**Know Your Rights Podcast Series**

**Episode 6: Built Environment**

**Announcer:** This is a CNIB Foundation podcast. The content in this podcast is provided for informational purposes only. It is not legal advice and should not be relied upon as such. CNIB does not make guarantees about the comprehensiveness or accuracy of the content. CNIB and the podcast participants assume no responsibility for how you use the information provided. If you require legal advice about a specific issue, contact a lawyer or community legal clinic.

**Jacob:** Hello and welcome back to another episode of the Know Your Rights Podcast brought to you by the CNIB I am your host Jacob and I'm really excited about this episode and the topic of built environment. Now, this is something I guess that we all encounter to some extent or one extent to another on a daily basis. But I'm joined by Dianne and Debbie here who are really experts in this from a knowing your rights perspective. And from my gathering, the built environment is everything from where we live, how we engage with the acoustics, the lighting, the entrances to facilities, and then also extends into public and outdoor spaces as well. So, I'm gonna hand right over to Debbie because I think that Debbie has got some amazing insight into really what that means probably can offer a better definition than I can. So welcome to the show Debbie.

**Debbie:** Thanks for having me, Jacob. Nice to be here.

**Jacob:** Yes, absolutely. So how would you define what the built environment is?

**Debbie:** Well, built environment... We all need to remember that when many people talk about built environment, it's not only about the physical aspects of built environment such as ramps or elevators, built environment also includes from my perspective serious wayfinding issues for people who have sensory disabilities as well as physical disabilities. I've coined the term intuitive wayfinding and I define that is using physical and or sensory cues to determine your best path of travel in an unfamiliar location. So, if you are unable to read signage and you go to a place you've never been or even somewhere that's under construction, for example you need to make some intelligent decisions based on your environment as to what to do next. So that's how I define built environment.

**Jacob:** Yeah, I think that that's such an everyday experience is the built environment and I love the term intuitive wayfinding. Just that and its sense draws some really interesting visuals for myself. So maybe Debbie you can share a little bit about your experience of how you got into I guess coining that phrase and any experiences you've had with environments that you've encountered in the past.

**Debbie:** Well, when in my work with CNIB over the years particularly when I moved into the advocacy space, I would be going to locations at least once a week that I'd never been to and may never go to again. So, there were tools that I needed to acquire to feel comfortable and confident about going spaces like this and so, I would develop a little game plan before each trip and I always maintained that your trip or your journey begins the minute you turn the key in the lock and leave your comfortable space to an unfamiliar space. So that was part of how I did it. I also do a great deal of work with TTC, Toronto Transit Commission and I'm on their accessible advisory committee. So many things that come up during those meetings are best designs. It might be of a new subway station; it might be of a simple subway platform or a reconstructed station or it could be a new bus how the seating configuration is set. I'm also a guide dog handler. So, I have to consider using a guide dog in my travels but I use the cane for over 30 years before I got a guide dog so, I'm very familiar with both modes of travel and I do use technology to assist in my daily trips.

**Jacob:** Right. And yeah, and I mean that's a whole new kind of... Well, I guess relatively new space is using technology to help navigate but were there any particular kind of events that were particularly kind of I guess influential in getting into this space for you? I think it's such a crucial space that maybe we don't consider because it's just such a part of our everyday life.

**Debbie:** I think my work with the government on built environment in general and wayfinding I participated in the city of Toronto TO360 consultations and stakeholder engagements and it really opened my eyes figuratively and literally to the hazards that can crop up for people who are traversing a space. And when I look at traversing spaces, I try to think of it as a person who's never been somewhere before. So, what I might take for granted whether it's familiar or not, somebody may not. For example, if you're traveling in Toronto and you're using Toronto transit or you're going to a government buildings such as City Hall or exhibition place or Harbourfront Center a hospital to visit a friend. All of these buildings have their own challenges to traverse and you don't wanna be stressed out in doing the navigation to get there. If you're going to visit a friend you want to be comfortable knowing that you can get there in and out safely. So, there's other factors like the time of day, what time are you going, is the sensory environment gonna be very different at night than it is during the day. So, you need to consider so many factors and I always look at it from a first-time experience.

**Dianne:** One of the things that I'd like to pick up on that Debbie mentioned is inclusive advisory committees like at the TTC. Consulting with persons with disabilities upfront and proactively before things are built is incredibly valuable so that experiences can be taken into account broadly before something is built. And so instead of looking backwards after something is built and saying, "Well, you didn't do it right." Proactively looking for consultation with persons with disabilities is a really important step.

**Jacob:** Yeah, thanks for hopping in there Dianne and I'll just take this opportunity to just quickly introduce you. You can correct me if I'm just mistaken here. Dianne you're a legal counsel with the ARCH Institute. Is that correct?

**Dianne:** ARCH Disability Law Center, yes.

**Jacob:** Perfect. And I know that we've spoken about this on this show before but would you mind just giving a quick kind of overview as to what ARCH does in terms of, I guess human rights work within... It's within Canada or within Ontario

**Dianne:** Within Ontario. Although we do do a significant amount of Canadian and international engagement with disability communities. ARCH is... ARCH Disability Law Center has a provincial mandate and our work is to defend and advance the rights of persons with disabilities. We do a lot of work under the Ontario Human Rights Code but we also ask that decision makers take into account the convention on the rights of persons with disabilities when making their decisions because we want to ensure that the rights outlined in the convention become a source of entitlement.

**Jacob:** Yeah, absolutely. Thank you and thank you for sharing that. It's always such an interesting dynamic to have the way that we've set this show up to have some kind of legal perspective on things but Debbie to go back to your point as I'm kind of thinking about my own experience as somebody with I guess vision loss, it's funny that we're kind of bringing this up. That's always been in the past in growing up my biggest concern of going to a new environment how am I gonna get there? Am I gonna be able to see which house number it is? How am I gonna navigate an airport in a different country? Things like that and it's so true and I'm sure that a bunch of you listening or watching this episode have experienced those feelings, those stressors. And the reality is that most environments have not been optimized for persons with visible or invisible difference. And the reality is as quickly especially in Toronto as things are being developed, a lot of the city of Toronto and I'm sure other cities in Canada and the rest of the world have already been developed. So, if we look at it from a I guess a re-engineering standpoint, how does a building or a space or an environment probably most accurately get re-suited to be an accessible space?

**Debbie:** Well, Jacob it's a lot harder to retrofit an environment, it's very similar to doing digital content as well on websites. It's a lot easier to do it from the beginning but as you so rightly indicated that doing that is most of the cases are you have to go back and retrofit. It's becoming a little more common now to do it with new buildings as Dianne has pointed out during the consultative process for new structures and there are the laws keep changing and that's another piece. But your point Jacob about finding locations about doing this what you need to think about is we did mention that it's not only about the physical aspects but the sensory aspects as well and the stressors that you indicated are absolutely true. You're never gonna avoid all of them but you're gonna try and minimize those that you can. So, some of the things that you need to think about if you have to retrofit a space is some of it's simple, some of it is simple as simply changing surfaces within a building, you might use carpet to tile or textured pathways within a space to help guide a person along the best path of travel to reach a destination. One of the things that I tend to do now and it's not something I did when I was younger if I'm going to a space, I don't know I like to at least when I get there where am I gonna be able to receive assistance? How far do I have to go? I'm not great at floundering around the space I don't wanna do that so I'm gonna make sure that I have an idea in mind when I arrive, am I gonna go to security? Am I gonna go to an information desk? Is there people I can talk to who are walking down the pathway? But the simpler things to do is lighting inside and outside, natural and incandescent lighting are also very good. Acoustical sound treatments. What is the space actually being used for?

**(indistinct for conversations)**

or is it used for eating areas? Because sound treatments really do it to aid people with sight loss and the same with good lighting in a space. Are there clearly defined decision points along a path to say, well, this looks like it's a hallway juncture I'm not sure what to do here. The lighting is changing I've got carpet under my feet instead of a tile path. Am I in a lobby or am I in a waiting area for example. Color contrast and texture are big ones and that's just inside a building there's also getting to the space which is another whole line of thought.

**Dianne: (indistinct)** Debbie is really, really critical. A lot of people don't ask for accommodations which are the supports and services that provide equal access. A lot of people don't ask for them because they think that they're gonna cost a lot. But the kinds of things that you've described, carpet to tile, lighting, those aren't costly issues they can be built into the design or they can be added making the access more effective for persons with disabilities. So, accommodations don't have to be costly.

**Debbie:** Absolutely and half the battle is knowing where to go to get them. I mean, you don't wanna make too much of an effort for it but you wanna be able to say, "Okay, I don't know where to find out what accommodations "I'm entitled to." And that's where your best resources are and you contact who you know and you do some research on the web. But Dianne maybe you can talk about how people go about finding what accommodations are available.

**Dianne:** Accommodations are the supports and services people need to provide equal access to goods and services and facilities. In the built environment, there are a number of sources that assist people in identifying what accommodations they need. One is the building code which is an Ontario law that sets out requirements for the interior of buildings. So, the width of doorways, hallways, internal elevators, and making those accessible or there's the design of public spaces standard under the accessibility for Ontarians with Disabilities Act which provides the basis for accessibility for public spaces like sidewalks or walkways, ramps, curbs, things like that. So those two laws talk about the internal and the exterior rights to access that people have under the Accessibility for Ontarians with Disabilities Act. One of the issues with the AODA and the public standards are that there are limited ways to enforce the standards that are designed. So, the minimum requirements for accessibility are identified in standards like the design of public spaces standard. All organizations or at least most of the organizations in Ontario are expected to follow those standards but if you find an instance where the standards are not being met, you can call the accessibility directorate and they will support you in self-advocacy tools but there really isn't a fulsome complaints mechanism or response under the AODA. So, the other way people identify what their rights and responsibilities are is under Ontario's Human Rights Code. And under the code discrimination on the basis of disability is prohibited. So, what's discrimination? It means that if people are treated differently because of their disability, which is a protected ground and it has a negative impact on them then their human rights have been violated and that's when the duty to accommodate arises. The duty to accommodate under the code requires organizations, employers, other service providers, housing, it ensures that the supports and services that are necessary to get rid of discrimination are used in order to provide equal access. And it means that if those supports and services aren't provided, there's a ceiling called undue hardship that someone has to try hard enough, they have to try to the point of undue hardship to ensure that discrimination doesn't occur. So cost is one of the factors considered under undue hardship but the costs have to be so high as to affect the viability of a business or an organization or employer because you don't wanna put too cheaper price on respect for human rights and the duty to accommodate.

**Debbie:** That's absolutely true. You really, really do need to think about, how difficult is it gonna be to make a simple change?

**Dianne:** And as you pointed out earlier, they don't have to be costly. There's really creative things that you can do at no cost that will be an accommodation for a person with a disability.

**Jacob:** I was just gonna kind of jump in there with the undue hardship kind of point. It's such a reoccurring theme in every single one of these episodes that we've done and I really appreciate you very articulately and eloquently describing all of that information because I think it's really important to reinforce that because when we're talking about knowing what our rights are, a lot of people and myself included are unsure what the point of a reasonable accommodation may be. And just reinforcing the fact that, most people kind of think, well it's gonna be too expensive. I'm shy to ask for a computer and a big screen or whatever your accommodation may be a tablet or a certain phone you guys can think of all sorts of examples for this. But especially within large organizations, governments, things like that, when we're talking about environments, we're talking typically about very large-scale platforms and if something is not being made accessible, reaching out to the accessibility platform to get that those tools for self-advocacy probably are going to be a really great first step on that front. So, I really want anybody who's listening or watching that to really to understand that, don't be shy to ask or to find out or to educate yourself that's why you're watching this right now. You want to learn and that's the best first step, is knowledge, I mean education about a certain topic. So please, please, please make sure to really... Make sure that you're not holding back because your human rights, your ability to function is priceless. So don't be shy of that it's a really important kind of point and there's been an amazing I guess process put in place of undue hardship that is pretty high standard to meet. So, thank you for articulating that, Dianne. And Debbie I've actually... I'm gonna cut you a little bit on the spot here because as I'm thinking about this, I think that you've got so many great examples and knowledge about the topic, but if somebody is listening or watching this, if they were gonna approach a new space, what could people do pre-emptively to prepare themselves to be able to navigate this space in the best direction possible. And I'll give you an example to kind of get the ball rolling here. If I'm going to a store for instance that I've never been to, I'll search it on Google and see if there's a storefront image so that I can just start to, I guess just steal the visual of what I'm looking for in a shopping mall for instance. Lots of activity, distracting environments. And one example comes to mind, stores that are not on street level are particularly challenging for me to locate. So, I will always call in in advance for any particular landmarks that I should be looking for. What advice might you kind of give to people who are listening and watching this along those lines to prepare themselves to navigate an environment optimally?

**Debbie:** Well, Jacob as you mentioned earlier and you all as well Dianne, one of the things that it's getting to the location. I'll break it down into a couple of stages. So first of all, you gotta get to the location and I tend to call this part thinking beyond the building. So, I'm like you the best way to do it and I have found for me and it's a good suggestion from others that I've gotten up from over the years is do as much research as you can, call ahead, find out when you get there what you can do but one of the things that is important is how are you getting there? Are you going by transit, are you getting a ride directly to the door? And if you are then how do you find the entrance? So, a simple thing is locating the entrance. Is there a direct path to the door itself or is the path a circuitous one with bike racks and planters and different statuary in the way making your route rather circuitous. Once you get inside then you need to determine... If you've done some research ahead of time you know I gotta go up on the elevator to the store and elevators in general, there's a real point about elevators now because all elevators are not created equal. There are different types of elevators and also lobby configurations. So, are they facing elevators in the lobby and how far do you have to walk from the entrance to get to the elevator? Do you wish to get assistance from security or information desk before you get there? But the elevators there's floor through elevators so that means you walk in one door and you continue in a straight line out the other side they're often found in airports or public spaces and TTC have them different transit agencies use them to get on and off of platforms. There's something cropping up now that we need to watch out for and they're called destination elevators. And those basically you press the floor that you want and there's a screen in front of you that will tell you either auditorily or visually what elevator to take that will take you directly to the floor you're looking for. The other thing in elevators it's quite common now to see braille in elevators but don't forget the audio, the announcing of floors, the raised tactile numbers. Those are crucial pieces. You might have gone to an office many times and they've changed the elevator and because of that you are now not able to get to the floor you want on an elevator because you don't know how to use the destination elevator. Those are biggies.

**Jacob:** So, I guess at this point I think those are all really great points but I'm just gonna dive in a little bit further. If somebody is not familiar or versed in doing the type of preliminary research, how would you find out if there are bike racks or planters in front of a door or if there are issues with floor through elevators, things like that. I'm really curious to know what kind of resources and tools that you might use to find that information out.

**Debbie:** Getting in the weeds like this with the tools I tend to use the technical tools either Be My Eyes or Aira as I'm approaching the space if I can. Also, if I'm really don't have access to technology, I will call the space and ask them if they can meet me at the entrance. Again, you've eliminated a big stressor it's a big step to take though because you need to think about... If you're there for a meeting it's a lot easier to do that than it is if you're just walking into a grocery store. And let's face it, COVID has made things a little more interesting in that regard now with specific ways to walk within stores or specific entrances to use to get inside stores. I used to use a certain entrance to my grocery store and it has two entrances but it turned out that my entrance the one I always used was now an exit but I didn't know that so I just knocked on the door and they'd let me in. But they did tell me that and I said, "Well, I really don't feel I wanna train my dog "to walk another couple blocks to go to the other entrance. "So, I will call you first before I come "and let you know I'm coming "and then you can watch out for me." And our vet is the same. So sometimes a little prearrangement is necessary.

**Jacob:** Yeah, I think that's a really good point about self-advocacy, making that phone call, making arrangements and I think that most people will find people are very willing to accommodate and make those arrangements so that you can visit those store or location or meeting as you said. But I just wanna jump back for a second to something you said about a few of those resources. I think you said Be My Eyes and also was it Aira?

**Debbie:** Yes.

**Jacob:** Can you tell us a little bit about what those are? And we will have links to those in the description around this podcast somewhere for anybody who's interested.

**Debbie:** Okay. First of all, there's the GPS to get you to the building itself and there are several of those out there that you can use to access GPS. Now that's getting a lot easier now with the different types of GPS out there and if you wanna provide links to those, you can as well. But Aira and Be My Eyes are remote assistance apps that work in conjunction with a smartphone. So Be My Eyes works on any smartphone, you call and the same with Aira you make a call to a number and a person will use your phone's camera to assist you to navigate the space you're currently traversing. So, both of these services will assist with people to do that. The difference in the two services is that Be My Eyes is excellent but they're only volunteers and I don't mean only volunteers I mean that they are not trained agents to assist you to navigate a space. So, they may or may not tell you what you need to know as you're walking. They're great for looking up information, reading labels and so on but if you're going to navigate an unfamiliar space, I'm probably going to use Aira because those agents are trained to assist me and provide information to me that I need as I'm moving. I tend not to stop moving even if I'm not sure if I'm going the right way, I'm gonna walk until I find something that indicates that this is not the right way to go. Because one thing about wayfinding for me and I always talk about it in seminars that I conduct on wayfinding. Wayfinding isn't only getting from where you are to where you want to go, it's knowing that you're not going where you think you want to go. So, you need to figure out as you're walking if you expect to find lots of people or a cafeteria or a food court on your route and you don't hear that or you don't see that in your travels then chances are pretty good you might not be where you think you are. So, it's important to know that

**Jacob:** I think those are really good points. Dianne, you had something to mention.

**Dianne:** Yeah. One of the things that Debbie said that I can't overstate it's so important is preparation in advance but also self-advocacy. That piece is critical because other ways of enforcing your rights will take time. If you file an application to the Human Rights Tribunal alleging discrimination on the basis of disability it could take over a year to have that application resolved. If you complain under the Accessibility for Ontarians with Disabilities Act, as I said, there's no individual relief under that act. You can call bylaw enforcement and that may produce a somewhat faster resolution if there's a bylaw infraction. But the time that it takes to try and get your rights enforced is best solved by self-advocacy.

**Jacob:** Yeah. I think that that's a really important thing and one thing that we do talk a lot about on this series is, going to some type of enforcement agency should really always be the last resort to getting your needs met. Typically, once again, knowledge is power and especially in this circumstance if you understand what you're entitled to and can rationally and calmly and articulately explain that to whoever the I guess other party is typically you'll probably be able to find some type of resolution. Once again, people for the most part are pretty understanding and accommodating and taking it to an enforcement bureau of any type should really be kind of taken as a last resort it is very time consuming on multiple fronts. You may know that I'm going through that process myself and it's been a very, very time-consuming process. Not only the time it's taking to get responses which is still an ongoing process but the amount of time I invest to properly articulate my story and all of that type of thing. So, guys, I'm really encouraging you to try and resolve any disputes upfront and I guess collaboratively. So that kind of ties into my next set of questions is the legal implications on public spaces, private spaces, how does that get governed? How do we know what our rights are on that front?

**Dianne:** If you look to the minimum standards under the accessibility for Ontarians with Disabilities Act the standards that are set under that act for a variety of different bailey functions are minimum standards. But as I said there's no way to effectively enforce those standards. So, it's a problematic response to a commonly occurring problem. Under the Human Rights Code, if you think that you have experienced discrimination as we said, you can go to the Human Rights Tribunal of Ontario and file an application. But that is while it's a source of your rights and while accommodation is a critical part of enforcement of human rights, finding out what accommodations may be available to you is a kind of different process and it's a creative process because accommodations need to be individualized. Everybody experiences disability in different ways and so what I need as an accommodation maybe very different from what someone else who has a disability needs for their accommodation. So, the individualized part is critical in the accommodation process. And as I said before and as Debbie has pointed out be creative. Accommodations don't have to cost a lot there are things that can be done to render a space more accessible like having tactile markings, like having a difference in floor designs, like lighting. Those are things that will cost a lot but will make a huge difference to some individuals in terms of what it is they need to have equal access.

**Jacob:** Yeah, good points. Thank you. And I guess Debbie on that note, I'm just trying to think about this from a perspective of somebody who doesn't really know what they need to be accommodated or live and make kind of their environments more accessible. How would you go about finding out if changing the lighting in your home space or your workspace might be appropriate or if I think you mentioned changing from carpet to wood flooring might be more appropriate. Are there any resources where these type of modifications based on certain circumstances can be described or learned about?

**Debbie:** Well, some of the resources are probably in our own backyards. If you have orientation and mobility instructors nearby whether you use the CNIB or other services perhaps you're a student and you're learning about going to the university, a brand new university space, talk to the disability services people at the university or go and figure out as you go through your day if you find that you've done something in a task and it hasn't worked out well, figure out as you're going through it what is so hard about doing this? Why am I having issues with it? And be honest with yourself about it. Is it because you can't see to navigate the space? Is it because you're trying to articulate a situation and you're not being understood because you're not clearly defining what is needed. And as Dianne mentioned this earlier as well be clear on what you need. Don't just say that for example, I went to the building and I got lost because or I can't find the entrance. Cause that way they're not clear on what could have been done to assist you to find the entrance. It might be the lighting or maybe the driveway you got down the wrong driveway it could be a lot of things. Always do some planning before you leave and go out of your way to minimize your own stressors before you start your process. Don't hesitate to ask people along your route even if you think you're going in the right place and the right direction, it doesn't hurt to do that little check as you go. And that's something that we often don't think about because we think, "Oh yeah, we're right." But you know you wanna be clear you don't wanna backtrack. I have a thing about backtracking it really doesn't make me very happy. So, I try to avoid backtracking as much as possible if it has to happen then so be it. But there's also things like construction that are occurring all over Toronto and certain other cities as well right now. So, expect to have some kind of issues in travel. It may not be serious, but always assume that it's possible that you may have to think about gee, yo know what, I had this happen last time maybe I wanna take a ride there this time or talk to property management in spaces. If you're in a meeting with someone and you indicate it was tricky to find how to get there, let them know that. Don't hesitate to advocate but be clear and articulate it as best as you can.

**Jacob:** Really, really strong point and I hope that really resonates for anyone watching or listening to this that self-advocacy is super important and I know it may be challenging to articulate and to even have the confidence to ask for help. And one of the biggest strengths I think that all of us can find is it's okay to need help with things. Everybody needs help in some capacity and if it's gonna make our lives easier, I'm sure and positive that most people will be very willing to help, that's just something kind of innate to most humans is the willingness to help. I'll give you an example of something Debbie mentioned recently with construction. I was walking and I guess a little bit aloof to my surroundings, I had my headphones on and I saw some kind of orange construction pylons up in the distance and I thought maybe I could walk around it on Young Street and there was a police officer there and I don't walk with a dog or cane and have no visual indicators of my vision loss. And he immediately kind of started laughing, like, "Where are you going buddy?" And I said, "Well, I'm just walking up the street." And he said, "What do you mean? "You can't go that way." And I said, "Oh, well, sorry, I'm partially blind. "How would you recommend that I navigate this?" Because like you Debbie, I don't like backtracking either I'm always on attract forward. And immediately the officer stopped traffic walk me across the street and no problems. People are willing to help you navigate to really do what you wanna do. One point I do want to kind of transition to just quickly is online space because this I guess is another environment that is becoming increasingly popular for people to, I guess, engage in. And you're probably doing that right now watching and listening to this we're doing it being on Zoom right now. So how does that kind of factor into environments and wayfinding and having accessible and approachable online space?

**Debbie:** One of the things I find with online space is, again I approach it as if I've never been to that location. I've never been to that site, I've never been there, but if I go there, I try to glean as much information from the online site as I can. If there's a lot of... More and more is happening online and again, if you're a student you may be involved in online learning and you're not used to the software but you might need to indicate, I've taken part in some meetings using different platforms, I've used WebEx, I've used Zoom, I've used Teams. And again, it's all of them have their own distinctive ways of doing things and that's challenge itself but there are resources out there to teach people how to use some of these there's tutorials available, there's one-on-one sessions available if you need it, there's the get together with technology group run by CCB, there's the CNIB tech sessions one-on-one or in groups to help teach people about the online products that are out there today and then once you access a site or a platform get familiar with it, make notes if you need to it'll make your life a whole lot easier the next time you visit.

**Jacob:** Yeah, I think those are really good points and we'll link some links to those resources you mentioned. And Dianne you had something to add?

**Dianne:** To do. Because as a lawyer I would be remiss in not telling people about what legal avenues are available should self-advocacy fail. ARCH is a specialty clinic that practices exclusively in disability law and the claims of services that we offer are summary advice and referral which is 33 minutes of advice about particular legal issues that people raise. So, for example, if self-advocacy in trying to get around an obstruction on the sidewalk doesn't work call us and we can give you some advice or information about that and if we can't give you the advice or information then we can refer you to someone who might. We also undertake test case litigation which is taking on cases where there's a potential impact on changing the law or where a broader group of people in addition to just the individual will be impacted by a change in the law. We do publicly (indistinct) education like this session to sort of be preventative in the application of laws to people or to let them know about their rights. And finally, we engage in law reform activities and we provide submissions to government or other organizations about ways to implement or change laws that will have a positive impact on persons with disabilities. There are other resources like the Human Rights Legal Support Centre which is an independent agency from the government who also provide advice or assistance with applications to the Human Rights Tribunal of Ontario. There's pro bono Ontario which would provide also 30 minutes of free advice. But I also will add a link to something that I found particularly interesting and helpful and that is a video on YouTube by Dave (indistinct) about barriers that he's encountered in terms of trying to access the built environment. And it comes from the place of a person with the disability who in a very new building continues to encounter barriers to accessibility. So, I'll forward that link as well.

**Jacob:** Yeah, thank you. I think those are really important kind of things and resources to use if it gets to that point of, I guess dispute between the parties involved. I know that we're running on our last few minutes here but I did have one more question about online space and something that actually came up recently in an external conversation I was having is, on a website for instance, is it and if it's not accessible whose responsibility is it to make the website accessible? Is it the service provider? Is it the business's website? Is it the browser that you're using? Is it the software or kind of to use two big examples, is it Windows operating system or is the Mac operating system. Has there been any kind of, I guess, information on how to approach that from, I guess a legal perspective or just a general knowledge perspective?

**Dianne:** There is an information and communication standard under the Accessibility for Ontarians with Disabilities Act that does set minimal expectations in terms of web content, what's expected from service providers and things like that. The Human Rights Code would also cover those kinds of issues if you're experiencing discrimination then whether you go to the website operator, whether it's the the program itself there would be different levels of who you would complain to. So, the standard... Debbie what do think?

**Debbie:** I agree with Dianne on this one it is part of the information and communication standard. There's also the Web Content Accessibility Guidelines commonly known as WCAG and they're developed by the World Wide Web Consortium and these guidelines fall into three levels of compliance. There's also different versions of the guidelines we're coming up to 2.2 now but when you have a concern about a website that you have visited, if it's a business, don't hesitate to reach out to the business, generally probably by email is best. But if you're going to do that, writing the business it's the same when you have a built environment in accessibility issue saying the website is not accessible isn't going to help that place understand what the problem is. It's best if you can give specific examples, I am trying to check out and I am not able to click the submit button or I'm not able to choose my credit card or I can't, if I'm on an airline site I can't read the flight options, I can't tell which flight is at what time. That way they have a better sense of where to go to fix the problem. Always also, if you wanna continue the dialogue I worked with some of the sports sites on their app as well only because I wrote them on my phone and I asked them, I can't tell what the score is and I wanna find my favorite. They wrote me back and I offered my email back to them I always feel free to contact me and they did and I knew enough for what my problem was. But try to articulate the issue you're having on a specific manner, don't keep it broadly they won't understand you perhaps when you say it's not accessible. What type of technology are you using, are you using a screen magnification software, are you using a physical device, a screen reader. All of this information helps the business or the website provider understand what you're using and they may ask you more questions.

**Jacob:** Yeah, I think that that's the key. I think from a business perspective and having some businesses of my own it's really a common oversight not intended that a program software website whatever it may be can be modified probably relatively easily to accommodate for that need. So, yeah, I think being specific having a direct result of what you're looking for in terms of an accommodation is really important and giving as much detail as possible really helps developers now we're talking kind of online space adapt for that. I just have one more question for you Debbie you do some kind of I guess digital consulting in terms of accessibility, is that correct?

**Debbie:** That's correct.

**Jacob:** So, if there are any, I guess organizations or business owners watching this or listening to this, where would they reach out to you or organizations like you to find out how they could better accommodate their users?

**Debbie:** They can email me directly at (indsitinct)@gmail.com or they can go through CNIB's Frontier Accessibility who also do contact businesses. That way we can use different usability testing set ups to assist. I only tend to use a screen reader and mobile devices and Windows to do most of my testing. But if you're looking for an all-around type of support then you may wanna contact Frontier Accessibility at CNIB to do that and I'm sure we can put links in the program. And Dianne has put it best about self-advocating. If you're a good example of this is using the Tab key. So, if you're expressing an issue that you're having say I am using the Tab key to look for the submit button because this way your website online space whatever you're looking at, they can try the same thing and with a screen reader. If you're using a screen reader let them know there's free open-source screen readers out there there's NVDA for example, Microsoft Narrator also will allow you to do this. Again, no cost to the developer these are both free the Narrator is built into Windows, NVDA is available as open source. So, at one time that wasn't the case and now that it is. But it could be simply changing your form label maybe your submit button doesn't say submit it might just say button and you don't know what that means. So, some of these fixes just like the built environment don't have to cost a lot but they are factors that you need to consider.

**Jacob:** Yeah, absolutely. I wanna thank both of you so much for being a part of this the insight and the information and resources which will all be linked in the description somewhere around this podcast will be available for you guys to learn more about that. But I just wondered if either of you or both of you have some closing remarks, maybe some words of wisdom to impart with our viewers and listeners here.

**Debbie:** I think what I can do is encourage you to call ARCH for information or advice. We keep up with the recent case law on issues so it may be that the issue you're concerned about has been dealt with already and we can provide you with details of that. Feel free to ask us to come out and speak to any audiences. We speak and provide services directly to persons with disabilities we don't provide our services usually to serve as providers. So, we could speak to a group of consumers who want more information on specific aspects of the law. We invite you to contact us.

**Jacob:** One quick question for you Dianne, if there are viewers or listeners outside of Ontario are they still welcome to contact you and you might be able to offer some referrals based on their jurisdiction?

**Dianne:** They can contact us but unfortunately, we may not have the information that they want on their particular jurisdiction. What we can do is find an organization that may be able to help them in their own jurisdiction.

**Jacob:** Perfect. Thank for clarifying that. I know that we will have a national reach on this. So, if you are outside of Ontario, I guess based on what Dianne said, feel free to contact ARCH and you can always contact the CNIB as well as an excellent resource. Debbie, any closing remarks?

**Debbie:** I guess my biggest one is don't be afraid to say you don't know, because you're gonna learn something if you do that. **(indistinct)** the days when we know web was in its infancy many of us learned as we went along and these are crucial bits that as you learn something new you sort of build on it and continue in learning. Remember also that my work primarily deals from a blindness perspective. So, I use a screen reader myself and for the built environment I use a guide dog and a white cane. So, I'm best to assist in that way whether it's usability or whether it's advice on the technical aspects. But again, these are things that people work out as they go and again, don't hesitate to reach out and say, you don't know. That way people, you're honest, you'll learn by saying that.

**Jacob:** Yeah, I believe there's the classic (indistinct) honesty is always the best policy. And I once again wanna thank the two of you for joining me on this episode. There's been some amazing information, some tools, techniques, and resources that anybody listening and watching this should really check out. And I just wanna leave you guys with one last comment. Don't always assume that you're being victimized because something isn't being accommodated. I think it's really important to educate yourself to advocate, but also to open a dialogue in a calm and collected manner, because most of the time as Dianne and Debbie have said, these accommodations can be very inexpensive, very easy to implement, but it's really about opening that dialogue. It's not that somebody doesn't want to accommodate you it's probably the fact that they don't know how to accommodate you and that's our responsible as people with visible and invisible difference to help educate and move this movement forward. So, guys, thank you so much for watching until next time we'll see you then

**Narrator:** For more CNIB Foundation Podcasts visit cnib.ca/podcasts.