards. CLF includes universal accessibility standards to ensure equitable access to all content on federal websites.
http://www.tbs-sct.gc.ca/clf2-nsi2/index-eng.asp

‣ The *E-ACT* website is an information resource for federal government employees with disabilities and managers, which identifies appropriate adaptive computer technology solutions for a more productive workplace.
http://publiservice.gc.ca/services/act-tia/10a_e.html

‣ The *Canadian Radio-television and Telecommunications Commission guidelines* look at documents in alternate formats for people with disabilities.
http://www.crtc.gc.ca/eng/info_sht/t1036.htm

‣ The *Broadcasting and Telecom Regulatory Policy CRTC 2009-430* addresses unresolved issues related to the accessibility of services for people with disabilities.
http://www.crtc.gc.ca/eng/archive/2009/2009-430.htm

‣ The *DAISY Consortium* is an international association that develops, maintains and promotes international DAISY (Digital Accessible Information System) standards. *The DAISY Consortium's mission is to develop and promote international standards and technologies that enable equal access to information and knowledge by all people with print disabilities.*
http://www.daisy.org/

‣ An *Alternate Format Educational Presentation*, along with other alternate format materials, is provided on the Accessible Resource Centre – BC site.
http://www.setbc.org/setbc/curriculum/arc_main.html

‣ *Designing the Web for People with Disabilities* identifies common problems with inaccessible websites and outlines strategies and resources people can use to make them accessible.
http://www.paciellogroup.com/resources/whitepapers/WPDesignWebAccess.htm

‣ *Designing More Usable Web Sites* is a large database that includes accessible website guidelines, access tools, and information on accessibility.
http://trace.wisc.edu/world/web/index.html

‣ The *Manager's Guide to Multiple Format Production* provides tools needed to produce multiple formats for people with visual, hearing and learning disabilities.
http://www.collectionscanada.gc.ca/accessinfo/005003-4200-e.html

‣ The *online tutorial for the Manager's Guide to Multiple Formats* is an interactive learning tool that provides information about multiple formats, and how to facilitate and implement their production
http://www.at-links.gc.ca/guide/zx30000e.asp

d. Assistive Technology:

▸ *Assistive Technology Links* includes resources on the Canadian Assistive Devices Industry, development groups, and the acquisition of assistive devices.
http://www.at-links.gc.ca/zx10000e.asp

▸ *The Workplace Accommodation Toolkit* provides information about different assistive technologies, services and accommodations that are available to people with disabilities.
http://www.apt.gc.ca/wat/wb10000e.asp

▸ *Assistive Technology Tools, Tips and Tricks* contains information and resources on assistive technology that targets students and adults with learning disabilities or other cognitive challenges.
http://www.nsnet.org/atc/tools/contents.html

▸ Environment Canada's *Adaptive Computer Technology Program* assists with the workplace integration of people with visual-, mobility- or sensory-related disabilities who require computer access. Environment Canada currently provides Adaptive Computer Technology services to other government departments.
http://www.ec.gc.ca/act-tia/

e. Procedural Accommodation:

▸ *Barrier-Free Employers: Practical Guide for Employment Accommodation for People with Disabilities* is the Canadian Human Rights Commission's online guide to employment accommodation. It is intended to assist employers, managers, and HR officers.
http://dawn.thot.net/employment_accommodation.html#accom

▸ The purpose of the *Guide for Assessing Persons with Disabilities* is to provide practical guidance on decisions about the changes or modifications to assessment tools and procedures to accommodate the needs of people with disabilities within an appointment process.
http://www.psc-cfp.gc.ca/plcy-pltq/guides/assessment-evaluation/apwd-eph/index-eng.htm

Table 1.1 – Key Publications

Year	Title	Significance
2006	*Out of the Shadows at Last: Transforming Mental Health, Mental Illness and Addiction Services in Canada* **http://www.parl.gc.ca/39/1/ parlbus/commbus/senate/ com-e/soci-e/rep-e/ rep02may06-e.htm**	Final Report of the Standing Senate Committee on Social Affairs, Science and Technology. This was the first national report on mental health and led to the creation of the Mental Health Commission of Canada in August 2007.
2006 – present	*Federal Disability Report* **http://www.rhdcc-hrsdc. gc.ca/eng/disability_issues/ reports/fdr/2010/page00. shtml**	Human Resources and Skills Development Canada, through the Office for Disability Issues, releases annual reports intended to further knowledge on disability issues in Canada. The reports provide an overview of existing data, knowledge gaps, and accessibility supports available to people with disabilities.
2001	World Health Organization releases new framework, *the International Classification of Functioning, Disability and Health (ICF)* **http://www.who.int/ classifications/icf/en/**	The ICF intended to "mainstream" the experience of disability and recognize it as a universal human experience by shifting the focus from cause to impact. The ICF takes into account the social aspects of disability and does not see disability only as a medical or biological dysfunction.
1999	*Reflecting Independence: Disability, Parliament, Government and the Community* **http://www2.parl.gc.ca/ HousePublications/ Publication.aspx?DocId=103 1608&Language=E&Mode=1 &Parl=36&Ses=1**	Sixth Interim Report of the Standing Committee on Human Resources Development and the Status of Persons with Disabilities.

Table 1.2 – Key Court Decisions

Year	Title	Significance
2010	*Donna Jodhan v. Canada (Attorney General)*	The Federal Court of Appeal (FCA) confirmed that section 15[1] of the *Canadian Charter of Rights and Freedoms* guarantees a right to equal access to government information and services provided online to the public. The FCA further confirmed that the requirement to provide equal access over the Internet does not apply to government historical and/or archived information which is stored in a database. The FCA upheld the Federal Court's finding that, on the facts of this case, the failure to ensure equal access by Ms. Jodhan and by those who are visually impaired unjustifiably violated her rights under section 15[1]. The FCA declared that the Treasury Board is required to use its best efforts to ensure the implementation of its Web accessibility standards by federal government institutions under its supervision.
2007	*Council of Canadians with Disabilities v. VIA Rail Canada Inc.*	The Supreme Court of Canada confirmed that the Canadian Transport Agency must apply human rights legislation in identifying undue obstacles to the mobility of people with disabilities.
2003	*Nova Scotia v. Martin; Nova Scotia v. Laseur,* 2 S.C.R. 504, SCC 54	The Supreme Court overturned the previous decision of *Cooper v. Canada (Human Rights Commission)* (1996), and struck down provisions within Nova Scotia's Workers' Compensation Act that prohibited people who were disabled by chronic pain from benefits as a violation of section 15(1) of the *Canadian Charter of Rights and Freedoms*.
2000	*Granovsky v. Canada (Minister of Employment and Immigration)*	The Supreme Court reviewed whether a person with a temporary disability should receive the same treatment as someone with a permanent disability under Canada Pension Plan (CPP) eligibility requirements. The Court viewed the basis of the distinction between persons with permanent and temporary disabilities as one which was founded upon the recognition that those with temporary disabilities enjoy greater economic strength than those with permanent disabilities. The case was dismissed.

Year	Title	Significance
2000	*Quebec (Commission des droits de la personne et des droits de la jeunesse) v. Montréal (City); Quebec (Commission des droits de la personne et des droits de la jeunesse) v. Boisbriand (City),* 1 S.C.R. 665	The issue raised in three separate cases was whether it is necessary to manifest "functional limitations" for a person to have a disability. The municipal employers claimed that it is, entitling an employer to fire or refuse to hire someone with a (potential) disability even if he or she was not currently manifesting symptoms. The Supreme Court of Canada concluded that there can be a disability even in the absence of functional limitations. Perception of disability can itself create barriers of the type that human rights legislation is designed to remove. Thus, a purposive interpretation makes it necessary to adopt a broad notion of disability in human rights legislation.[1]
1997	*Eaton v. Brant County Board of Education,* 1 S.C.R. 241	The Supreme Court of Canada ruled that the decision of a school board to place a child with disabilities in a class for children with special needs does not amount to discrimination.
	Eldridge v. British Columbia (Attorney General), 3 S.C.R. 624	The Supreme Court ruled that sign language interpretation should be a free service under the *Canada Health Act* (Medicare). This decision has been interpreted to apply to all publicly funded services.
1993	*Rodriguez v. British Columbia (Attorney General),* 3 S.C.R. 519	Supreme Court of Canada decision where the prohibition of assisted suicide was challenged as contrary to the *Canadian Charter of Rights and Freedoms* by a terminally ill mother. In a 5 to 4 decision, the Court upheld the provision in the *Criminal Code* of Canada.
2010	*Ontario (Disability Support Program) v. Tranchemontagne*	The Ontario Court of Appeal upheld a decision of the Social Benefits Tribunal, which had found that s. 5[2] of the *Ontario Disability Support Programs Act* (Act) was discriminatory under section 1 of the Ontario Human Rights Code. The provision disqualified one category of people with disabilities, who were otherwise eligible, from income benefits under the Act: those who have a disability solely because of dependence on alcohol, drugs or some other chemically active substance.

Year	Title	Significance
1986	*E v. Eve, 2 S.C.R. 388*	Supreme Court of Canada decision that the non-therapeutic sterilization of adults requiring a substitute decision maker because of legal incapacity cannot be authorized by the courts.

1   Pothier, D. (2005). Appendix: Legal Developments in the Supreme Court of Canada Regarding Disability.

2. Research, Knowledge, Policy and Program Development Resources

a. *Disability in Canada: A 2006 Profile* outlines the key findings of the Participation and Activity Limitation Survey and illustrates the types of information collected about people with disabilities.
http://www.hrsdc.gc.ca/eng/disability_issues/reports/disability_profile/2011/index.shtml

b. The 2010 *Federal Disability Report* is an annual report designed to inform policy makers and the Canadian public on the status of Canadians with disabilities. The report presents statistics exploring standard of living, health, education, employment and community participation. The report is intended to serve as a reference when serving people with disabilities, and for policy and program work.
http://www.hrsdc.gc.ca/eng/disability_issues/reports/fdr/2010/page00.shtml

c. *Advancing the Inclusion of People with Disabilities 2009* is the Government of Canada's seventh annual report on disability. This report analyses the experiences of Canadians with disabilities and tracks progress on disability issues over time.
http://www.hrsdc.gc.ca/eng/disability_issues/reports/fdr/2009/page00.shtml

d. The *National Population Health Survey* was first started in 1994 and is published every two years. The survey targets household residents, healthcare institutions, and the northern population. It collects information about health status, use of health services, determinants of health, and a range of demographic and economic information.
http://www.statcan.gc.ca/concepts/nphs-ensp/index-eng.htm

e. The *Workplace and Employee Survey* surveys individual employees and employers. The survey is designed to explore a broad range of issues relating to employers and their employees. This includes the relationships among competitiveness, innovation, technology use and human resource management on the employer side; and technology use, training, job stability and earnings on the employee side. The survey includes information on employees with disabilities.
http://www.statcan.gc.ca/cgi-bin/imdb/p2SV.pl?Function=getSurvey&SDDS=2615&lang=en&db=IMDB&dbg=f&adm=8&dis=2

f. The *National Graduates Survey* aims to obtain information about the relationship between the education/training and labour market experiences of post-secondary graduates. The survey collects information on whether or not respondents have a disability.
http://www.statcan.gc.ca/bsolc/olc-cel/olc-cel?catno=81M0011XCB&lang=eng

g. The *Canadian Disability Studies Association* is a multi-disciplinary, non-profit organization that promotes the exploration of disability through research, publications, artistic production, and teaching. The Association maintains a firm commitment to supporting research and scholarship that is fully inclusive of and informed by the perspectives of people with disabilities.
http://www.cdsa-acei.ca/

h. The *Canadian Centre on Disability Studies* affiliated with the University of Manitoba and the University of Winnipeg, is dedicated to research, education and information dissemination on disability issues. It is guided by the philosophies of independent living, emphasizing human rights, equality, and full and valued participation of all citizens in the community. The Centre is committed to fostering a spirit of collaboration between the disability community, academia, the government, and the private sector on issues of mutual concern and benefit.
http://www.disabilitystudies.ca/

i. The *Abilities Magazine* website is a site for people with disabilities and the stakeholder community to engage in dialogue around important issues. An article entitled *Independent Living and Participatory Action Research* showcases three Canadian disability studies that effectively utilized participatory action research.
http://www.abilities.ca/independent_living/2008/12/08/participatory_action_research/

j. *Disability Studies Quarterly* is the journal of the Society for Disability Studies. It is a multi-disciplinary and international journal of interest to social scientists, scholars in the humanities, disability rights advocates, creative writers, and others concerned with issues impacting people with disabilities. It represents a full range of methods, epistemologies, perspectives and content.
http://www.dsq-sds.org/

k. The *Census of the Population* cross-sectional survey provides socio-cultural and demographic data for all provinces and territories. Disability questions are available upon request.
http://www12.statcan.ca/census-recensement/2006/rt-td/pd-pl-eng.cfm

l. Health Surveys:

  ▶ *Canadian Community Health Survey*
  The survey provides frequently updated information on health status, determinants of health, and the use of the health care system. The survey contains questions on disability.
  http://www.statcan.gc.ca/concepts/health-sante/index-eng.htm

  ▶ *National Population Health Survey*
  The survey provides some longitudinal information on health status, determinants of health, and some disability-related information.
  http://www.statcan.gc.ca/concepts/nphs-ensp/index-eng.htm

m. Social Surveys:

▶ *General Social Survey*
This is an annual survey of persons 15 years of age and older in 10 provinces. It uses the standard Participation and Activity Limitation Survey screening questions. The survey permits comparisons to people without disabilities.
http://www.norc.org/GSS+Website/

▶ *Survey of Household Spending*
The survey provides information on spending patterns, housing, income and social program use. It also uses an abridged disability filter to identify people with disabilities.
http://www.statcan.gc.ca/cgi-bin/imdb/p2SV.pl?Function=getSurvey&SDDS=3508&lang= en&db=imdb&adm=8&dis=2

n. Labour Market Surveys:

▶ *Workplace and Employee Survey*
This is a cross-sectional and partially longitudinal survey that samples both employees and employers. Data provided includes information on employers, workplaces and jobs (competitiveness, innovation, technology, human resource practices, training and promotional opportunities, structure of workplace). The survey includes information on employees with disabilities.
http://www.statcan.gc.ca/cgi-bin/imdb/p2SV.pl?Function=getSurvey&SDDS=2615&lang= en&db=imdb&adm=8&dis=2

▶ *Survey of Labour and Income Dynamics*
The survey provides detailed information on the labour force, schooling, family composition, and income and benefit coverage.
http://www.statcan.gc.ca/cgi-bin/imdb/p2SV.pl?Function=getSurvey&SDDS=3889&lang= en&db=imdb&adm=8&dis=2

o. Children and Youth:

▶ *National Longitudinal Survey of Children and Youth*
This survey has provided cross-sectional and longitudinal data on children in Canada since the early 1990s. The disability screening questions for children are based upon a combination of activity limitations and chronic illness.
http://www.statcan.gc.ca/cgi-bin/imdb/p2SV.pl?Function=getSurvey&SDDS=4450&lang= en&db=imdb&adm=8&dis=2

▶ *Youth in Transition Survey*
This survey provides only longitudinal data for two cohorts of youth beginning with Cycle 1 in 2000 through to Cycle 5 in 2006-2007. It contains transitional data concerning schooling, apprenticeships, training, employment, support networks, attitudes, measures of engagement, and sense of belonging.
http://www.statcan.gc.ca/cgi-bin/imdb/p2SV.pl?Function=getSurvey&SDDS=4435&lang= en&db=imdb&adm=8&dis=2

3. Monitoring and Evaluation Resources

Examples of Government of Canada disability program evaluations:

▶ *Summative Evaluation of the Social Development Partnerships Program – June 2009*: Assesses the rationale and relevance, results, cost-effectiveness and some aspects of the design and delivery of the program for the period from April 2003 to March 2007.
http://www.hrsdc.gc.ca/eng/publications_resources/evaluation/2009/sdpp/page00.shtml

▶ *Summative Evaluation of the Opportunities Fund for Persons with Disabilities* – May 2008: Measures the effectiveness, impacts and effects of the Opportunities Fund on people with disabilities.
http://www.hrsdc.gc.ca/eng/publications_resources/evaluation/2008/ofpd/page10.shtml

4. Service Design and Delivery Resources

▶ *CSA B480-02, Customer Service Standard for People with Disabilities*, provides assistance in the planning and implementation of good service delivery for all clients, including those with disabilities. Available for purchase at:
http://www.shopcsa.ca/OnlineStore/GetCatalogDrillDown.asp?Parent=3081

▶ The *Accessible Procurement Toolkit* includes specific requirements that procurement officers or managers with purchasing authority can add to contracting documents to ensure that products or services will be accessible to the widest range of users.
http://www.apt.gc.ca

▶ *A Way with Words and Images* provides appropriate terminology and imagery for the portrayal of persons with disabilities.
http://www.rhdcc.gc.ca/eng/disability_issues/reports/way_with_words/index.shtml