



Accessible Workplaces: Is the Canadian Nonprofit Sector Falling Behind?

Mary Barroll: Welcome to CharityVillage Connects. I'm your host Mary Barroll.

(SFX: Hummingbird flying and tone)

That's the sound of the Hummingbird pollinating our world and making it a better place. The Hummingbird is CharityVillage's logo because we strive – like the industrious Hummingbird – to make connections across the nonprofit sector and help make positive change.

Over this series of podcasts, we'll explore topics that are vital to the nonprofit sector in Canada. Topics like diversity, equity and inclusion, mental health in the workplace, the gap in female representation in leadership, and many other subjects crucial to the sector.

We'll offer insight that will help you make sense of your life as a nonprofit professional, make connections to help navigate challenges and support for your organization to deliver on its mission.

MUSIC TRANSITION

NEWS CLIP

<https://www.youtube.com/watch?v=C3a0agF1E9g>

"A nation's grief tonight following a horrific bus crash involving the Humboldt Broncos, a junior hockey team from Saskatchewan, 15 people were killed and more than a dozen others injured when the bus was t-boned last night by a transport truck."

NEWS CLIP

<https://www.youtube.com/watch?v=848joR2leB0>

"I hear a scream from the front of the bus, I peek my head down the aisle and he's looking to his right and instantly just a big crash. It was black. And I don't remember much, I don't remember how long I was out for. But remember kind of opening my eyes and looking at all the mayhem in front of me and my first instinct was just to get up. And I go to move, and I'm stuck under something. I go to move again, still stuck and so I look down at my legs to move whatever it is that's holding me down. And I look and there's nothing there and my legs are just in front of me."

Mary Barroll: It was 2018 when a semi-trailer blew through a stop sign and into the Humboldt Broncos team's bus, killing 16 people and injuring 13. Among the injured was Ryan Straschnitzki, who, at the age of 18, was paralyzed from the chest down. Though Ryan became disabled, he never stopped embodying the saying once coined by his former hockey coach: "There's strong, and then there's Straz strong." Becoming a disability advocate, Ryan created the Straz Strong Foundation, with its mission to provide access to adaptive sports rehab and physiotherapy and to spread education about mental and physical disabilities, in the hopes of inspiring us all to work together

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on improving quality of life for people with disabilities. Ryan tells us how the Straz Strong Foundation got started.

Ryan Straschnitzki: After my accident in 2018, I was in the hospital, and my former trainer he started this non-for-profit called Straz Strong and he raised funds for my rehabilitation needs moving forward and I remember it was sitting in a bank account during the pandemic and wasn't really being used for anything. And so, I decided I wanted to give back to the community. They gave so much to me during my time in the hospital and even to this day. So, I knew that I wanted to take that money in that account, turn it into something good and give back to the community to remove some barriers for people with disabilities. So, I decided to take up the non-for-profit and start doing what I could every day to bring more awareness around the non-for-profit and hopefully, you know, expand it into something more. And since then, I've turned it into a charity organization. So, we're able to become more prominent within our area of Calgary and Alberta and hopefully can make some changes in the future.

Mary Barroll: And there are a whole lot of changes needed, including when it comes to workplaces and employment. According to the 2022 Canadian Survey on Disability, the employment rate for persons with disabilities currently sits at 62%. While this figure has risen in recent years, up from 59% in the 2017 survey, it's clear that a lot more work can be done to create more inclusive and accessible workplaces that welcome Canadians with disabilities. In this episode of CharityVillage Connects, we talk to accessibility experts from across the sector to find out about the challenges and barriers that contribute to this employment gap, along with what nonprofit organizations like yours can do to address these barriers within its workplace, programming, and the communities it serves.

Anthony Frisina: The gap for people with disabilities is really disheartening. It's really a drop in the bucket. \$500 is all it takes for 90% of accommodations all across Ontario and Canada to employ a person with a disability. And for some reason, it just seems like there's a lot of stereotypes and stigmas behind the attitudes and perceptions of hiring a person with a disability. And that's something that really needs to be looked at more intensely.

David Lepofsky: Overall, we are way behind where we should be. We are way behind where the Americans are. So, when you cross the border from Canada to the US, you also go through a time machine in the sense of going to the States is going to the future, coming to Canada is like going to the past. And it's embarrassing. It's wrong.

Ingrid Muschta: The first thing is to understand who is not within your organization. Who are we missing? So, first of all, are we being intentional in reaching out to the disability community and making it very intentional that we want to hire from them? The other thing is to review how are you communicating that intentionality? Are your job postings accessible? Are they being provided in a number of ways?

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Lorin MacDonald: I like to point out to employers and others that PWD, people with disabilities, PWDs have creativity, determination, problem solving, reliability, they have resilience, they have time management. Because we have extra things we need to do in our day that people who do not live with disability do not even have to think about. If you are a wheelchair user, you need to consider how am I going to get to a location? I have to book Wheel-Trans. Is the subway station accessible? All of these things will have to troubleshoot. And those things are all taking creativity to manage your time. Those are all things that make you a very worthy employee.

Ryan Straschnitzki: I think there was a statistic that went out that said people with disabilities are some of the most loyal, hardworking people and are people you need within your force, right? And if you're going to unknowingly discourage someone from entering the building to begin with and you're probably not doing the right thing. So, it's important to make those changes first and then the results will show.

Wanda Deschamps: If we can't even get through the door, that's why I highlight job postings and communications about your workplace. If we can't even get an interview, if we don't even get a callback, then for us, it's secondary if there's all kinds of programs and efforts in the workplace around IDE and DEI, because we can't even get in. And then even if we do secure employment, often we're isolated and excluded in the workplace. And so, the barriers do not end once we secure a job. So, it's really time to change our thinking.

NEWS CLIP

<https://www.cbc.ca/news/politics/canada-disability-benefit-poverty-1.7228322>

“New numbers from your office show that the new disability benefit will only impact 25,000 Canadians when your government promised it would lift hundreds of thousands. What is your message to advocates who say that you have broken your promise on that?”

Mary Barroll: Though many promises have been made by governments and various public institutions over the years, numerous studies indicate that, in fact, little progress has been made to ensure Canadians with disabilities truly have access to full participation in society, including when it comes to employment.

According to the Government of Canada's Understanding Disability & Employment report, only 62% of Canadians with disabilities aged 25 to 64 have jobs, compared to 78% of Canadians without disabilities. Persons with disabilities who are working often have lower paying jobs that have less stability, fewer benefits, and limited chances for career growth.

Don Shafer: The 2021 Canadian Income Survey showed that more than 10.6% of Canadians with disabilities live below the poverty line, compared to 7.4% of the total population.

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According to Statistics Canada, people with a disability face a higher risk of poverty. More than 12% of people with a disability aged 15 years or older lived below the poverty line in 2022. That's up from 10.6% in 2021, but still below pre-pandemic levels.

Canadians with a disability represent a growing share of the population. According to a 2022 Canadian Survey on Disability (CSD), 27% of Canadians – or 8 million people – had one or more disabilities, a 5 percentage points increase compared with 2017.

Mary Barroll: A substantial number of Canadians are underemployed or not employed at all due to living with some form of disability. And in fact, the reality may be even worse than what these studies report, depending on exactly which disabilities are being considered. Ingrid Muschta is a licensed professional engineer who works with ODEN, the Ontario Disability Employment Network, as Director of Special Projects and Innovation, delivering disability awareness and confidence training. She adds some nuance to the numbers.

Ingrid Muschta: For people who have developmental and intellectual disabilities or who are on the autism spectrum disorder, their employment rates is even lower. Inclusive Canada noted that one in four adults who have a developmental disability are employed. That is extraordinarily low number for employment rates in that population. And it is not that those people are not capable of doing work. They're very, very capable of doing systematic, consistent, predictable work and work that is often quite needed.

Mary Barroll: Wanda Deschamps is the founder of Liberty Co, a consultancy focused on increasing neurodiverse employment. She shares the employment statistics for the neurodiverse.

Wanda Deschamps: The majority of the neurodiverse population is either unemployed or underemployed. Actually, the unemployment rate of autistics can be as high as 80%. So, if we if we turn that the employment rate of autistics can be as low as around 20% depending on which study you're looking at and circumstances and so on.

We're leaving out a really large segment of the population if we're not considering accessibility for neurodivergent and disabled individuals. We've made progress in terms of DEI and IDE. So many organizations still don't add that A for accessibility when they're developing programs, strategies, and plans. Add that A.

Mary Barroll: Wanda Deschamps' approach is centered on the IDEA framework, an acronym for inclusion, diversity, equity, and accessibility. Along with several of our guests for this episode, she holds the view that the A for accessibility is a crucial missing part of the ongoing conversation on how to move towards a more inclusive society. Lorin MacDonald, a human rights lawyer and accessibility advocate, born with profound hearing loss and currently teaching disability law at the TMU School of Law, expresses it this way:

Lorin MacDonald: A lot of talk since COVID started about diversity, equity, inclusion, but what is always missing in my experience is the A for accessibility. And so, a lot of

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focus on other marginalized groups, but people with disabilities are often not included in that conversation. So that conveys the message that employees with disabilities are not a priority.

Mary Barroll: Anthony Frisina works at Mohawk College and McMaster University. Born with spina bifida and navigating the world in a wheelchair, Anthony is a sought-after public speaker, author, and consultant who specializes in bridging the gap to accessibility and inclusion, and who's been producing and hosting Above and Beyond TV for 5 seasons. He has this to say about why accessibility needs to be its own pillar in the equity, diversity, and inclusion discussion:

Anthony Frisina: I've always transitioned from seeing the equity, diversity, and inclusion placemat in different types of workplaces to where is accessibility in that? It's typically hidden under the equity pillar. Let's give it its own pillar, transpose the letters to inclusion, diversity, equity, and accessibility, giving that individual that idea behind looking at accessibility and inclusion from whether it be hiring people with disabilities, making your workspace, if its bricks and mortar, more accessible and inclusive for shoppers of all abilities to be able to access things equitably, making your online presence more accessible, making your visibility more accessible and just giving that showmanship that you actually care about the community at large. In a space where you're including everybody of all abilities.

Mary Barroll: How can organizations prioritize A for accessibility and create spaces that include everybody of all abilities? In order to reach this ideal, our experts say we need, first of all, to recognize the ableist attitudes that pervade most environments. Lorin MacDonald breaks it down.

Lorin MacDonald: So, what is ableism? Ableism is discrimination and prejudice or social prejudice against people with disabilities based on the belief that typical non-disabled people, their abilities are superior. And this manifests in a number of ways. It manifests in attitudes that shows up in policies and practices that serve to devalue or limit the potential rights and experiences of employees with disabilities and people with disabilities in a broad sense. And often assume that people with disabilities are less capable, less productive, less worthy of the same opportunities as non-disabled people and this of course creates unnecessary barriers to the full participation in society.

Mary Barroll: Accessibility experts say that in many cases an organization's practices and policies not only perpetuate ableist assumptions, they can also sometimes act in a punitive fashion. Lorin MacDonald explains.

Lorin MacDonald: There can be a skepticism, or you could be asked repeatedly to justify any accommodations you need because it's not visible. You can't see it. So, if you can't see it, can you believe it? And can you respect the individual who's making the request? Ableism also has a punitive nature to it in that if employers don't understand disability-related needs, they may penalize employees for taking time off for medical appointments or disability-related absences. And the employer may create an

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environment whereby the employee feels pressure to disclose their disability even when they don't want to, in order to get the necessary accommodations or understanding. And if that safe space isn't there, that is very problematic, and employees typically don't end up staying where they're constantly feeling under attack in subtle and not so subtle ways.

Mary Barroll: Anthony Frisina emphasizes that it's important to remember that disability can take many different forms, some more obvious than others.

Anthony Frisina: Disability comes in different forms, for example, you know, mine's a physical disability. You know, there's hearing disabilities. There's sight disabilities. Being aware of light sensitivities, being aware of sound sensitivities, being aware of things that might cause sensory overloads, like distractions or too many people in an area or things of that nature, to kind of ease the opportunity for the abilities of those individuals to shine.

There's invisible versus visible disabilities and it's the opportunity for disclosure. My disability being visible, once they see me in an interview, for example, I think there's a lot of concern versus the reality of what disability looks like.

MUSIC TRANSITION

Mary Barroll: A recent high-profile example of the failure to prioritize accessibility came to light in March 2023, with the completion of the new downtown Toronto courthouse, meant to consolidate provincial court services. David Lepofsky, Chair of the Accessibility for Ontarians with Disabilities Act Alliance, made a YouTube video called "Billion Dollar Accessibility Bungle," in reference to the \$956-million dollars spent on the courthouse building, and in which he details all the ways in which the courthouse appears to violate accessibility rules.

NEWS CLIP

<https://www.youtube.com/watch?v=h6XNVMoUmB8>

"Let me show you a billion-dollar accessibility bungle, the new downtown Toronto Armoury Street Courthouse. Important accessibility features are missing or botched. This is despite our warnings about serious accessibility problems, for years before the court was built. Who made all these poor design decisions, ignoring accessibility advice?"

Mary Barroll: David Lepofsky tells us about the making of this video.

David Lepofsky: We made public a video that documents that a brand-new mega courthouse right in the heart of downtown Toronto that cost the public almost a billion dollars is in fact a billion-dollar accessibility bungle. And this video documents all the things they screwed up and if people are immediately might think, well, I guess it would have cost more to do it right. No, we identified barriers which if they had taken accessibility into account at the design stage the way they should have, most of the barriers wouldn't have cost anything to fix or prevent.

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Don Shafer: Among the problems detailed both by David Lepofsky in his video and a 76-page report by Gensler Architecture and Design were incorrectly installed Tactile Surface Indicators, (or way finding systems for the blind), a lack of intuitive exits from the building to the Wheel-Trans waiting area, seating areas in the courtrooms which are not easily identified or which might obstruct white canes, a ticketing and number system, for services, that is inaccessible to those who are blind or have low vision, a layout which doesn't provide a natural path to the washroom, insufficient accessible parking and an atrium with multi-floor windows, producing glare and echoing acoustics which are problems for those who are blind, deaf, have low vision or who are hard of hearing.

Mary Barroll: For a building that's intended to be a site for public legal proceedings and the carrying out of justice, this obvious failure to ensure accessibility for all citizens speaks volumes about the general lack of societal concern for creating accessible and inclusive spaces that welcome all Canadians. And it creates new systemic barriers for all citizens to even participate in the justice system. Ryan Straschnitzki, who has studied accessible building designs, speaks to the ethical implications of allowing these barriers to persist.

Ryan Straschnitzki: If you know that a building is accessible, or you know that it's easy to access, it starts from the parking lot, right? Accessing the parking lot from there, getting into the building and accessing all parts. If someone knows that it's not accessible, it's a bit of a hassle that might hold them back from actually even getting there in the first place, right? And that could prevent someone to want to get involved. If you're going to unknowingly discourage someone from entering the building to begin with and you're probably not doing the right things.

Mary Barroll: Expensive, newly built public buildings are not the only problem. In fact, many workplaces limit the employment of people with disabilities due to a lack of accessibility or accommodation.

Don Shafer: A 2019 Canadian Human Rights Commission study reports that at the national level, more than 30% of persons with disabilities report that their disability makes it difficult for them to change jobs or advance in their careers. And across Canada, nearly 30% of persons with disabilities report having asked for workplace accommodation that was not made available. At least 40% of persons with disabilities report feeling that their employer considers them disadvantaged because of their disability.

Mary Barroll: Nonprofit leaders and HR managers can learn a lot from what David Lepofsky has to say about identifying existing barriers in the workplace and how to remove them. He also makes the important distinction between reoccurring barriers and one-off experiences brought forward by individuals.

David Lepofsky: So the workplace needs to have two things. If you're listening to this, you're going, what do I do? You say, number one, you want to put in place that commitment to achieve a barrier for free workplace to develop a plan and put someone

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in charge. That's to address the recurring barriers. More on those in a minute. But the second thing you need is an effective strategy so that if an employee needs a workplace accommodation, so that you've got a process that's non-bureaucratic, swift, and effective. Some places are great at it, some places just make it a ton of paperwork and attitude and stuff like that. In my experience and those of others I've talked to, when a workplace wants to accommodate, they can usually figure it out. They don't want to accommodate it. They can spend a whole lot of creativity coming up with reasons why they kind of say no.

Now on recurring accommodations, there's the built environment. So, there's where you located. Did you locate your office in a venue? And is the building itself disability accessible? Now, you can't just rely on building codes, a building can be fully building code compliant and yet seriously flawed when it comes to disability accessibility. If you're doing a newer office space, you should engage a disability accessibility consultant to a qualified one to give you advice on what to do to maximize accessibility in your office. Because you can't expect you to know all this stuff.

Mary Barroll: Lorin MacDonald details some of the other workplace barriers employers should become aware of.

Lorin MacDonald: First, you have your physical barriers, such as an inaccessible entrance to the workplace. Are your workstations accessible for people who may be wheelchair users and are not physically able to use the workstation that is in place? Or maybe they have ergonomic accommodations that they need a special chair or what have you. There can be inadequate accommodations in common areas such as, how's the accessible parking? Is the meeting space accessible? What about the washroom? Is there an accessible washroom for someone who may need it?

And then of course, there are the technological barriers, whereas there may be a desire to use software and digital tools and technologies to be productive in the workplace, but those tools may lack compatibility with screen readers for those who have low vision. Your website may be inaccessible or the internal platform you use in the workplace may not be accessible. There's virtual meeting tools such as the platform that we are using that does not allow for the incorporation of captioning.

Mary Barroll: When it comes to maximizing accessibility there is, in fact, a lot to know and to consider. Employers need to think beyond the ramp, moving past the narrow focus on physical access alone—like ramps and elevators—and recognize the broader, more nuanced needs of people with less apparent disabilities. Ingrid Muschta explains.

Ingrid Muschta: Time and time again, when most people think of a disability, the image of a ramp is often what comes to mind, you know, that accessibility through a ramp. But the reality is that a large number of disabilities are invisible. And what's keeping a lot of those people out of the workforce are myths and misconception of what the talent that we can find in the disability community is like.

Mary Barroll: Thinking beyond the ramp includes the important realization that the first step to removing barriers that stop employees with disabilities from participating fully in a workplace, is working on changing attitudes. Wanda Deschamps has this to say.

Wanda Deschamps: If you look at biases, accessibility barriers, you know, the number one barrier is attitudinal. So, if you go right back to, what does neurodiversity mean and what can this mean specifically for neurodivergent individuals, we come across differently and there's a bias and frankly, there's a stigma that different is bad. Because we interact differently, because we process information, because we come across differently, there is a stigma that this is a bad thing. So that's a huge barrier right there, these biases against us. I think it's important for workplaces to realize that neurodiversity actually can lead to innovation because we do think differently, process information differently, feel things differently. We can approach problem solving coming from different ways.

Mary Barroll: Not only do employers have unexamined biases against people with visible or invisible disabilities, these biases are also often intertwined with other prejudices. Wanda Deschamps explains.

Wanda Deschamps: So, women and gender diverse individuals experience that double bind, you know, the barriers that I talked about before. Number one, primary, attitudinal, it takes it takes form and stigma and discrimination. So disabled and neurodivergent individuals definitely experience those and then add to that the double bind of sexism and other forms of discrimination related to gender. I was given the feedback, I was overly direct, and I communicated differently and that was from both the perspective of ableism and sexism because, you know, I noticed in these environments, men weren't getting that feedback.

In fact, it was the opposite. I noticed men around me who were direct, they were praised for their honesty, their straightforwardness. And not only were they not discriminated against, they were often promoted and compensated for those differences.

Mary Barroll: Ingrid Muschta of the Ontario Disability Employment Network or ODEN tells us that resources exist to help organizations better understand intersectionality.

Ingrid Muschta: ODEN has been doing a lot of reflection, a lot of finding resources that helps us build our capacity to understand the intersectionality of disability as well. That people bring with themselves not just the disability piece, but other intersectionalities. How do we help businesses navigate the concept of intersectionality and disability? Race, religion, gender, all of these pieces that make up a person cannot be separated. I think that helping organizations to access that professional development that helps them understand the intersectionalities of disability and other identities that begins to create the culture that welcomes everybody in the culture where conversations about what you need to succeed can also be fostered.

Mary Barroll: ODEN offers several training packages for employers to learn how to take a business centered approach to build capacity and improve employment outcomes for people who have disabilities. And while it's important to get training to help

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create inclusive workplaces, accessibility experts insist it's also true that legislation - advocating for and protecting people with disabilities - is also needed. 19 years ago, Bill 118, or the Accessibility for Ontarians with Disabilities Act, or AODA, was passed and, at the time, Citizenship Minister Marie Bountrogianni for the Ontario Government, declared the following:

NEWS CLIP

<https://www.youtube.com/watch?v=KIXQhgumpH4>

“Today is a very important day for the people with disabilities who have worked relentlessly for a decade to make this legislation a reality. This bill is their bill. It is strong legislation that will allow every Ontarian to live, work, and play without facing barriers, to have a better life for themselves and for their kids. I'm proud of the role our government has played in crafting this legislation. We want to make a difference to the lives of people with disabilities. With this legislation, we are making a difference. This legislation is about empowerment and inclusion I want this in the future, for people to think back before 2005 and say, "what were they thinking before 2005?" Can you imagine people complaining about the price of a ramp? Can you imagine people complaining about having to have their menus in braille? Can you imagine complaining about people with Tourette's syndrome eating loudly in a restaurant? What were they thinking before 2005?”

Don Shafer: In 2005, now 19 years ago - the members of Ontario's Legislative Assembly almost unanimously voted to make the province accessible to people with disabilities by 2025. The legislation, aiming to develop, implement and enforce standards related to goods, services, accommodation, employment and buildings before Jan. 1, 2025, was hailed as groundbreaking and progressive. But as we approach 2025, the province is nowhere near its goal.

Mary Barroll: Disability advocates are concerned that the province will not only miss its 2025 deadline but that no one will keep pushing to stay focused on accessibility issues once this deadline passes. There have been four reviews since the AODA was enacted and the most recent report has found that the legislation's outcomes are poor: that enforcement of the legislation doesn't exist, and that there's a lack of accountability for implementing the AODA in both the public and private sector. These failures directly impact the 2.9 million people with disabilities in Ontario. In light of this continued failure, David Lepofsky, reflects on what he has learned about creating change.

David Lepofsky: My biggest problem is not my blindness. A lot of people would look at me and say, he's blind. That must be a huge problem, which it isn't. My biggest problem in my blindness, it's the attitudes of sighted people towards my blindness. The diminished expectations, the stereotypes, the pity and so on. And the same goes for other disabilities. And a lot of people went to town giving inspiring speeches to raise awareness. And what we found was it doesn't work. What we found is it's better to change action and the awareness will follow.

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In other words, if you set mandatory requirements in law, or if you're a CEO and say, I expect you got a new proposal for us. I want as part of your proposal for you to identify that you've taken into account how people with disabilities, employees, customers, clients will be able to fully participate in it. And you've accommodated that we're going to have an offsite event. We're going to have an office retreat. Did you pick a venue that's accessible? Oh, you didn't even ask? Well maybe you should go back and ask before we spend our money there and let hotels know we don't want to use your premises if it's not accessible. That helps put the pressure on the marketplace to meet these needs. But the one of the things that comes from this way of thinking is this, I, as a person with a disability, as a disability rights advocate, I actually do not care why someone removes or prevent a barrier.

I don't care why they do as long as they do. In other words, if they remove that barrier because they heard an inspiring speech and their awareness was raised and they went and changed their practices, great. If they were told they got to change that practice or they're going to get sued and they didn't want to get sued and that led them to remove the barrier, look, if that's what made them change their practice, they changed the practice.

If they did it just because they want to impress their boss, that's fine by me. If they do it because they just think it's the right thing to do, because intuitively, that's the way you should be. I think that's great also. As long as that barrier is gone, what we find is once the people remove and prevent barriers, that educates them. That raises the awareness.

Mary Barroll: Human rights lawyer Lorin MacDonald also sees the importance of legislation and precedent-setting legal cases. She shares that in 2017, she litigated a legal case framed around human rights that garnered global attention.

Lorin MacDonald: It's related to an incident that happened in 2016, where a young woman who uses forearm crutches due to spina bifida was in a downtown Toronto restaurant. And she asked where the washroom was. The restaurant employee actually physically barred my client from going down the stairs because she was afraid that my client would fall down the stairs, injure herself, and sue the restaurant. And so, in 2017, we filed an application with the Human Rights Tribunal of Ontario, and it grabbed a lot of interest but the way it worked was by saying that having access to a public washroom goes to the root of dignity, human dignity. Because consider if you are not able to have access to a washroom when you need it, what are your choices? None of them are dignified. So, it grabbed a lot of attention because I needed to make people care. If it was somebody who doesn't live with a disability, they wouldn't care. They'd just think, well, it doesn't have anything to do with me. But if you frame it as a larger issue of human rights, then suddenly it matters. And I'm pleased to say that the Toronto Star placed the story on the front page of their newspaper. And it went viral around the world. It was discussed in law firms, in law schools, among the human rights bar. It was very important.

MUSIC TRANSITION

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Mary Barroll: It's clear that change is necessary. For some organizations, even in the nonprofit sector, it all comes down to the bottom line. Employers may hesitate to invest in accessibility and accommodations because of a false assumption that doing so will incur a heavy cost. Ingrid Muschta explains that, in fact, the opposite is true.

Ingrid Muschta: I think it's the misconception that accommodations are costly, that is a very large misconception. And we know that the data is out there. The recent survey out of about 4,000 employers at every size of a business from small to large indicates that accommodations either cost nothing at all or that the average cost, one-time cost, is \$500. You know, when we talk about accommodations, 85% of those businesses that were surveyed found that the workplace accommodations helped them keep an employee. So, you were able to retain a valuable employee because you provided that accommodation. 85% of those businesses said so. The other piece is around 68% of surveyed businesses said that the accommodations were very effective in helping that employee do their job. So that goes back to that whole concept of performance and productivity. You were able to maintain or increase your performance and your productivity because you were provided with an accommodation.

And the last piece that I want to give you is that 46% of businesses survey found that providing a workplace accommodation eliminated the cost of training a new employee. And so that goes to back employee retention and if I can just say that the cost of turnover is high. I don't know in the not-for-profit sector necessarily because I don't have those numbers but in the for-profit, replacing a frontline worker will cost you around \$4,000. And so that is uniform cost, cost of the manager who's going to be training that person, the cost of all the associated other people that are helping onboard the person, that is time that is not really associated with an HR process. It's what it is. You're welcoming a new team member. And when we're talking about managers, that cost can jump up to \$15,000. So turnover is costly.

Mary Barroll: If it is in their best financial interests to do so, as well as being ethically and morally sound, what exactly should employers do to ensure an accessible and inclusive workplace? Wanda Deschamps tells us that accessibility starts with the recruitment and hiring process.

Wanda Deschamps: that's why I highlight job postings and communications about your workplace. If we can't even get an interview, if we don't even get a callback, then for us, it's secondary if there's all kinds of programs and efforts in the workplace around IDE and DEI, because we can't even get in. if we move through the cycle, reimagining interview techniques, doing things like sending interview questions in advance, rethinking the need for resumes. Often neurodivergent individuals and disabled individuals can have non-linear career paths because of attitudinal barriers, because of stigma and biases that we face.

So, there may be nonlinear past gaps in employment. So, rethink your resume process. So, you're focusing more on getting to know the whole individual and not just certain aspects of the person's employment history. Ensure that your interview team is diverse, is diverse in makeup. If possible, train team members on inclusive interviewing,

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considering neurodiversity. Show people the job. I always say this, looking back on my interviews, they didn't show me what the job was like on the day to day. They focused more on the relationship between me and who was going to be my supervisor.

So, consider inclusive practices in terms of onboarding, retention, fostering an environment where everyone is heard and fairly understood. Focus on communication in a way that suspends judgment, that celebrates differences, doesn't expect everyone to be the same.

Mary Barroll: As Wanda Deschamps says, it's important for organizations to work at creating an environment that doesn't expect every employee to be the same. And Anthony Frisina reminds us that just "getting in" to new place of employment is fraught with challenges for a person with disabilities, because they know from experience that simply disclosing their disability may make or break their chances of getting the job.

Anthony Frisina: I think disclosure is a very, very important part of the job recruitment process, the hiring process. I identify as a person with a visible disability, but there's also hidden or invisible disabilities that people may not choose to disclose prior to receiving an interview. Whereas I would disclose it myself, prior to an interview to ensure the accommodations are met and met with respect and dignity. Receiving a job afterwards and then disclosing, there's an invisible disability, that tends to be a turnoff for an employer hiring an individual.

Mary Barroll: Ingrid Muschta agrees but emphasizes that a workplace should be a safe place for employees to ask for their basic needs to be met, without the fear of stigmatization.

Ingrid Muschta: The other piece is that sometimes, people who have invisible disabilities tend not to disclose for fear of stigma. And so, building the capacity internally to create a culture that can create safe spaces for people to intentionally start asking for the things that they need to succeed. When ODEN trains businesses, on disability awareness and confidence, the very first thing that we talk about is, ask people not what is the accommodation that they require, but ask what do they need to succeed in their role. Because more often that is the accommodation. If we're not talking about RAMs, we're talking about flexibility on how the work gets done, maybe flexibility on schedules. If you're a person who has an episodic disability and maybe mornings are difficult for you because of a medical condition, just maybe shifting your start date from a 9 o'clock to a 10 o'clock could make a difference. And we know that, through the pandemic, we all had to be very flexible on how the work got done. So, a lot of the times the disability community is asking, maintain those flexibilities within the way that the business operates.

I think at the end, we need to be very mindful that it's about providing choices that meet the needs of the person and not necessarily just go for one blanket of how things get done. And so again and again, the opportunity for alternatives of communication, how a job posting gets put out to the disability community, not just in the digital format, maybe we send it off to a particular employment agency and then they can distribute it to their community. An employer here in Ontario ended up doing videos in ASL, so American

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Sign Language, which is not a direct translation to English. They took their posting because they were intentional in accessing the deaf community and translated it into an ASL video. So, if you were somebody who was deaf and did not necessarily read English, you can go into this video on YouTube and access the information through American Sign Language to know that they were hiring in this particular location. So again, it's how do we provide information in different ways so that the person can then decide what is the best way for them?

Mary Barroll: These are great examples of the many ways employers can choose to make their organizations more accessible to employees with disabilities. But organizations don't just have the choice to accommodate, they have a duty to do so. The duty to accommodate is a legal and ethical obligation that ensures people with disabilities can fully participate in various aspects of society, including workplaces, schools, and public services.

Don Shafer: In Canada, the duty to accommodate is rooted in the Canadian Human Rights Act as well as in provincial and territorial human rights codes. It is also supported by the Canadian Charter of Rights and Freedoms. The 1977 Canadian Human Rights Act prohibits discrimination based on various grounds, including disability. The duty to accommodate is an essential part of ensuring that individuals with disabilities have equal access to opportunities. Employers and service providers are required to remove barriers and provide reasonable accommodations to prevent discrimination.

Mary Barroll: The duty to accommodate aims to provide individuals with disabilities an equal opportunity to participate fully in society, provided that the accommodations do not impose a quote "undue hardship" on the provider, typically in terms of costs, health, or safety. In order to fulfill one's duty to accommodate, it's important to first understand the difference between accommodation and accessibility. Anthony Frisina breaks it down for us.

Anthony Frisina: So, an accommodation is meant for an individual, whereas accessibility is meant universally and for all. And I find that there's a lot of underlining misunderstandings because people tend to strive to be compliant of what the AODA stands for and the AODA, building codes, set the precedence from minimum standard. Set the precedence for, you know, not necessarily meeting the needs of people with disabilities, because you're striving to meet a code. You're striving to meet compliance rather than meeting the actual needs of people with disabilities. You need people with disabilities at the beginning of a project, throughout the project, and at the conclusion of a project to ensure that projects get completed and completed right the first time.

Mary Barroll: In the context of disability, discrimination often happens when employers fail to uphold their duty to accommodate and don't provide an inclusive environment. Human rights lawyer Lorin Macdonald explains what the failure by an employer to accommodate can look like when an employer intentionally or unintentionally treats an employee or a job candidate unfairly based on the characteristics protected by human rights law, including disability.

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Lorin Macdonald: So, what are some forms of workplace discrimination? We have direct discrimination, and that is when an individual is explicitly treated less favorably due to their disability. For example, an employer may refuse to hire a person with a disability solely because maybe because they use a wheelchair. We don't want wheelchair users here. Or even better, we don't hire people confined to wheelchairs, which is so inappropriate on so many levels. Or the employer could just openly state that they won't accommodate an individual's need. And so those are examples of direct discrimination. They do happen, hopefully with education, it's happening less and less.

Then we also have indirect discrimination, commonly referred to as systemic discrimination. So, these are policies or practices that appear neutral on the surface like they're benign, but they disproportionately affect people with disabilities. So, for example, if a company requires employees to work from an inaccessible office building or mandate long working hours, without considering the needs of employees with chronic illness, for example. And that can result in discrimination if that policy applies to all employees across the board.

And we have the failure to accommodate, which I've already talked about limiting the employees' ability to participate fully in the workplace. The creation of a work environment that has harassment or hostility as part of the environment. So, an employee could be faced with offensive remarks or jokes or behavior relating to their disability so, that negatively impacts on an employee's wellbeing and performance. And like I said, if you have not created a safe space, there should be no surprise why PWD employees will leave, they will not hang around.

First, it needs to be reasonable accommodation, not perfect, but reasonable. You need to accommodate to the point of undue hardship. So, what does that mean? Undue hardship happens when the cost or the impact of the accommodation is too high or poses significant health or safety risk in the workplace.

But the threshold for proving undue hardship is very high and you need to consider the employer. Employers cannot claim undue hardship based on minor inconvenience. Accommodations also need to be individualized, and they must be tailored to the specific need of the person because no two employees with disabilities are the same. If you have met one person who is blind and have accommodated that person, well, congratulations, you met one person. There are going to be many other ways that someone else who is blind or has low vision needs to be accommodated. So, you have to be open-minded, and you also have to be proactive in your accommodation.

And it should go without saying that disability accommodations are private and confidential, and the employer should only be requesting the information necessary to provide the appropriate accommodation. For example, employers don't have a right to know the diagnosis. All they need to know is this employee requires this accommodation to do the task of the job assigned.

Mary Barroll: Anthony Frisina weighs in on how employers can provide access and accommodations to ensure their employees can do their jobs, and in doing so, break down barriers, one step at a time.

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Anthony Frisina: When we eradicate a single barrier, Mary, subsequent barriers are much more easier to topple down because we've had that experience from that initial barrier. And we have to work together. With the 27.7% of people with disabilities, we need that 62.3% in allyship to ensure that the communities that we live in are accessible and inclusive for everybody.

Mary Barroll: Ryan Straschnitzki reminds us that having accessible and inclusive communities goes beyond thinking of people with disabilities.

Ryan Straschnitzki: It's continuing the conversation, always looking for solutions, learning from people with various disabilities, right? There's so many different things out there you could open your mind to and at least have a conversation about to create change, create solutions or at least trade-offs in a sense and, you know, have an understanding of the field because I've met a lot of people that have never seen someone in a wheelchair before, and they don't know how to react. It starts with that knowledge of we're people too. And it's important to make those changes. It doesn't just affect people with disabilities, but at some point, or another, you will face a form of it, whether it's age or an injury. It's important to have the implementations in place before anything like that happens.

Mary Barroll: David Lepofsky echoes this idea that, in our lifetime, we will all eventually face some form of disability.

David Lepofsky: In any organization, the fact is the employees in the workplace today who have no disabilities are simply people with disabilities in waiting. Because the greatest cause of disability is aging. As you get older, either you acquire disabilities through the aging process or through illness or through accidents or whatever. And so, if you've got a workplace that has preventable and removable disability barriers, but they're left in place, then once an employee without a disability becomes an employee with a disability, then they may not be able to stay around. They may not be able to maintain their employment if there are too many barriers. Now, that is a serious legal liability for the company or for the workplace if they don't effectively accommodate. But by providing a barrier-free workplace, you then provide a greater capacity not only to access a broader pool of potential employees, but you also enable yourself to retain your existing employees much, much longer. It all boils down to, there's every reason to do it, and there's no reason not to do it.

Mary Barroll: And organizations who want to become better educated about accessibility and accommodation need not look far. Ingrid Muschta mentions just a few resources.

Ingrid Muschta: Across Canada, there are a number of organizations. Each province would have their own ODEN, so their own employment network that can help them, support them with training and resources for how to understand and how to better serve both people who have a disability who are consumers but also their own employees.

The Rick Hansen Foundation is another organization across Canada that can provide a number of resources. The Canadian Association for Supported Employment is another

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organization that ODEN often partners with to support businesses and, not-for-profits are employers and so they could find resources in there as well that will really fit well regardless of the sector that we're talking about.

In particular, I'm now thinking about the Canadian Association for Supported Employment runs a program called Mentorability. It's a federally funded program that provides a career exploration opportunity for somebody who has a disability. Maybe this is an opportunity to look at mentorship through programs like Mentorability so that you can begin to cultivate a potential pipeline of employers for your organization who have a disability. So, connecting with those organizations like CASE, that's the Canadian Association for Supporter Employment, with your local disability employment network and even connecting with organizations like Rick Hansen Foundation that would provide supports around accessibility.

Mary Barroll: As organizations increasingly aim to recruit from diverse talent pools, there is a growing recognition of the value that individuals with disabilities bring to the workforce. As awareness continues to grow, the landscape of work in Canada is transforming, possibly paving the way for a more equitable future. Looking ahead, we asked all of our guests to weigh in on how they see the workplace changing and on what challenges remain. First, we hear from David Lepofsky.

David Lepofsky: The workplace of today, right now, is dramatically different than it was five or 10 years ago. Where we work, what our actual duties are, the technology and the information technology that we use to do our job. All of those things are significantly different than they were five or 10 years ago. It is a fair prediction that the workplace of five years from now or 10 years from now will be dramatically different than it is right now. So if employers were to decide right now, I want my workplace of five years from now to be a barrier-free accessible place for people with disabilities to work, where the job specifications, the technology, the duties, the venues, the accommodations, all that stuff, the furniture, that will be a barrier-free place. If an employer decides that now, they'll get there because it's an evolving place. They're gonna be constantly changing. If you build this into what you plan to do, it will become barrier-free or pretty darn close. But that depends on two things, a commitment and a plan. And actually, a third thing, someone in charge. You need a chief accessibility officer within any organization.

Mary Barroll: Anthony Frisina agrees that things are changing in the workplace and in some good ways.

Anthony Frisina: I've been in the workplace at Mohawk College since 2005 and accommodations have changed. Certainly, the pandemic has really changed the way we look at workplaces now. The ability to work from home is more prevalent and more available now than it ever was. So that's definitely been a positive and a good thing for me personally. And I think it's a good thing for many people with disabilities to have the opportunity to be able to work, get paid in a space where they're most comfortable.

Mary Barroll: Lorin MacDonald sees enforceable legislation as a key to future change.

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Lorin MacDonald: Certainly we need to strengthen and enforce accessibility legislation. That is not happening. The enforcement piece of it, we have the Accessible Canada Act that aim to create a barrier-free country by 2040. What people don't realize is that only applies to organizations within the federal government jurisdiction. It's not a panacea for everything that happens in the country. And we also need to have provincial alignment with those federal goals because we have the AODA, which is Ontario. And numerous provinces have variations of the same, but they're not the same as the AODA at all. And we need to align those provincial and territorial legislation with the federal goals. We need to, no question, continue to eliminate barriers to employment through inclusive hiring practices, retention and career advancement, enhancing digital accessibility.

Mary Barroll: Ryan Straschnitzki advocates for better training and education.

Ryan Straschnitzki: I think making the education mandatory and from then on building up, right? You have to start somewhere, and I think building a knowledge base where everyone has at least a base understanding of what's needed to make things more universally accessible. I think it starts there. And again, once the conversation gets going and you lead to architecture, you lead to programs, you lead to outlets and various ideas. But I think you have to start somewhere. And I think it starts with a foundational base of the knowledge and learning and the want to learn about the world with disabilities.

Mary Barroll: Wanda Deschamps looks to a need for increased representation at the leadership level.

Wanda Deschamps: I was in the charitable sector. I didn't have my diagnosis. However, I did notice that there was an absence of disabled leaders. There was an absence of openly disabled employees, openly disabled leaders. While I was still in the charitable sector and I was becoming attuned to my own diagnosis, I did notice that I didn't hear very many other people openly saying that they were neurodivergent. We need more individuals, neurodivergent individuals at all levels within the charitable sector, including the leadership levels. And I do believe that over time, this will change.

Mary Barroll: Ingrid Muschta suggests that organizations who make a point of hiring people with disabilities will only benefit by gaining invaluable knowledge and perspective.

Ingrid Muschta: What we're saying is that by hiring people who have a disability, you are now engaging that talent. You're gaining that perspective and that knowledge. And by having people within your organization, you can now design products and services with disability in mind. And that will push you, propel you beyond AODA compliance. And you will be serving your consumers in your community who have a disability better because you will be designing services and products with disability in mind.

Mary Barroll: I'd like to thank all of our guests for joining us and sharing their wisdom, lived experiences, valuable insights and advice, to help nonprofit organizations create

workplaces that are inclusive and accessible to all Canadians, including those with disabilities.

Be sure to visit our website and our show notes for more information on the resources, reports and programs mentioned in this episode. If you'd like to hear more of what our guests have to say check out our full video interviews on our website.

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In the next episode of Charity Village Connects... A Charity Law Report found that in 2023, 67% of all revenue going to Canadian charities comes from government, so a potential change in government, with new policies and mandates can cause significant uncertainty among many nonprofits about their future revenue streams. In some cases, depending on their mission, and whether it aligns with a new government's policies, it may seem like an existential threat to some nonprofits. Federally, the Liberal minority government has already faced non-confidence votes in parliament, and more are expected, so a snap election could happen at any time in the months prior the required election in the fall of 2025. Provincially, the Ontario government is expected to call an election in the next six months, while BC has recently gone through a nail-biter of an election that signals a major shift in political support in the province. In the face of such unpredictability, what can Canadian nonprofits do to better prepare their organizations for a potential new government? Are there any steps that they can take now to insulate their operations and revenue streams from the turbulence of government uncertainty? We'll talk to experts about how to navigate the stormy waters of uncertainty that comes with a potential change in government. Coming up next on CharityVillage Connects. I'm Mary Barroll, thanks for listening.

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