

Diversity and Inclusion in Our Unions

Rights for People with Disabilities

The National Union of Public and General Employees (NUPGE) is a family of 11 Component and 3 affiliate unions. Taken together we are one of the largest unions in Canada. Most of our 390,000 members work to deliver public services of every kind to the citizens of their home provinces. We also have a large and growing number of members who work for private businesses.

Larry Brown, President

Bert Blundon, Secretary-Treasurer

Background

In 1992, the United Nations General Assembly proclaimed December 3 as International Day of Disabled Persons. The aim is "to promote the rights and well-being of persons with disabilities in all spheres of society and development, and to increase awareness of the situation of persons with disabilities in every aspect of political, social, economic and cultural life."

Unfortunately, very little has been accomplished in Canada since then. On almost every socio-economic indicator, people with disabilities, as a group, fare worse than the general population. This was highlighted in the Poverty Trends 2017 report by Citizens for Public Justice.

People with disabilities are highly vulnerable to poverty, particularly those facing multiple discriminations.

There is a range of challenges that people with disabilities face that vary widely depending on disability types, family composition, and intersectional discriminations (gender, racial, sexual orientation, etc.). These contribute to an ongoing vulnerability to poverty.

- People with combined physical and cognitive/mental disabilities are highly vulnerable to poverty.
- The median income for people with disabilities is almost half of the median income of those without disabilities (57%).
- In its report on Canada, the United Nations Committee on the Rights of Persons with Disabilities states that improvements are needed in addressing multiple discriminations when it comes to poverty among women with disabilities, Indigenous people with disabilities, and families with children who have disabilities.ⁱ

People with disabilities in Canada face many barriers to their full participation in society. It's not just physical barriers, but barriers in employment and wages, in services, in education, and more. This ableism and other forms of discrimination mean many people with disabilities face exclusion, poverty, violence, and isolation on a daily basis.

The prevalence of ableism is evident in the number of complaints to the Canadian Human Rights Commission. The majority of complaints are related to disability, with a significant portion pertaining to discrimination based on an individual's mental health issues.

In 2018, 52% of the complaints received by the Commission were on the ground of disability and half of those complaints were related to mental health. Disability-based complaints increased by 33% in 2018. This is only a partial picture of the discrimination encountered by persons with disabilities, as the CHRC only addresses cases of discrimination that occurred in Federal jurisdiction, with provincial commissions also receiving a high proportion of complaints from people with disabilities.ⁱⁱ

Rights for people with disabilities in Canada

What are we doing to combat ableism and protect disability rights? Prior to 2018, Canada had no legislation covering the rights of people with disabilities beyond the *Canadian Human Rights Act*.

In June 2019, the *Accessible Canada Act* was passed by the House of Commons and received Royal Assent in the same month.

The National Union supports the Accessible Canada Act and its goal to remove and prevent barriers for the estimated 4 million Canadians who have physical, sensory, mental, intellectual, learning, communication, or other disabilities. The act is based on the following principles:ⁱⁱⁱ

- (a) all persons must be treated with dignity regardless of their disabilities;
- (b) all persons must have the same opportunity to make for themselves the lives that they are able and wish to have regardless of their disabilities or of how their disabilities interact with their personal and social characteristics;
- (c) all persons must have barrier-free access to full and equal participation in society, regardless of their disabilities;
- (d) all persons must have meaningful options and be free to make their own choices, with support if they desire, regardless of their disabilities;
- (e) laws, policies, programs, services and structures must take into account the disabilities of persons and the different ways that persons interact with their environments, and persons with disabilities must be involved in their development or design; and
- (f) the development and revision of accessibility standards and the making of regulations must be done with the objective of achieving the highest level of accessibility for persons with disabilities.

In a letter to the Prime Minister, NUPGE's President, Larry Brown, wrote:

Our union is actively working for a future where people with disabilities are able to enjoy the rights and opportunities accorded to all Canadians. However, this does not happen simply by removing the physical barriers that prevent people with disabilities from participating fully in our society, but it happens by eliminating all barriers—including all forms of discrimination. We know that discrimination against people with disabilities is compounded when they are faced with additional forms of oppression, such as racism, sexism, homophobia, transphobia, xenophobia, classism and colonialism. We cannot talk about one without addressing the others.^{iv}

Critics of the proposed legislation point out that a major gap in it relates to the question of funding. As Brown points out in his letter,

we appreciate the political will that it takes to move this legislation forward, but there will be no change unless secure federal funding is attached. We need to see that with each new infrastructure project funding is built in to ensure mandatory accessibility requirements.^v

The *Toronto Star* reported that, while the federal government has announced that it has earmarked \$290 million, over 6 years, to implement the legislation, this sum is not nearly enough to remove all the barriers faced by people with disabilities.^{vi}

A paper commissioned by the Council of Canadians with Disabilities and the Canadian Association for Community Living suggests that

a Federal Disability Act is not an end in itself; more appropriately it must be seen as a beginning—a beginning of a comprehensive, cross-departmental, coordinated set of instruments for establishing federal government accountability, responsibility, and intervention to advance and assure the Charter rights of Canadians with disabilities.

The National Union is committed to advancing a future of dignity, equity, and justice for all people with disabilities in Canada. We will continue to improve our own accessibility in all forms and will work together with union and non-union disability rights activists to ensure we're listening to the people who need these changes the most.

ⁱ <https://cdn.cpj.ca/wp-content/uploads/PovertyTrendsReport2017-1.pdf>

ⁱⁱ <http://www.ccdonline.ca/en/humanrights/promoting/Media-Release-CHRC-Annual%20Report2018>

ⁱⁱⁱ <https://www.parl.ca/DocumentViewer/en/42-1/bill/C-81/first-reading>

^{iv} <https://nupge.ca/content/national-union-supports-accessible-canada-act>

^v Ibid

^{vi} <https://www.thestar.com/news/canada/2018/06/21/disability-rights-advocates-welcome-national-legislation.html>



NATIONAL UNION OF PUBLIC AND GENERAL EMPLOYEES

- B. C. Government and Service Employees' Union (BCGEU)
- Health Sciences Association of British Columbia (HSABC)
- Health Sciences Association of Alberta (HSAA)
- Saskatchewan Government and General Employees' Union (SGEU)
- Manitoba Government and General Employees' Union (MGEU)
- Ontario Public Service Employees Union (OPSEU)
- Canadian Union of Brewery and General Workers (CUBGW)
- New Brunswick Union of Public and Private Employees (NBU)
- Nova Scotia Government and General Employees Union (NSGEU)
- PEI Union of Public Sector Employees (PEI UPSE)
- Newfoundland & Labrador Association of Public and Private Employees (NAPE)

The National Union of Public and General Employees is an affiliate of the Canadian Labour Congress and a member of Public Services International.

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