

THE MANITOBA
HUMAN RIGHTS
COMMISSION



LA COMMISSION DES
DROITS DE LA PERSONNE
DU MANITOBA

Accessibility Plan

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PART I: BASELINE REPORT 2015

A. Overview of programs and services

The Manitoba Human Rights Commission (MHRC) is an independent agency of the Government of Manitoba responsible for administering *The Human Rights Code* (*The Code*) and committed to addressing and eliminating discrimination in Manitoba. Discrimination under *The Code* means treating a person or group differently, to their disadvantage and without reasonable cause, on the basis of a **protected characteristic**, such as ancestry, age or disability. Discrimination is prohibited in activities such as **employment, housing, and services available to the public**. Publishing a sign or statement that indicates or advocates discrimination is also prohibited. Any person may file a complaint alleging discrimination based on a protected characteristic in the above listed activities.

- **Services**

The MHRC has five main service areas within which it interacts with the public: administrative support, intake, mediation, investigations, and education/outreach. These five service areas are the most significant to the public because each service has direct and often on-going contact with individuals who enter the complaint process. There is a significant degree of vulnerability that people feel when they provide a statement of events alleging discrimination, and MHRC staff is entrusted by the public to handle their private, sensitive information with a high degree of sensitivity, integrity, and confidentiality.

Administrative support is the first interaction the public has with MHRC. Administrative staff welcome individuals who visit MHRC to obtain information about the complaint process, forward inquiries to an intake officer to discuss an inquiry or complaint in more detail, provide French translation service, and provide support to people with visual impairments.

Intake officers provide information about how an inquiry relates to *The Code*. Intake officers provide information about the complaint process and applicable legislation and offer referrals to other government departments, or external services and organizations that may be able to address the complaint if it is not related to discrimination under *The Code*. Intake officers provide guidance on the complaint process in person, on the phone or through email, and assist people through the initial phase of filing a complaint.

Mediators become involved in the complaint process when a complaint is registered with the MHRC. Mediators work closely with both complainants and respondents to discuss potential remedies and negotiate agreements to resolve the complaint.

Investigators become involved in the complaint process when mediation has not been attempted or has not resulted in a resolution. Investigators contact the complainant and respondent as well as any identified witnesses and assess all relevant information provided to determine if there is sufficient evidence of contravention of *The Code*.

Education/outreach staff share information with the public to promote human rights and educate about *The Code*. Workshops are offered at the MHRC to employers and staff regarding discrimination, accommodation, mental health and harassment in the workplace. Corporate agencies can request a presentation be delivered to their staff at the worksite and non-profit organizations, schools and other agencies can request a presentation on human rights on-site.

- **Client profile**

The MHRC is available to all Manitobans who believe they have experienced discrimination based on a protected characteristic in areas of employment, housing, and services.

Clients who tend to use services at the MHRC are persons with disabilities (physical and/or mental, intellectual), and people in the work force. This is reflective of the complaints that were registered at the MHRC in 2014. Of all protected characteristics disability made up 44% of all registered complaints (physical disability, 67%; mental disability, 33%). Most people who registered complaints were in the workforce and filed a complaint against their employer (76%) often with respect to differential treatment or a failure to provide reasonable accommodation. A smaller proportion of clients in 2014 registered complaints against a service provider (20%) or a rental or condominium housing provider (5%).

This data indicates that the majority of clients have accessed the MHRC due to discrimination experienced in the workplace, related to feeling they have not had an equal opportunity to participate in society on an equal level with those without disabilities. People access services at the MHRC to help rectify the situation and prevent it from happening again to themselves or anyone else.

B. Accessibility Achievements

The MHRC strives to create an accessible environment that allows greater opportunity for persons with disabilities to participate at work and use services at the MHRC. The *Guide for Public Sector Organizations* identifies five main categories where people tend to experience barriers in services. These include **attitudinal barriers, information and communication barriers, technological barriers, systemic barriers, and physical and architectural barriers**. The MHRC believes it is necessary to evaluate accessibility in these five areas and identify the achievements made over the past several years.

A review of accessibility achievements was conducted with both management and staff. One-on-one consultations were organized with senior level management and an online survey was distributed to all staff. The consultations generated a list of identified achievements at the MHRC in the five main categories below.

Attitude

- Flexibility, sensitivity and awareness of accommodation for persons with disabilities is built into how the department works with employees and service users
- Proactive to offer specialized workshops for staff to increase awareness in mental health, aboriginal cultural awareness, etc.

Information and communication

- Complaint forms are offered electronically, are screen reader friendly, are printed in large font and the MHRC offers a simplified process card
- Outreach and educational presentations are accessible and meet people at the requested location by external agencies
- Generated external organizations list to support clients with additional needs

Technology

- Website generally accessible for people with screen readers
- In-house technology is available and updated for people with visual impairments

Systemic changes

- Employment opportunities for diverse groups including persons with disabilities
- Parties can contact the MHRC in a variety of ways (email, phone, in person)
- Accommodate the use of service animals in the workplace

Physical space and architecture

- Building and office space is generally accessible for all people with elevator access, automatic doors, single washrooms, wide hallways

C. Existing Barriers

Despite the accessibility achievements the MHRC has made over the last several years there are still a number of barriers that limit accessibility for workers and service users. The MHRC consulted with various stakeholders to identify known and unknown barriers. These stakeholders included current employees with and without disabilities, clients who registered complaints whose file has been closed, and Manitoba and Canadian based organizations representing persons with disabilities

Employees participated in an anonymous survey and were asked to provide feedback on existing barriers as well as practices and policies that may cause barriers within the workplace and for service users. Clients received a single page questionnaire. Service organizations received an email invitation to have a telephone conversation on how to help identify potential unknown barriers and improve accessibility for people at the MHRC. These organizations included the Canadian Mental Health Association, Canadian Hearing Society, Society for Manitobans with Disabilities, and the National Institute for the Blind. Feedback from these various consultations identified known and unknown barriers.

Attitude

- Time constraints can impact the ability to assist clients with additional needs

Information and communication

- In-house communication tools are not always accessible for visually impaired (PowerPoint, bulletin's in PDF form, staff meeting agenda and notes)
- Complex and lengthy information package for service users

Technology

- Website has limitations for people requiring screen readers or visual impairments including colour contrast and graphics which do not have text descriptions.
- Telephone system may be confusing for people trying to reach the MHRC
- Skype or online chat is not currently available to communicate in alternative means

Systemic changes

- No pre-existing anti-ableism policy
- No accessibility advocacy group to assess and implement accessibility changes in the workplace
- People with mental and intellectual disabilities may not have the capacity to know they can access service at the MHRC and require someone to assist on their behalf
- MHRC is available to meet people via phone, email, and office but not out of office in the home or elsewhere.
- Signage is not provided in Braille
- No 'active-offer' signage visible or on published documents for the public

Physical space and architecture

- The weight of doors and height of counter space as well as lighting can be an issue for persons with disabilities
- No designated parking for easier access to the building
- Elevator door closes quickly for people with mobility issues
- No flashing smoke alarms for people hard of hearing

PART II: CONSULTATION FEEDBACK

1. Accessibility summary chart – compilation of consultations with management, employees, and external organizations

	Achievements	Barriers	Brainstorm action plan
Attitude	<p>Flexibility is built into how the department works with employees and service users (inherent)</p> <p>Awareness of accessibility and clients with special needs</p> <p>Generated an outside organization based resource list to meet client additional needs</p> <p>Specialized workshops for staff in areas of mental health, aboriginal cultural awareness etc.</p> <p>Generally staff have progressive attitude about respect and accommodation, inclusivity</p>	<p>Frustration with time – fatigue can impact interaction with people who require more time</p> <p>People feel they need to convince the intake officer that discrimination occurred because intake is apprehensive to say whether discrimination occurred or not. This has caused frustration for people working through the process (related to understanding the process and needing validation that their experience was troubling for them)</p> <p>People have difficulty with putting thoughts from their head to paper leading them to feel frustrated with the process (can relate this to limited time staff have to process complaints with an individual)</p>	<p>Increase knowledge of terminology for deaf, hard of hearing, etc.</p> <p>Increase awareness of deaf culture and needs accessing service</p> <p>Communication training to reach customer service standard</p> <p>Explain our process and provide timelines</p> <p>Inform people a support person is welcome</p>
Information and communication	<p>Complaint forms and website accessible to people who use screen readers</p> <p>Complaint forms available via email</p> <p>Complaint forms have large size font for visually impaired</p> <p>Provides in-person interpreter service for hearing impaired</p> <p>Simplified complaint process card</p> <p>Provides typist for</p>	<p>Forms are lengthy and complex using legal language which can be a barrier for persons with an intellectual disability</p> <p>Documents issued to public are generally offered in one format type</p> <p>PowerPoint Presentations should be developed to be in an outline format to be transferred to word document (how we communicate for all individuals)</p> <p>Bulletins sent as PDF, can't be accessible to all</p>	<p>Provide process documents in simpler language</p> <p>Use a tildy for staff minutes</p> <p>Streamline and share resources and tips on how to make documents accessible across all services in MHRC. (PowerPoint Presentations, bulletin format (PDF), characteristic cards)</p> <p>Ensure PowerPoint presentations are accessible prior to</p>

	<p>individuals with mental or intellectual disabilities?</p> <p>Communicate via email accessible to the deaf and hard of hearing</p> <p>Outreach presentations offered off-site meeting the needs of people where they live or work</p> <p>Characteristic cards for youth conferences, visual, colour, simple, examples provided</p>	<p>impairments (images)</p> <p>Workshop presentation considerations – not immediately accessible but could be accessible in a timely manner</p> <p>Staff meeting materials are not always accessible to all staff members</p> <p>Outreach presentation may not always be available to deaf and blind if presenter is unaware prior to presentation</p>	<p>meetings</p> <p>Coles notes of process on website or YouTube</p>
Technology	<p>Screen reader application for visually impaired staff</p> <p>Updated technology for visually impaired staff</p> <p>Website font size can be increased; contrast is good</p>	<p>Visually impaired would require a screen reader to read web information (no audio available) – no image description on site.</p> <p>PDF to HTML formats are difficult for reader technology</p> <p>Website section containing policies is difficult if not impossible to access with a screen reader</p> <p>Telephone system can be confusing for some people</p> <p>Database software is not very friendly for screen readers</p>	<p>Online video with subtitles or voice-over explaining the complaint process</p> <p>Have all major complaint process documents screen reader accessible</p> <p>Pilot using Dragon Dictate for screen reader</p> <p>Should be set guidelines on shades and colours – (ex. Annual report generally did not meet colours and shade contrast)</p>
Systemic	<p>Allow the use of service animals in the workplace for staff and public</p> <p>Employment opportunities for diverse groups including persons with disabilities</p> <p>Parties can provide information and communicate with staff in various ways including email, written, telephone, or in person.</p>	<p>Persons with mental disabilities may not have the capacity to know they can access service at the MHRC – require someone to assist on their behalf.</p> <p>Challenges with self written complaints and engaging in this process, however, people are welcome to have someone assist them</p> <p>Multiple complaints can result in altered negative perceptions from MHRC staff</p>	<p>Offer the option to meet people on Skype or at their home and collect all required documents on their behalf.</p> <p>Pro-active outreach to people with organizations representing people with disabilities</p> <p>OSD diversity and inclusion training for all staff</p> <p>Accessibility committee</p>

		Having full time staff available to take TIME with a client and also building relationships with a MHRC worker	meetings (to join workplace safety and health?) Create anti-ableist policy or commitment
Physical and architecture	Hallways are large and free of clutter to allow comfortable and safe access Automatic door openers for staff and public access to washroom hallways Building is wheelchair accessible with elevator service Accessible single stall washroom Appropriate lighting offered Brandon office is accessible for people with mobility issues with accessible counter at eye level	Locks on doors may be difficult for people to open with mobility issues Elevator doors close too quickly No designated parking for persons with disabilities visiting MHRC Front counter is very high to reach for people in wheel chair or with physical limitations Main area is poorly lit	Assess door lock options Install flashing smoke alarms Ensure signage has Braille Change speed of elevator doors Lobby for designated parking for peoples with disabilities Assess counter height, and lighting
Other (policies?)		No anti-ableist policy No active offer on signage or publications	Create anti-ableist policy or commitment Have “active offer” signage and statement on all publications to indicate accommodation requests can be made and forms are available in difference formats upon request

2. Tips to reduce barriers for persons with disabilities – organization consultation

	CMHA - Sept 9/15	Canadian Hearing Society Sept 11/15	SMD – Sept 15/15	CNIB – Oct 7/15
Attitude	<p>Recognize difficulties translating a statement from head to paper</p> <p>Validate experience even if it can't be determined to be a contravention at the outset</p>	<p>Anti-ableism policy Increase knowledge of terminology for deaf, hard of hearing, etc.</p> <p>Increase awareness of deaf culture and needs accessing service</p> <p>Communication training to reach customer service standard</p>	x	x
Information and communication	<p>Coles notes of process on website or YouTube</p> <p>Explain our process and provide timelines</p> <p>Inform people a support person is welcome</p>	x	x	x
Technology	x	x	x	Screen reader technology
Systemic	<p>Multiple complaints can result in altered negative perceptions from MHRC staff</p> <p>Having full time staff available to take TIME with a client and also building relationships with a MHRC worker</p>	<p>Hire qualified interpreters for people who are deaf, hard of hearing, hearing disabled and ensure proper access to evidence, not sole reliance on interpreters</p>	<p>Offer the option to meet people on Skype or at their home and collect all required documents on their behalf.</p>	x
Physical and architecture	x	x	x	<p>Flashing smoke alarms</p> <p>Ensure signage has Braille</p>

PART III: STATEMENT OF COMMITMENT

The MHRC recognizes the rights of persons with disabilities as set out in the *United Nations Convention on the Rights of Persons with Disabilities*, the *Canadian Charter of Rights and Freedoms*, *The Human Rights Code (Manitoba)*, *The Accessibility for Manitobans Act (“AMA”)* and MHRC’s policies on reasonable accommodation.

We are committed to equal access and full participation for persons with disabilities and to identifying, removing and preventing barriers.

PART IV: NEXT STEPS

MHRC will take steps to incorporate the consultation feedback into its policies and practice immediately to ensure that barriers identified in the areas of attitude, information and communication, technology and systemic barriers are addressed on an ongoing basis.

The Commission will continue to monitor and update this plan as new standards are established.

A. Customer Service Standard

To comply with the Accessibility Standard for Customer Service the Commission will immediately proceed with an overall policy regarding compliance and will use the following practices and measures to ensure this policy is enforced.

1. The Commission will ensure Communication with people with disabilities by
 - using alternative formats,
 - posting active offers,
 - considering a person's disability when communicating with them
 - Training staff on how to communicate with persons with various mental and physical abilities.
 - continuing website update
2. The Commission will welcome all people who use assistive devices
 - Staff will be trained on serving customers who use assistive devices.
 - Ensure respectful space is available
 - Consultations will continue to ensure the continual removal of communication, attitudinal and physical barriers.
3. The Commission will welcome support persons and not charge any extra fees for the presence of a support person.
 - Staff will be trained in appropriate communication
 - Staff will be patient when extra time is required for communication
4. The Commission will welcome people with service animals and follow the *Human Rights Code* regarding the definition of service animals. It will follow its own published guidelines and fact sheets.
5. The Commission will ensure a barrier free access to its services.
 - Hallways, meeting rooms and reception area will be kept clear of clutter,
 - Space will be constantly reviewed to prevent any possible dangers to people accessing services
6. The Commission will inform the public whenever possible if there are temporary barriers to its office space and services.
 - A template notice will be made in advance
 - Additional information such as length of time the service is not available and, if possible, a reason for the disruption in service.
 - Appointments will be rescheduled if disruption is known in advance.

- Signage will be posted in visible areas
7. The Commission has a feedback mechanism for any accessibility concerns and will respond to any questions or concerns.
 - Responses to any concerns will be acknowledged and discussed within 24 hours
 8. All employees will be trained in how to serve people with disabilities. All new employees will receive the same training.
 - Training will be repeated when necessary

- **Short Term actions**

Based on the barriers identified through the consultation process, MHRC will take the following immediate steps to improve accessibility.

- Accessibility Coordinator and working group established
- Attitude – training and awareness
- Information and communication – alternate formats on request, accommodation
- Technology – includes redevelopment of website
- Systemic changes – accessibility policy and active offers

Short Term Action 1– Accessibility Coordination	Within 0-6 months and ongoing
<p>Initiatives/Actions</p> <ul style="list-style-type: none"> • Accessibility Coordinator role established • Accessibility Coordinator liaises or participates in Workplace Health and Safety meetings • Accessibility Coordinator ensures Commissioners and staff are aware of any updated or new information related to <i>AMA</i> • Accessibility Coordinator ensures that the Accessibility Plan is reviewed and updated annually in consultation with the Commissioners and staff • Accessibility working group supports the coordinator with regular meetings and shared actions 	<p>Expected outcomes</p> <ul style="list-style-type: none"> • An individual is identified as taking primary responsibility for coordinating compliance with <i>AMA</i> and the Accessibility Plan • The Accessibility Plan is a “living document” that is reviewed and updated on an ongoing basis
Short Term Action 2 – Attitude	Within 0-6 months and ongoing
<p>Initiatives/Actions</p> <ul style="list-style-type: none"> • Train Commissioners and staff on how to communicate in and interact with persons with disabilities in an 	<p>Expected outcomes</p> <ul style="list-style-type: none"> • MHRC has enhanced awareness of persons with disabilities, barriers, accommodation needs and how to respond to accommodation

<p>effective way</p> <ul style="list-style-type: none"> • Build awareness of Commissioners and staff about disability-related terminology, assistive devices and other needs • Develop and implement an accessibility checklist for all MHRC events, seminars, consultations and other activities 	<p>requests</p> <ul style="list-style-type: none"> • Standardized accessibility checklist for all activities to ensure full participation and integration of persons with disabilities.
<p>Short Term Action 3 – Information and Communication</p>	<p>Within 0-6 months and ongoing</p>
<p>Initiatives/Actions</p> <ul style="list-style-type: none"> • Publications alert to availability of alternate formats on request • Post active offers – How can we help? • Ensure accessibility for low vision: Use of sans serif font and limited use of italics and bold print in body of document; minimum 12 font size used • Communications, particularly in complaint process, are reviewed for plain language and streamlined • Establish standard timelines throughout complaint process and public service (phone/ email etc.) • Create a process for receiving and responding to feedback from public 	<p>Expected outcomes</p> <ul style="list-style-type: none"> • All publications created after December 2016 advertise availability of alternate formats available on request • The public is better able to understand and process MHRC’s work • MHRC provides the public with consistent and reliable information • MHRC is aware of and able to respond to ongoing needs of the public.
<p>Short Term Action 4 – Technology</p>	<p>Within 0-6 months and ongoing</p>
<p>Initiatives/Actions.</p> <ul style="list-style-type: none"> • Consider availability and feasibility of purchasing speech to text software • Review and redevelop website and other publications 	<p>Expected outcomes</p> <ul style="list-style-type: none"> • Meets the needs of people who cannot produce a written complaint and allows staff with functional limitations to produce written text verbally

<ul style="list-style-type: none"> • Assess telephone system • Consider developing video or audio tools • Review and access technology actions after the Accessible Information and Communication Standard becomes law. 	<ul style="list-style-type: none"> • Website meets is <i>AMA</i> compliant • MHRC complaint process, educational materials and publications are available in digital or other formats.
<p>Short Term Action 5– Systemic</p>	<p>Within 0-6 months and ongoing</p>
<p>Initiatives/Actions</p> <ul style="list-style-type: none"> • Develop and implement Board of Commissioners’ Accessibility Policy • Train Commissioners and staff on Accessibility Policy • Expand options to communicate with public (in-person, through Skype etc.) • Active offer’ statement and signage 	<p>Expected outcomes</p> <ul style="list-style-type: none"> • MHRC’s practices, processes, publications and communications promote equality for persons with disabilities • MHRC offers the public a range of communication methods • The public is aware of MHRC’s Accessibility Policy

- **Long term actions**

Based on the barriers identified through the consultation process, MHRC will take the following future steps to improve accessibility.

- Physical and Architectural
- Compliance with future standards under the *Accessibility for Manitobans Act*

<p>Long Term 1 – Physical and Architecture</p>	<p>Within 6- 18 months and ongoing</p>
<p>Initiatives/Actions</p> <ul style="list-style-type: none"> • Assess lighting, front reception/ lobby and meeting spaces • Assess accessibility in all workspaces • Alert maintenance to reduce elevator door speed • Lobby for accessible parking in front of building or at rear and appropriate signage • Assess all emergency/ first aid equipment for accessibility (i.e. install flashing smoke alarms for people hard of hearing or deaf) • Assess availability and feasibility of swipe cards for internal workspace 	<p>Expected outcomes</p> <ul style="list-style-type: none"> • All meeting spaces are accessible to persons with disabilities. • All workspaces are accessible to persons with disabilities. • Elevator is accessible • Quick and easier access to the building • Emergency equipment and procedures address disability-related needs
<p>Long Term Action 2 –Complying with Standards</p>	<p>Within 6- 18 months and ongoing</p>
<p>Initiatives/Actions</p> <ul style="list-style-type: none"> • As standards become law, they will be implemented and included in this ongoing plan • Access workplace to ensure compliance with the upcoming Employment Standard 	<p>Expected outcomes</p> <ul style="list-style-type: none"> • Complying with the Employment Standard , when it comes into effect • Work with the Civil Service Commission on employing new staff