# Work Disability in Canada: Portraits of a System

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# Work Disability in Canada: Portraits of a System

**Dedication**

This book is dedicated to Canadian workers and jobseekers with disabilities past and present who struggle to access, maintain or return to work.

Proceeds from this book will help fund CRWDP’s Community Caucus activities.

Cover photo is of Eugene

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**But somebody must say, “Let’s do this. There’s no reason why we can’t make this work.” It starts with the will and motivation to change the way you do things. *Wolfgang***

**There is no reason not to employ people with disabilities. No reason. Everything is out there to make it happen. The private sector has a vital role to play regarding the employment of people with disabilities. And when we foster a culture shift away from a focus on disability and difference, and move towards a focus on talent and potential, we will be doing better business. *Jamie, Dolphin Digital Technologies***

# Page 6. Foreword

How does an historian work alongside academics and advocates leading the charge on policy changes that affect people with disabilities? Rather well, as it turns out.

I first approached the Centre for Research on Work Disability Policy (CRWDP) in February 2014. I wanted to lend my historical research skills to actively help improve employment outcomes for people with disabilities. When I was a graduate student, I had studied the long history of Canadians with disabilities and their exclusion from the labour market, and I wanted to leverage this knowledge to support initiatives that produce meaningful change. Since then, I have been involved with the CRWDP as a collaborator on several initiatives, most recently as a postdoctoral fellow.

Many professional historians like myself are reaching outside the academy to forge connections with organizations that can benefit from the research skills and unique perspective one gains from the study of history. One of the first few things that struck me working with people outside the humanities included the sense that history and background began just five, ten or twenty years ago, rather than the deeper historical timelines I was used to working with. This approach is understandable given the nature of much of this research and the orientation toward recommending policy change. However, I couldn’t help but wonder how a contemporaneous point of view—one that looks mainly side-to-side and ahead—misses a great deal by refraining to pause and look back from time to time.

This brings me to the present work. *Work Disability in Canada: Portraits of a System* aims to start a discussion—not just where we’re going, but where we’ve been. The book uses the power of personal narratives to educate and enlighten readers about people with disabilities in relation to experiences of living, working, employing and advocating for change.

Readers will learn about the trials and tribulations of people struggling to find and maintain paid employment in the face of lifelong illness or other health issues. You will meet people working to create systemic change within and outside the system. You will meet advocates and employers finding creative solutions to connect jobseekers with employment opportunities.

Individually and together, these “portraits” reveal the fragmentary nature of the work disability “system” in Canada. The “system” is borne of distinct political responses to unmet needs at various times in Canadian history. While some profiles reflect an awareness of these origin stories, they all shed light on the daily realities of those who navigate them. The intent of the book is not only to educate and inspire meaningful change, but also to find its way into the hands of employers, policymakers and advocates empowered to bring that change to fruition.

There are several people who made this work possible. Emile Tompa, Co-Director of CRWDP, had the vision to find merit in the original book proposal and shepherd the project through to completion. Thank you to Kathy Padkapayeva for her most excellent feedback and critique which greatly enhanced the quality of the final manuscript. Thanks also to members of the National Community Caucus—Maureen Haan, Steve Mantis, Alec Farquhar, Kathy Hawkins, Ellen MacEachen and Emile Tompa—for their support of this project.

***Dustin Galer***

# Page 9. Introduction

Income security and the employment of work-disabled individuals is a social policy issue older than Canada itself.

Programs and policies arose independently in different social and political environments at the federal, provincial and municipal levels, usually in response to a perceived unmet need at the time. These foundational differences often meant programs evolved spontaneously without much regard for the way different disability programs interact nor the ease with which individuals identify the program(s) most suitable for them and move within and between programs as circumstances change.

The following brief historical overview surveys the origins of the work disability system in Canada to provide an opportunity for reflection on progress to date and clarity for envisioning ways to strategize future coordination efforts.

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Pre-contact indigenous populations of North America approached disability quite differently than people in Old World European nations who came to colonize these lands. Indigenous cultures primarily defined disability as an imbalance between mind, body and spirit that affected participation and relationships within the community. Mental and physical disabilities were sometimes seen as a divine gift or accepted as a natural part of aging. Fundamentally, disabled individuals were rarely stigmatized; instead, they were expected to share what gifts they had with the community.

In colonial British North America, responsibility for sick, injured and disabled people varied from east to west. Elizabethan poor laws were inherited in some Maritime jurisdictions. Parish tax collections supported almshouses that distributed relief to ‘unemployables,’ while the able-bodied poor were punished through the importation to the New World of the workhouse model. Following the British military conquest of New France, Lower Canada (Québec) continued to rely heavily upon the Catholic Church which built and maintained various institutions for those in need. The Upper Canadian frontier (now Ontario)—carved out of the wilderness through industrious toiling by Loyalist farmer-settlers—enacted civil laws to govern public welfare that shifted responsibility away from the state toward individuals, family and private philanthropy. This individualist model predominated as the Canadian frontier pushed westward toward the Pacific.

By the 1880s, industrialization rapidly transformed the Canadian economy, exposing workers to new kinds of dangers in increasingly urban workplaces. In response to a spike in death and disablement resulting from industrial accidents, a Royal Commission travelled the country hearing workers describe their experiences of perilous working conditions, exploitative wages and inadequate housing.

Public outcry prompted the enactment of various Factory Acts to establish basic safety standards, hours of work and to curtail child labour. Fraternal insurance through brotherly associations, such as the Oddfellows and Foresters, provided some relief to masses of workers before the advent of private insurance.

Ontario became the first province to pass an Employers’ Liability Act (1886) to provide injured workers with greater financial security. Injured workers or their bereaved families were expected to seek compensation from employers (and their insurers) through the tort system. Claimants were in the difficult position of being required to prove employer negligence. An escalation in successful cases at the turn of the century led policymakers to actively seek alternatives. Québec was the first to respond, becoming the first province to pass a Workmen’s Compensation Act (1909) which instituted a claims procedure and payment schedule for various disabilities—as long as workers could prove they weren’t negligent. Following an extensive investigation by Chief Justice William Meredith, Ontario passed its own no-fault Workmen's Compensation Act (1914) which became the new standard for the administration of compensation benefits.

The massive mobilization of approximately 600,000 members of the Canadian Expeditionary Force during the First World War resulted in an unprecedented postwar commitment to wounded veterans. Pension rates were intentionally set low and medical evaluations were notoriously scrupulous to avoid overpayments and discourage idleness.

Great emphasis was placed on vocational rehabilitation and programs sprang up across the country to retrain and return disabled veterans to gainful employment. By the late 1920s, however, many disabled veterans were still unemployed and living in poverty, which prompted widespread protests by veterans’ associations. Veterans’ groups ignited public outrage and in 1930 the federal government passed the War Veterans Allowance Act which created a transfer payment program to establish a basic needs floor for veterans.

A global economic collapse, precipitated in part by the Black Tuesday stock market crash of October 29th, 1929, was felt unevenly across Canada.

Farmers and industrial workers were hit hardest as unemployment topped almost 27% in 1933. Conservative Prime Minister R.B. Bennett initially balked at the provision of federal relief, but finally introduced an Employment and Social Insurance Act (1935). The Act failed as it was considered an infringement of provincial autonomy, but in 1940 a constitutional amendment granted the federal government authority to deliver unemployment insurance.

The Second World War ushered in many important political and economic changes, namely a rise in federal authority and discussion around the creation of a comprehensive social safety net. The new Veterans Charter attempted to skirt the kind of hostile public reaction in the 1920s to the conditions of Great War veterans by renewing emphasis on rehabilitation and reintegration while underscoring the need for long-term disability compensation benefits for unemployable disabled veterans.

In the postwar period, the Unemployment Insurance program expanded eligibility and became more administratively complex as a network of offices sprang up across the country. In the mid-1940s, a series of reports revealed plans for a comprehensive social security system. Responses to the Beveridge (1942), Mackenzie (1943), Marsh (1943) and other reports exposed widespread public anxiety about the incursion of socialist ideologies in Canada, and animated political debates about jurisdictional authority and provincial autonomy. Ultimately, these reports heightened public support and political commitment on reforms to policies and programs that affected work-disabled individuals.

Few significant advances were made in the relatively conservative decade of the 1950s, including the passage of the Blind Persons Act (1951) and Disabled Persons’ Allowances Act (1954). Each were federal-provincial cost sharing programs designed to provide minimal support to needs-tested applicants, rationing benefits to only the most marginalized.

In the 1960s, a federal Liberal minority government depended upon the support of the New Democratic Party and curried favour with left-leaning voters and lobbyists agitating for change (including injured workers) by revamping its approach to social policy. One plank of the Liberals’ response included the introduction of the Canada Pension Plan (1965), designed to establish a national public system for delivering retirement income and assistance to workers with disabilities (CPP-D). (Québec passed its own legislation to protect its provincial autonomy). A new Canada Assistance Plan (1966) was also introduced to foster the development of provincially-delivered social assistance and social services on a cost-shared basis with the federal government. Publicly-funded provincial health services were also made possible with the introduction of the Medical Care Act (1966).

These cost-sharing agreements heightened expectations for more universalist approaches to work disability policy. But successive economic crises and shifting political ideologies beginning in the 1970s witnessed a federal retreat from universal programs. Lacklustre support of a Guaranteed Annual Income (GAI) strategy, for example, was only partially implemented with the Guaranteed Income Supplement (1966) to the Old Age Pension. The Union of Injured Workers (1974) emerged in response to perceived fundamental flaws in the workers compensation system. Injured worker activists, particularly in Ontario and British Columbia, pressured their governments to overhaul the workers compensation system, which they did through a series of incremental reforms in the 1980s and 1990s.

The introduction of the Charter of Rights and Freedoms (1982) provided all Canadians with disabilities legal protection from discrimination and ushered in a series of initiatives to improve employment rates in the disability community. However, beginning in the late 1980s and escalating through the mid-1990s, increased defunding of key social programs and services at the federal and provincial levels including cutbacks to social assistance rates undermined the ability of work-disabled individuals to connect with employment opportunities. Amid restructuring and cutbacks, new funding was introduced to promote the employability of persons with disabilities, including the Opportunities Fund (1997) which earmarks federal funds to support organizations delivering programs at the provincial and municipal level.

The first two decades of the 21st century saw significant policy initiatives to address poverty and unemployment in the disability community. Federal and provincial governments began to implement poverty reduction plans aimed at strengthening the social safety net by improving the coordination and efficacy of income supports and services. The Council of Canadians with Disabilities undertook a major review of poverty among disabled Canadians focusing on the realities of living with a disability in Canada while formulating opportunities for policy reform to alleviate these conditions. In 2010, Canada ratified the United Nations Convention of the Rights of Persons with Disabilities which outlines several rights and fundamental freedoms, including a commitment to promote the employment of people with disabilities.

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Presently, the work disability ‘system’ in Canada is the product of its own history: a series of historical policy developments reflecting efforts to address emergent unmet needs on an ad hoc basis.

An uncoordinated grid of programs and services exist that are variously designed to enable persons with disabilities to re-enter, maintain or secure employment. Pathways to employment are linked to the income security program for which an individual qualifies, with criteria generally being established within each program silo. Injured workers turn to workers’ compensation; employed individuals with severe and/or prolonged disability turn to the Canada Pension Plan-Disability benefit or Employment Insurance; and under/ unemployed individuals rely upon social assistance.

Other factors include whether an individual qualifies for veterans’ benefits, private insurance, or seeks redress through the tort system. Eligibility for income and disability supports vary based on individual circumstances and location, as does the availability, affordability and responsiveness of these supports.

At the core of the present work are the experiences of people who have interacted with the work disability system as support users, accommodated workers, employers, advocates and community agencies. Representing but a fraction of the many complex issues at play, their stories shed greater light on the historical legacies of work disability policy developments by highlighting the pitfalls, successes and opportunities for operationalizing a way forward.

There are challenges and barriers for people with disabilities to find and keep a meaningful job. These challenges arise on different levels, including government polices (“welfare wall”), challenges on the level of workplace (e.g. lack of workplace policies around it), and on the personal level—culture and lack of support at the organization. But at the same time, we are making progress and hopefully we’ll see things improve exponentially. The progress comes from different levels/sources that include technological progress; progress in awareness about disability issues; employer and other stakeholder champions who drive others towards more inclusive workplace. And maybe, I would say, we can suggest that focusing on these strengths may help in driving other aspects (e.g. government policies) towards improvement. We can focus on better understanding and supporting the use of technology; further promoting awareness; recognizing and rewarding the (employer) champions, and recognizing employers for creating inclusive workplaces.

**It’s incumbent upon all of us working together to make time and space for an individual’s needs…we want all workers to be invested in making accommodations for each other. Ours is not a top-down approach, but a shared responsibility. *Ruth Anne, Mes Amis Catering***

# Page 17. Brent

**New technologies are making it easier to accommodate workers and challenge negative stereotypes**

**My name is Brent. I'm 47 years old. I work for the Newfoundland provincial government in the Information Technology division in the Office of the Chief Information Officer.**

I started working for the Canadian National Institute for the Blind (CNIB) during the summers. I spent a lot of time in the technology area, which was kind of my interest. I had a short-term placement with the provincial government in late 1991 for approximately three months. After that, I worked with the CNIB in May 1992 as the technology counselor helping clients going into post secondary education or into the labour market. I did that for around two and a half years. In December 1994, I started working with the provincial government as a computer support specialist and I've been working there ever since.

I’ve seen a lot of changes. When I first came to work with the government, computerized workplaces were becoming more and more popular. Back then it was print sharing more than anything. Everyone had desktop computers. They eventually became smaller and more powerful.

In terms of accessibility, I had magnifiers I could use. There wasn’t much available for a computer port specialist. If I had to go visit somebody's work station I had to use a magnifier base of some sort. The first was a head-mounted video magnifier. It looked like the inside of hard hat. They used a frame and built cameras and screens on it and it had a big control unit that used cordless drill batteries. It was heavy! You put it on your head and you could look through the screens and magnify. I could look at somebody's machine and I could control the magnification.

When the head-mounted unit came out, I did approach my employer to purchase one so I could do my work better. I was initially turned down. My director told me, “Yeah, you know, we’d love to be able to do this but we can’t. The funding is not available.” I ended up purchasing it myself with the help of the Opening Doors Program, an employment equity initiative in the province of Newfoundland.

My manager was able to secure some funding through the program. He told me, “You shouldn't have to pay for this, this is something that you are using for your work.” It was actually because of him that I could get the assistive devices I needed. He would push it through and whenever I needed new equipment or accommodations, there were no questions asked.

That was twenty years ago now. I learned that I needed to make a business case to justify new accommodations. I had to outline what it involves, why it would be beneficial for me, and how it is better for the work getting done. I try not to be greedy. I don’t have the latest of everything. But I use CCTV for close-ups and distance. I use it every day and even with the computers, including the built-in magnifiers in Windows. Years ago, you didn't have a choice for your accommodations so you had to rely on whatever you had.

Nowadays, technology is much more accessible right off the line. Pretty well everything we buy is already accessible once you adjust the settings. This makes everything much easier. For example, if for some reason my magnifier doesn't load, I can just take my smartphone, run the magnifier app, click on the icon or search for it. It gets you by. I think we’re going to see a lot more of that now. If you want to read a sign, you can just take out your phone, zoom in, take a picture or point out a document and the phone will read the sign. It's great. It's just come so far, it's almost night and day. With consumer products being more accessible, accommodations are not as much of a big deal now. I can see in the very near future where you're going to put your phone in some head worn thing, and it's going to be able to use the camera in the phone to see and allow you to magnify. If Apple, or Google, or Samsung does it—and you know, these large companies have deep pockets—it’s going to create a new standard in the market. Contrast that to specially-built technologies and software which can be very expensive. The developers need to make some profit on it, so it can be difficult for ordinary people or employers to acquire.

Considering these technological developments, I’ve had co-workers tell me, “Brent, you’ve changed. You seem ahead of the game.” It’s because I have all this technology at my disposal now. I can read posts and blogs and interact online like this. I don’t obsess over it, but I do try to keep an eye on what’s new and what’s coming up. These modern technologies allow me to do this.

The Opening Doors Program was a key entry point in the workforce for me. I could apply for positions through the program, so employers already know what my needs are and know where to go for supports if needed regarding accommodations. It’s a terrific way to get your foot in the door and show what you can do. It’s worked for me. I’m assuming my employer is happy. They haven’t shown me the door yet!

My sense is that people’s attitudes are changing. I’ve always been very open about my disability. I encourage people to ask questions and I’m not easily offended. My approach has always been to focus on the positive and try to be the best I can. However, I am realistic about telling people how I need to work twice as hard to get something done. I’m very independent and never wanted anyone to say, “Oh, I got to help out because Ben’s not going to be able to do it.” I always work extra if I've got to do an extra bit of time because I was late so I'll always work that extra bit just to get extra work done just to make sure I'm pulling my weight. No one's told me I had to but I've always wanted to make a good impression. I need my paycheque and I like what I’m doing, so I’m going to work hard and do the best that I can. And when I retire and look back, I’d like to be able to say that I did a decent job.

I did have situations where co-workers weren’t always comfortable working with me. They were hovering over my screen making sure I did things correctly. I certainly had the sense they weren’t comfortable with me being in my position. Fortunately, my manager stepped in and said, “Well you did your part, don't worry about that kind of thing.” My relationships with co-workers didn’t always start out on the right foot, but it did build over time. My response to discrimination like this was just to work harder. You know, you come to work and you do the best you can. I've often joked and said, “You know, listen. You don't want me doing what I'm doing here, just ask me to go over and sweep the floors in the warehouse. I'll do that too, as long as I keep getting a paycheque.” People don't know how it is when you have a disability. My approach was just to continue working, relax with those around me and try to do my best.

In the beginning, I was expected to go around and visit everybody’s workstation. We didn’t have tools like remote controlled machines. In response, I found magnifiers or pulled the screens closer, whatever I had to do to make it work. As technology improved things got easier. I’ve often joked, if technology was this good twenty-five to thirty years ago when I was in high school, life would be so much easier. I’ve spent most of my career trying to make do while recognizing my limitations. But I always made things work so there were no questions asked. The onus was always on me to figure things out. I was kind of my own advocate, so I looked out for what I needed, knew what I wanted and what worked for me, and tried to make it happen.

It all comes down to social attitudes. There are now half a dozen people with visual impairments working in my division. This creates more awareness with the people they are working with. My parents always encouraged me to work hard and were very involved in what we did. People notice that I get up and work every day, and that I’m doing well. Growing up in my family, I was held accountable and was expected to pull my weight. So, I get up and do what I can each day to show I am a contributor.

**As far as people's attitudes and opinions, I think there's a lot more awareness. There's a lot more support from different organizations and it’s getting better. But it’s still a struggle. My feeling is that it’s got to trickle down to influence kids. My parents dug in, worked hard and did the extras. But how can we empower parents going forward to make sure kids have all the things they need to succeed? *Brent***

# Page 23. Lynn

**Job coaching, education supports, and skill development opportunities inspire and facilitate greater independence**

**My name is Lynn. I’m 49 years old. I live in St. John’s, Newfoundland. I was born two months premature. All the doctors said I would never walk, talk or eat, but I am still here. I have some developmental delays in learning and comprehension which sometimes means my speech gets mixed up. When I am out working, it makes me feel good about myself and like I don’t have a disability. I have people who love me for who I am and don’t treat me like someone with a disability.**

My first job was at Pizza Express where I worked for seven years as a dishwasher. I found that job through Avalon Employment, an employment agency here in town. They set up a job coach to help me along when I was at work. The job coach would be there just in case I needed any help, like lifting or if I got stressed out or something like that. It wasn’t bad, but eventually I got sick of it, you know. Anyone would after seven years!

For the final two years I was at Pizza Express, I took on a second job at Zellers.

I left that job because I wanted to go back to school and learn a trade. I took a diploma program at College of the North Atlantic, a local community college. I did courses in commercial baking and graphic instruction and design. I was a full-time student. I had tutors helping me along the way.

I did the New Beginnings program at CCEPP (Community, Career & Employment Partnership Project). It’s a twelve-week full-time employment preparation and skills training program for adults who have experienced barriers to employment or who have had long periods of unemployment as the result of mental health issues or other events in their lives. We did crafts and sewing and upholstery and learned other marketable skills.

I found another job through Avalon Employment Agency at Zellers. I worked in every department from folding clothes to helping customers, and stuff like that. I had a job coach with me because I still felt I needed it at the time. I worked at Zellers for two years.

Then I was unemployed for a while. I received Employment Income (EI) supports each time I was unemployed, but only for a short time.

One day, I decided to apply for a job on my own. I went down to the local Sobey’s grocery store and applied to work in the bakery. I had taken commercial baking in school, so I thought I should use my skills! A few days after I submitted my résumé, they called me in, had an interview. They offered me a job and I took it. I was working in the bakery, packing the cold freezer, slicing bread, putting stuff on the shelves.

There was no real formal training program, beyond health and safety, and I didn’t have a job coach. I decided I wanted to do this on my own. Everyone was really good, pitching in and helping me do the job well. I also felt really good to be able to find and work at a job on my own. I know I have a mental disability but finding a job on my own made me feel really good about myself.

I left my job at Sobey’s to return to school and upgrade my skills. I took an office administration course at Keyin College, another community college in St. John’s. I won a recognition and 100% attendance award. After I graduated, I had a work placement in the final term at the Arthritis Society. My placement was a paid position funded through the HOPEworks program, a part-time pre-employment program. The Executive Director at the time, Brenda Kitchen, told me if they had the funding they would have hired me on permanently.

When my placement ended I went on EI and had to look for other work. I had trouble finding work for a few years. I did a paid internship program at Empower—Disability Resource Centre. I was helping out doing administrative work on the computer. The internship program lasted ten months since that was all the funding they had available.

Eventually I found a job in September 2016 as an Administrative Assistant at Nick Whalen’s office, a local Member of Parliament. He is such a good guy and easy to work for. I work on the computer, answer phones, do filing, stuff like that. I love my work! It’s the stuff I was trained to do. It’s just a small office, just a couple of people. It’s nice and quiet, especially when the phone doesn’t ring—which is a good thing because it means people aren’t calling in to complain. People are always complaining; it’s just the way it is down here!

I make above minimum wage and work twelve hours a week. It would be nice to work more, and I would take a second job if I could find it. I only work nine to twelve, Monday to Thursday. I would be happier with twenty-five hours a week. I’ve found when I work too much, I get overworked and overtired, but I can deal with it.

When I’m not working it feels depressing. I love to be out doing stuff, working on my own, making my own money and keeping myself busy. It makes me feel like I’m part of the broader community.

If I didn’t have a job coach or coworkers who didn’t support me, I would probably get very frustrated and maybe couldn’t do all the jobs I’ve done. I know I could work, but having the support there helped me get through it all. Fortunately, I’ve always worked in a place where I felt supported. There’s always someone there to lend me a hand. It made me feel good to transition out of needing a job coach. I knew I could do the work. Sometimes it takes me a while to learn the job, but I know I can do it.

I make my own money now. I want to get my own apartment or share a place with a friend. I don’t want to have to rely on income supports or welfare. I do know people who are on it. If I suggest to them that they look for a job they won’t do it, but it is up to them. It’s frustrating because they’re my friends and because they’re not working they don’t have any money. I think a lot of it has to do with the fact that they feel like they can’t work. But if I can work, anybody else can. For instance, I have a friend who has cerebral palsy and works at Wal-Mart. There are a lot of people like him out there who just need to be given a chance.

I think we need to get the word out that there are people with disabilities like me who want to work. I think there are a lot of employers who don’t realize people with disabilities can be productive. There’s no such word as “can't.” We need to let organizations and employers know that there are people with disabilities who can work, but you just need to give them a chance.

When I found out Nick Whalen’s office was hiring two people with disabilities, I jumped at the chance! If it weren’t for Steven Quinn, Career Development Coordinator at Empower, I wouldn’t have found out about this job. It’s really important to support agencies like Empower because they provide opportunities for people like me who want to work. Now I have a stable, part-time job.

I think that if people really want to work, they need to develop a good résumé, and help themselves by submitting it to employers and start getting good references. It makes it easier for employers to hire them. I have been working for years and the only reason I would leave a job is if I absolutely had to.

**I think more organizations and companies should think about hiring more people with disabilities. I love my job. I’ll stay there as long as I can. *Lynn***

# Page 29. Randy

**Supporting people to meet basic needs is essential and gives them opportunity to meaningfully engage in the workforce**

**My name is Randy. I am 58 years old and I live in Ottawa. I am blind and quadriplegic and I rely on a ventilator to breathe. I suffer from an undiagnosed neuromuscular disease. Due to my progressive illness, I have navigated in and out of our health care system for over forty-six years.**

The best years in rehab were in the 1970s and 1980s. In those days, a person who was admitted into a rehabilitation center could stay for up to a year or more depending on the severity of their injury or illness. Today, the rehab service has drastically declined due to service cuts at the federal and provincial levels. Presently, a person who has a newly acquired spinal cord injury can expect six weeks rehabilitation. If they can show rapid improvements it may be possible for them to stay another six weeks at the most.

Cuts in access to staff and specialized rehab service include reduced access to social workers, occupationaltherapists, physiotherapists, psychologists, nurses, and others. Staff who remain in all these disciplines can’t keep up with the increased workload, resulting in patients being discharged too early to be properly prepared to face their new life.

As a peer support volunteer for Spinal Cord injury Ontario, I meet a lot of clients with recently acquired injuries. One of the most important hurdles following completion of rehabilitation is finding an accessible apartment. There are insufficient numbers of accessible apartments in Ontario (as well as elsewhere in Canada) and too many people must suffer these conditions on their path to independence. Many people are admitted into long-term care, nursing homes or group homes. In some cases, people are going into homeless shelters while waiting to find an accessible apartment.

Housing is a basic needs issue that has yet to be resolved. I was admitted into a long-term care facility in 1994 due to a lack of accessible apartments with supportive housing. I left the institution seven years later, when finally an accessible apartment unit became available for me. There is an insufficient number of buildings that have wheelchair accessible units to meet demand. It is a protected human right to have proper housing, yet there are too many disabled people who are housed in long-term care institutions and nursing homes who should be in more independent housing. At the municipal and provincial levels, new construction codes and city permits are needed to assure that new apartment buildings being constructed will include more accessible units.

Waiting lists for housing and subsidy programs are far too long. There are insufficient places to support demand. The city of Ottawa, for example, has a population of nearly one million and there are only one hundred units with supportive housing.

The Ontario government has made drastic cuts to the Assistive Devices Program which left many disabled individuals without proper medical and mobility equipment needed for their comfort, health, and mobility. Myassessment is that the situation for disabled people in a comparable situation as mine is not getting better, but getting much worse.

As a ventilator assisted individual, I have access to a physiatrist who knows my physical condition well and can give me access to other professionals as my condition continues to change. Through the rehab outpatient clinic, I have access to a variety of skilled, knowledgeable, and experienced professionals that work together as a team. My physiatrist monitors my condition on a regular basis, evaluating and managing complications such as chronic pain, osteoporosis and skin wounds. If these issues are addressed early on, negative issues can be avoided. The physiatrist also coordinates and facilitates access to a variety of specialists. She helps with a respirologist and respiratory therapist; occupational therapists, who provide assistance with my equipment, specialized seating and the particularities and challenges of being mobile with my ventilator mounted on my motorized wheelchair; nurses who are familiar with the complex needs of the variety of clients in their care and who can guide them on the best way to keep our aging bodies healthy; and rehab engineers who can adapt and build specialized equipment according to an individual’s particular needs where structural and physical challenges can only be surmounted or solved by inventing, building and adapting a mobility device. Nowhere outside of the rehab clinic can such specialized and updated services be found without a physiatrist.

Accommodations and transportation are both problems that plague people with disabilities who seek work. There are many steps one must take to get to work on time. Let’s say a person who is quadriplegic and works from 8 AM to 4 PM. Their day must start a lot earlier than anybody else who is not physically challenged. They must rely on others to come and get them out of bed and prepare them for work. Things that may take an average person half an hour to do, would take a quadriplegic two hours. They must hope that their attendants are reliable and can arrive on time and that their para-transit comes on time so that they can make it to work on time. If they start work at 8 AM depending on how long it usually takes them to get to work by bus; they must get up at 5, 5.30 AM to start the day. During the rest of the work day they may also need some help with getting their lunch and various functions unrelated to the actual work itself. At the end of the working day, they must sometimes wait for the bus to pick them up and depending on how far they live from the job it may take them an hour or more to get home, have supper, go to bed with help from their attendants, and repeat the same scenario all during the week. Those are some of a few factors to keep in mind when hiring a person who has a certain level of disability. Even though the person maybe capable to do the work and do it very well, depending on the type of employment it may be easier if they could work from home. If not, flexible working hours are important. Twenty years ago I relied upon the Ontario Disability Support Program (ODSP) and through my caseworker, got a three-month contract job that paid $20 per hour. I was very proud and happy given my situation. To have a good paying job and a larger income was important to myself and my family. To my dismay, I soon discovered that because of my increased income, my rent subsidies were cut which meant I paid full rent and funding for my incontinent supplies and medications were cut. That alone cost me an extra $500. If my wheelchair broke down, I had to pay in full. The first month on the job I soon realised that because of my new income bracket, I was no longer eligible for the ODSP benefits. After three months of this, I concluded that given all the cutbacks and complications, the extra cost of being disabled wasn’t worth my efforts to be employed. In the end, I wasn’t any richer. I concluded that it would make more sense to continue relying upon provincial funds, since the way the system is presently, it doesn’t give disabled people any incentive to get a job if they lose the benefits they currently have.

**When peoples’ basic needs aren’t met and support mechanisms undermine attempts to secure paid work, how can we expect them to meaningfully engage in the workforce? *Randy***

# Page 35. Brian

**Mental health supports connect survivors and challenge stigma in the workplace**

**My name is Brian. I live in Burlington, Ontario. I’m 56 years old. I’m a former member of the Canadian military as a military policeman. I joined in 1981 and in 2003 I retired and entered the civilian workforce as a security consultant and analyst.**

I knew as an adolescent, about 14 years old, that I would join the military. When the opportunity presented itself, shortly before my 20th birthday, I became a member of the Canadian Forces and trained to become a Military Policeman.

In my pre-military life, there were challenges—life was always on the move. I had moved ten times in ten years, attended ten different schools, and lived with different family members at different times. I kept a part-time journal and recall one day at school, daydreaming, and committing to my journal a tombstone checklist of where I was, where I was going, and what I wanted to do with my life. As it came to be, I realized I had no financial support to attain any post-secondary schooling, nor was in interested in being in a tedious curriculum. I wanted to start my life and do something interesting, something adventurous. My eldest brother left school and directly entered the RCMP. My brother was, and still is a good guy. I suppose I looked up to him and as I fine tuned my journal checklist, I believed I could walk in a similar path as he did. Only my path would be with the Canadian Forces.

I researched which career fields suited my aptitudes and interests, the commitment to service, contract variations and lengths, and the adventure of what military life would be like. In my thought process, I knew the military would train me, clothe me, feed me, and pay me. The unwritten portion of the contract is that as a member of the military, you write one blank cheque made payable to Queen and Country for an amount of “up to and including one human life.” The Canadian Forces provided me with an opportunity to take my life somewhere, it provided structure, a team environment, common goals and objectives, a different geography—it was all enticing and I wanted to be a part of that!

I completed boot camp in Cornwallis, NS. I remember the battleship grey drill halls, the gleaming of everything that could gleam, recruits stepping off in unison. I recall the first drill instructor I came across and all the yelling and the realization that ‘yes, this is what you signed up for.’ I became more fit than I had ever been, I became more capable, and adding to the indestructability of youth, I became more indestructible. It was an awesome empowering feeling.

I then attended and completed training at Borden, Ontario, where the Military Police Academy was, and still is, located. There, we completed studies in criminal and military law, regulations and orders, security, and a lot of inspections, drill, and ceremonies. Our instructors were excellent people who took the time and made the effort to ensure every student was polished and successful. It was during this time that I realized failure was not an option and that maybe, just maybe, I was good enough for the long haul. A critical aspect of being a soldier, and as an MP, is trust. There is no deviation from trust that I see as acceptable. My buddies had to trust me as much as I trusted them.

In retrospect, I had nothing to return to in my wayward civilian life. Absolutely nothing. Whereas, in military life I realized I had just started a career. For me, the fear of failure was a stronger motivator than the pride of achievement. The promise of the recruitment literature, the adventure, the social bonds that were created—that was gravy. Indoctrination into military culture requires dedication, sacrifice and commitment.

As Military Policemen, we provided policing and operational support to Canadian Forces missions at home and abroad. In my role, I was employed as a patrolman, investigator, bodyguard, soldier, airport security coordinator, information technology, physical security analyst, and other related duties. In chronological order, I was posted to Winnipeg, Halifax, Lahr Germany, Ottawa, Suffield, and Moose Jaw.

Fundamentally, the job was easy. Investigate, tell the truth, help others. Being an MP was incredibly rewarding, but it came at a price. You cannot know the good without the bad. I suppose some days brought about extraordinary situations.

As a young MP, I responded to a domestic incident that involved intoxication and firearms. Being the new guy, I was the designated lead on the call. In a non-violent way I relieved the drunk from his possession of one firearm, and as I spotted a second firearm within reach, I was able to secure that as well. During the negotiation process, I turned to pass off the firearms to one of my partners. However, that partner had dived out of the way of direct fire—at least that is how I reconciled his actions in my mind. My cynical side said he did not cover my back, that this was a “one-off.”

Several hours after the incident concluded, I was ordered to take an action that had the potential to provoke and reignite what was a volatile situation. I protested and pointed out the unreasonableness of the action, however I was obligated to follow orders or face discipline. If nothing happened, no one would know anything. If something happened in a worse case scenario, we would have dead people to deal with, and I would have to deal with it. Could I live with myself if something catastrophic occurred?

The first fatal investigation I encountered was straight-forward. A soldier was riding his motorcycle home with his girlfriend when an automobile turned into their path. I was called to the hospital to take notes and investigate. While at the hospital gathering the details of the accident, I was advised the soldier had succumbed to his injuries. I saw him. An arm was badly mangled, the hematoma on his head disfigured the contours of his face. The breathing tube remained inserted in his mouth. His girlfriend was being tended to in an adjacent treatment bay. I know this because to this day I still hear the deep guttural moaning-screaming that came from her while the medical staff set her bones. While bothersome, I knew I would be exposed to this type of scenario and understood this type of situation was part of the job.

I also volunteered to take part in a group known as the Ground Search Party (GSP)—these are the people who go out to the wilderness when something bad has happened, like a plane crash, or when looking for someone who might be lost. To assist this function, the quartermaster provided a substantial kit list of the items a GSP member would need. I noticed that the gear had been tagged with the name of the soldier killed in the motorcycle accident. It was on pretty much everything. His name was on clothing, utensils, and even the canteen. I queried the quartermaster if there was another option—simply I did not want the dead guy’s stuff. The QM told me the budget was thin, and reusing kit was practical and cost effective. “Suck it up, buttercup!”

Every time I used that kit I was reminded of the dead guy, his mangled body, hematoma, breathing tube, and the sounds of his girlfriend in desperate unnatural pain. Over the years, bits and pieces of the dead guy’s kit were disposed of, or turned in for updated issue. When I eventually released from the military fifteen or sixteen years later, I gathered all my gear to turn it in. There amongst the piles of stuff, was the dead guy’s stuff, and the reminders. In all of those years I suppose I was ‘as good as dead.’

In a different incident, a peer of mine once called in an incident where a lady had jumped off a bridge. Her legs were compound fracture pretzels, she had other blunt trauma injuries, and was in shock. I performed minimal first aid (stop the bleeding) until the ambulance arrived. Later, I asked my peer why he didn’t stop and render assistance. He said he was heading to a meeting, in his civilian clothing, and didn’t want to be soiled by dirt or blood. Even today, as I did then, in recalling this incident I can feel an empty knot in the pit of my stomach.

In returning from a posting in Germany, my family and I lived in five different homes during that calendar year. I could not afford rent at my new posting (the military was in the middle of a six-year pay freeze, during the “Decade of Darkness”) and military quarters were not available. We lived out of boxes for nine of the twelve months that year.

At different points in my career, I have had the privilege of helping people. I have held together the fractured plates of a young woman’s skull—her drunk boyfriend crashed. I wore the kit of a dead man because of budget constraints. I was attacked in our jail by a guest. There were times when I thought I had back up, and I didn’t. I have been castigated for telling a drunk to go home and sleep it off. I have dug through the belongings of a person who committed suicide, so his family wouldn’t see the receipt for rope he purchased. I saw the career of a buddy fizzle after he reported someone who committed serious criminal act—it was the nature of the beast. I have waited one year for blood tests to ensure I was not contaminated after dealing with someone with a significant contagion.

There were several factors that led me to leaving the military. I joined the military under the 20/40 contract plan. That is, 20 years of service or 40 years old, whichever came later. From that point, I would have earned my pension. After the 20/40 mark, there are other long service extension options. Around the 17-18 year mark, service people for the most part are offered contract extensions. However, my extension never came in. Friends and peers who I had gone through boot camp and initial training with had received their offers, but mine did not come. I asked my boss for one year to call our career manager at headquarters, but he didn’t. He cited an old unwritten verbal order from the Commanding Officer forbidding everyone from communicating with headquarters. It was a ridiculous and unsustainable order. Although I had been promoted, I interpreted my boss’ lack of action (laziness) to mean that my service was not worthy of retention. He didn’t have my back.

Yup, I burnt out.

Post Traumatic Stress Disorder (PTSD)

I knew I was affected by some of the stressors of my military career—it began around the time of the drunk with the rifle.

I never talked to anyone at work about my struggles with PTSD. I didn’t feel comfortable disclosing the fact that I was having issues. It was a long time before I would say anything because there is stigma attached to mental health and I didn’t want that stigma. I had seen people in the military who were burnt out while still in uniform. Those people were ostracized, and their career potential was stopped. Their social life, the cultural aspect of the work, stopped along with the support group element. I knew if I said anything about my operational stress injury (OSI), the first thing they would have done is take my firearm away because they wouldn’t trust me. That’s the kind of stigma I perceived. I was very aware that they had my back in a fighting situation, but when you’re not fighting, the system would not necessarily support me.

I did not disclose my OSI struggles in my civilian workplaces. People don’t truly understand what veterans go through. I did recall some situations I experienced in uniform with my new coworkers, though I learned eventually it was better to say nothing. I suppose I made mistakes in describing various mindsets. For example, everyone in the military is taught how to use a firearm, or other weaponry. Those firearms and weaponry are not for sport shooting, hunting game, or any type of recreational activity. The business of firearms in the military has one purpose. A person in uniform must reconcile that they may have to use ultimate force-stopping power to neutralize a threat.

I discovered when I articulated the nuances of a mission or situation in those terms, my civilian coworkers became either intimidated, or afraid of me. That’s not good.

In August 2005, I was working at a bank and a colleague, who was also a veteran, saw that I was experiencing challenges with the transition to civilian life. I opened up a little bit and we shared some similar experiences. He suggested I go to a Veterans Affairs Office to see if I could get mental health support.

I subsequently called the 1-800 Veterans Affairs assistance line and set up an appointment at the Mississauga office. At our meeting, I explained my situation to the intake worker. I was advised that to receive help I needed to file a claim. I told them I did not need a claim, I just wanted help. It was a bit of back and forth like that. I suppose I did not understand the necessary lingo nor the bureaucracy of the veterans system. I do not say “bureaucracy” in a negative way—it just is the way it is, a bureaucracy.

By the early spring of 2006, I had received a report of my diagnosis, PTSD, but according to the Veterans Affairs evaluations and assessments, I did not meet the threshold for assistance from them. Besides, if I did not agree with their decision I could appeal. At that time, the most important objective for me was the report and diagnosis; it gave me a starting point to work from, to try and get better. Unfortunately, I hit some speed bumps along the way and did not know how to start properly, or which doors to knock on.

Shortly after I retired, I sought out a physician through an online service of the Ontario government. According to online database, I selected a doctor who was taking new patients and practiced within my postal code—at the time, it was downtown Toronto. In my first meeting with the physician, he queried me heavily as to how I obtained his name and he seemed dubious of my story. In time I came to learn that he had been in a previous practice with four other doctors, three of whom developed a method to defraud the Ontario health system. The doctor had the impression I had arrived to investigate him. He told me so. Once he realized I was not who or what he thought, he explained that his primary service was as a cosmetologist. He told me he could lift my eyes, pin my ears, and laser off my tattoo’s, all for a price. I gave him a copy of the report I had received from Veterans Affairs. Three months later, with no follow-up consultation, I met with him and asked for his opinion on the report. He told me he had not yet read it. At that point I realized I needed a new physician. It took me five years to find one.

I continued to poorly navigate life and my struggles seemed endless. Since I had not gained any traction with professional help, I read self-help books, attempted to research the findings from the diagnosis report, and medicated the wrong way. I had surrendered myself to my situation and needed an exit strategy. It wasn’t an overnight resolution, but I started my suicide plan in bits and pieces. I thought obsessively about it. I had determined my method, the apparatus required, established the time of day to do it, and worked out the details for my remains. I had previously signed off my organ donor card and in the planning and preparation stage of suicidal planning, it was important for me that my organs could be used for someone who needed them more.

Then, in 2010, somebody from Veterans Affairs, perhaps as part of an outreach program, called me to follow-up on a back and shoulder injury that occurred years prior to my retirement. I was angry at everybody, everything, and let them know how much I struggled. You could say I used language only a soldier would use.

“You should come in and get help,” they told me “Why would I do that? I did that five years ago. You didn’t help me then, why would you help me now?”

“Why didn’t you appeal the original decision?”

“Well, I had no idea and no reason to appeal the decision. I received my diagnosis!”

Looking back at that telephone call, I suppose I could hear a faint gasp of frustration in the veterans representative’s voice. Perhaps this was an indicator that help was available after all, an avenue away from the dead end I was headed to. Perhaps it was that gasp that acknowledged that I was not alone with my demons, that there would be bona fide available help. The representative told me a Case Worker would reach out to me within a very short time. I believe it was the next day when the call came in.

I expressed myself to the Case Worker the only way I knew—skeptical, cynical, and untrusting. She arranged a face-to-face meeting in a setting comfortable for me—away from my place of employment, and at the time, away from my family—I did not want to further burden them with my struggles. The Case Worker advised me which benefits were available, told me she would guide me through the appeal process. She said she would connect me with mental health professionals who could provide immediate assistance.

As I understand the Veterans Affairs system, a Case Worker is assigned once a client’s claim had been affirmatively acknowledged, and thus begins the myriad of administration. When I originally applied in 2005, and because my claim was denied, I did not have a Case Worker to guide me. If I had appealed the original decision, perhaps one would have been assigned then. But I did not appeal—I had no reason to. Fast-forward to 2010, when the outreach call came, perhaps there had been a change in the administration processes, or the outreach caller heard the desperation in my voice. I really don’t know.

Regardless, the Case Worker assigned to me in 2010 introduced me to the Operational Stress Injury Clinic at St Joseph’s Hospital in London, Ontario. There, I met a psychologist who was very helpful in qualifying and quantifying the experiences I was having. That psychologist dispelled myths and misunderstandings I had about OSIs and PTSD, and coaxed and persuaded me that ‘it does get better.’ I had been bottled up for so long. Our sessions, for me at least, were intense in the beginning and eventually tapered off to a maintenance routine. The psychologist also introduced me to a peer support group—Operational Stress Injury Social Support (OSISS). OSISS peer meetings took place weekly, or bi-weekly, at the same place, with a set group of people—both men and women. As I attended these get-togethers I came to identify the regulars, and some who would flit in and out as they saw fit. The meetings were moderated by a fellow veteran. The ground rules were established and there were two constants: respect, and non-judgement. This forum gave me the opportunity to identify which strategies some of the folks employed that worked for them, that I could emulate, and strategies that were better off avoided. There was no magic formula, but people sharing their experiences that were similar to mine gave me a sense of comradery that had been missing for many years. It gave me optimism to move forward in my life, albeit in small increments.

In January of 2013, I was burning out again and I re-visited the OSI Clinic in London. I hit the wall, hard. I did not know how to move forward anymore. I was as stuck in the mud as stuck could be. The psychologist told me to stop; stop running on the figurative treadmill, stop beating myself up, how to manage negative thoughts. It was clear the stress of the many jobs I had had, trying to make a living, supporting my family, the transition to civilian life that I had continued to experience, and the grind of daily life I was experiencing was going to lead to an early grave. In one perspective, I suppose I had amended and re-actuated my suicide plan because I did not know what else to do. The psychologist told me to do nothing and that he would contact Veterans Affairs and explain the state of my affairs. Aside from our routine appointments, he told me to go home and chill out, and not kill myself. He guided me further into the Veterans Affairs system—he knew other doors to knock on, ones I did not know existed. “It will work out,” he assured me. Within a week I received a call from another Case Worker. When we met I was more honest about my challenges and struggles. I suppose, as a result of my experience in 2010 with the Case Worker, I gained confidence in ‘the system’ and I placed absolute trust in the new Case Worker. Metaphorically, she had my back.

The date of my first application for assistance, in August 2005 is important. I am not an expert in the New Veterans Charter—I do not have the desire to undertake that exercise. As I understand it, the charter enacted in 2006 now provides lump-sum awards for injured veterans. As a result of the claim I originally did not want to submit, and the subsequent appeal, Veterans Affairs recognized my original application date of August 2005—before the New Veterans Charter, and they have provided me with a lifelong medical pension. The New Veterans Charter, it is not as beneficial to individual claimants.

While every claimant must be reviewed on an individual basis, there is a generation of wounded veterans who do not have lifelong medical pensions, and some have plowed through their award. I think of a veteran friend who spent his award feeding an addiction to deal with his PTSD. In his case, he may have been better off receiving an annuity rather than a lump-sum while he dealt with his demons.

A blank cheque for one human life. An argument by federal lawyers, in response to a court case initiated in 2012 by severely disabled veterans in British Columbia, was that the federal government had ‘no duty of care’ for those people (veterans in general). That argument was abandoned, but in my opinion the damage was done. Yes, a blank cheque for one human life, but if you get injured you’ll eventually be on your own. While I acknowledge the adversarial nature of legal arguments, I suppose it would be comeuppance for the people making those arguments, that reasoning, to commit their life in the service of the country. Or, if they suffered a life-altering injury, perhaps the argument wouldn’t be as nauseating to those who have surrendered their wellbeing.

In my situation, Veterans Affairs evaluated the totality of my experiences and recognized that I do not have the wherewithal to nail down a fulltime job, and they applied the math that pre-dates the New Veterans Charter. Personally, it sucks that I no longer have the wherewithal to nail down a fulltime job. But on the other hand, and as a direct result of their eventual assistance, my suicidal ideations no longer permeate every waking moment. Some days are still a struggle, but not everyday anymore. It has been a damn tough ride to get to this point, not knowing which doors to knock on and where to get help. However, through the good work of a persistent outreach caller from Veterans Affairs, and compassionate non-judgemental Case Workers who know the system much better than me, life has turned around in a good way.

The Prime Minister has given his direction to his Minister of Veterans Affairs to “re-establish lifelong pensions as an option” as well as increase the value of compensation for an injury. I believe there is no panacea to placate all situations, but it would be nice if a resolution to this issue could come about.

In the civilian workplace, it would be wonderful to have support systems within the workplace where it is possible for employees to participate in company-sponsored and anonymous mental health supports. To this means, perhaps the company could provide something as simple as a meeting place.

It would have been wonderful to have a support system within the workplace where it is possible to participate in company-sponsored anonymous mental health supports. Looking back, I didn’t announce my mental health needs for fear of judgement and stigma. If I had access to a program that was truly confidential, where I knew I could share things that wouldn’t leave the room, maybe I would have been better off. I struggled in silence for so many years—it would be wonderful to have a system where people don’t have to struggle and fear judgement and/or stigma. Perhaps Employee Assistance Programs (EAP) could be proactive rather than reactive. Using something as simple as a bulletin board, either electronic or made of cork, could be utilized. Or perhaps some type of banner or announcement in the coffee room—education and outreach could be as simple as that. From my perch, there is no right or wrong way of approach a solution.

Opening the conversation about mental health must be relevant and applicable. I do not believe flooding the public with banal spam with the message ‘hey, everyone, listen up!’ That might work for a short duration, but eventually, it will be ignored. A few years ago, there was an awareness campaign to “Get a checkup from the neck up” (checkupfromtheneckup.ca). I thought that campaign was well presented and may have helped to de-stigmatize what it is from what people think it is. Presenting an avenue for people before they reach crisis stage might be the biggest hurdle that does not need to exist.

There might be a financial commitment on the part of companies to ensure the mental health of their employees is properly supported. Frankly, I believe the Canadian Forces has been quite proactive in the last several years about mental health issues and that has opened the door for an awful lot of people to get help. It is not a perfect system, but at the very least there is a system. In a civilian environment, I’m not so sure if workers know where to turn for help. We need companies, putting lip service aside, to take a leadership role in opening doors for workers who could use a little help.

**Knowing that I am not alone in what I am experiencing is so important. Things are better, but it’s still a struggle. *Brian***

# Page 49. Bonita

**You can be granted accommodations, but coworkers —not just employers— and a lack of flexibility can make it effectively impossible to use them**

**My name is Bonita. I live in Toronto. I was born with an arteriovenous malformation in my spinal cord. I didn't know I had it until I was in my forties. I had several surgeries, including spinal surgery. I completed rehabilitation at Lyndhurst Hospital but continue to live with permanent disabilities.**

My background is in healthcare. I have a Master’s degree in Health Science focusing on health promotion. In 1985, I worked in a community health centre in Toronto, where I developed an occupational health clinic for work-related illnesses and injuries. In 1990, I went to the Ministry of Health and worked with community health centres across the province for four years. By 1994, I became the first funding program coordinator for the midwifery program. I left the Ministry to go to the Inner City Health Program at St. Michael’s Hospital in downtown Toronto. I was to be a project manager and member of the Executive Team, but quickly discovered I am not executive material! I was very uncomfortable in my role. In hindsight, I was also burnt out from working in the Ministry and hadn’t given myself time to recover. I also got married around that time. So, with my husband’s support, after just a few months at St. Mike’s, I took an unpaid leave to reassess my future.

In 1995, the Progressive Conservative party under Premier Mike Harris was elected in Ontario with a large majority. The Harris government immediately began a series of massive cuts to public sector programs, dubbed the Common-Sense Revolution. It was a scary time to be working in the public sector. We knew our jobs were at risk. I decided I’d better get myself some skills I could sell in the private sector, so I earned a certificate in editing, which was something I always wanted to do. I had this dream of being self-employed and working from home. I enjoyed my work, but I didn’t like the grind of getting there and never having time for family and all that sort of thing. In mid-1999, while I was on leave from St. Mike’s, a Medical Editor job at The Hospital for Sick Children came up. I applied and got it. I could be an editor *and* stay in the public sector!

By December 1999, I began having symptoms. I started limping and had a tingling sensation in my legs, which got worse over time. Finally, my doctor sent me to see a neurologist, who thought it was either Multiple Sclerosis or a spinal tumor or a degenerative disc disease. As it turned out, it was none of those. But the point is that after only four months working at my new job as a Medical Editor, I found myself in hospital and unable to work. Unfortunately, Sick Kid’s employment policy stipulated that I must be there for six months before I became eligible for disability benefits, so I had no income. Right after we were married, my husband had been laid off his job. He wanted to start his own business. I had said, “Oh yeah, well, I've got a steady salary. You go ahead and start your own business.” He didn't have much income from his brand-new business, so we were in an awful situation.

Of course, I applied for Employment Insurance (EI), but I was denied despite thirteen years of continuous employment. I didn't have the required number of hours to be eligible because I had taken six months off between leaving my job at St. Michael’s Hospital and starting at Sick Kids Hospital. Obviously, if I had known I were going to acquire a disability I wouldn’t have taken that time off! I appealed the decision while I was in hospital. Eventually, I was granted fifteen weeks of Employment Insurance and later got CPP-Disability Benefits when the EI benefits expired.

I don’t know what we would have done without the EI and CPP-D benefits. We lived in co-op housing. I didn’t want to ask for a subsidy, but the coordinator approached us and said, “You know, we do have a bit of money for subsidy if you need a housing charge reduction for a few months.” We got the subsidy, which really helped. Housing is the last thing you need to worry about when you're staring down a life-changing diagnosis. We had been looking to buy a house, so we were lucky that we decided to stay in the co-op for a while longer. We might have lost our house if we had mortgage payments to make under these circumstances.

In early 2000, I wanted to return to work at Sick Kids. My CPP-D benefits were quite flexible in that regard. I tried going back to work, but it was too soon. I was still getting used to using a wheelchair and a lot of other changes. I hadn’t anticipated the fatigue. I couldn’t manage. It was just a two-person office at the time, and my boss was also having health issues, so it just wasn’t going to work out. She needed time off, and it was too soon for me to work by myself. CPP-D allows you to try to return to work for a few months without ending your benefits. They will also re-instate them quickly if you find you can’t work.

I did eventually return for half-time. I had a discussion with my boss and they modified my workstation and gave me other accommodations. They took down one of the cubicle dividers so I could get my wheelchair in. There was a door to my office that we never used, but it would be easier for me to use it, so they changed the lock and made a key. These were all trivial things and it was no big deal. Apparently, my requests went to one of the VPs, who just said, “Uh, we're a hospital. Just do it.” I think it was going to cost them $100 or something. They also had a disability management program, which was actually very helpful in figuring out what accommodations I needed and then implementing them. It was nice to have that support.

I also tried to get them to waive the waiting period for my income-replacement disability benefits, but on that, they wouldn’t budge.

As it turned out, it was all for naught, because later in the year 2000 they closed the department. Hospitals were still dealing with the tail-end of the massive public-sector restructuring, so jobs like mine were easy pickings. I was given an employment support package as part of the transition process, but it was pretty useless to be honest.

So, I returned to my idea of freelance editing. I was eligible for Employment Insurance again, and I took a course through them called the Self-Employment Assistance Program. It was quite extensive, every day for a few weeks. I learned all about how to run a business and build a network. After the program, I was quite busy as an editor, but it was very hard to make much money. I was making around $20,000 a year. But then I landed a well-paying government contract with plenty of work—too much really!

But I was always curious about the job market, which was an unfortunate curiosity in this case. I came across a communications position at non-profit disability-related research organization. I applied on a whim and got the job. I took the position on the mistaken understanding that I would be able to work from home on a regular basis. It was the first question I asked when I applied! I was told “Sure”. I thought I could have the best of both worlds. I thought wrong. I needed flexible hours. I don't know what you know about spinal cord injury, but your daily routine changes quite a bit. You use laxatives and suppositories, which can make for a long and unpredictable morning in the bathroom. It can be a bit of a production to get out the door in the morning. It always was for me anyway.

I expected my employer to be knowledgeable and open about disability given the focus of the organization. So, imagine my surprise when I found out that I could work from home only on as requested/as granted basis. I should have made working from home a condition of employment, but I didn’t. Then I asked to work 10:00am to 6:00pm, but the boss refused. He explained that there had been some issues with another person in a similar position before me.

I realized that I had to prove myself to get my accommodations. And I did. As time went on, my arrival time got later and later with the vagaries of my morning routine and the mounting fatigue of working full-time for the first time since my surgery. My boss was fine with it. I was putting in more than the hours required, meeting deadlines, and generally doing a good job.

But it was a small office. Everyone else had been on staff for a long time, almost since inception, I think. The workplace grew more toxic in tandem with the resentment of my co-workers. Another co-worker used a wheelchair for her lifelong disability and wasn’t the type of person to ask for accommodations. I think it was a point of principle for her. She even had her attendant come on her lunch hour to take her to the bathroom, though I can’t imagine anyone objecting to her going to the bathroom on company time, like everyone else! Her feeling was that because she used a wheelchair and didn’t want accommodations, then I was “just feeling sorry for myself”. Everyone else in the office lived close to work and arrived at 8:30am. They felt fairness means everyone should be treated the same, which is just not equitable for people with disabilities. And different disabilities are just that: different. There is no cookie-cutter solution to accommodations.

The key point, however, is that accommodations can be granted in word, but conditions can make them completely ineffective. As an example, I came in around 9:20 one morning. I said good morning to the boss and asked, “So there’s a staff meeting at 9:30?” This was answered by an angry shout out from my co-workers’ office: “We were waiting for you!” My boss and I shot puzzled looks at each other and shrugged our shoulders. I made my tea and the meeting started at 9:30. This seems trivial, but it felt like there was something like this every day. One day, my co-worker questioned whether the boss had “really” said that I could work from home on a particular day—as if I would lie about something like that! Another time, my other co-worker was uncharacteristically quiet all day. When I asked the boss what was going on, he chuckled and said, “She’s angry with me, because I won’t insist that you get into the office at 9:00.” She didn’t speak to him for two full days, filling the small office with tension.

As the bullying began in earnest, my physical and mental health deteriorated. I felt snubbed and excluded, criticized for the smallest things, deliberately given the wrong information about administrative matters. And it was very clear people were talking behind my back. My boss let me reduce my hours and pay to four days a week, but I was I was still sick and stressed all the time. I asked my boss repeatedly if he was happy with my work, and he said yes. I received two glowing letters of evaluation, and the board chair told me how talented I was! But I couldn’t please my co-workers, and I am too thin-skinned to work in such a toxic environment.

Fundamentally, my co-workers didn’t like me. And that is completely within their rights. How your co-workers feel about you personally, however, should not interfere with your Charter rights to reasonable accommodations. I don’t think anyone in that office, including me, really understood that. But even if we had, I don’t think it would have made any difference, because the resentment was building on both sides. And you can’t legislate feelings!

I did reach out to a legal clinic to get some advice, but I was told I didn’t have much of a case. And even if I had, taking legal action would only fuel the toxicity. It was at that point I decided to quit my job and go back to freelancing. I started working with the Research Action Alliance on the Consequences of Work Injury (RAACWI). It was an ideal job for me. Part-time, home office and the work focused on workers’ compensation. I reunited with people I’d worked with in the 1980s. It was great, though I was certainly experiencing the hyper-vigilance that people go through after bullying. So, I was still stressed and restless. I was inspired by great research that RAACWI was doing. I had always wanted to do a doctoral program, so I enrolled in the Critical Disability Studies program at York University. In retrospect, I was pushing myself too hard. I didn’t want to accept my limitations, and I paid the price health-wise. Beyond my own health issues, I was also caring for my elderly mother, and I couldn’t finish my PhD because my status lapsed.

In some workplaces, there are employer-sponsored pension plans that are portable, meaning you can take them with you when you change employers. I wish there was more of that, particularly regarding long-term disability benefits. I had two different employers, thirteen years of paying into disability benefits, and then when I needed them, my crime was that I changed jobs and that my spinal cord didn't wait two more months before it decided to give me a problem. I think there needs to be more flexibility around long-term disability benefits, being able to migrate them or somehow get recognition that you've been paying into them. Instead, we are encouraged to take out private disability insurance separate from the employer. I was a single mother for nineteen years, and I just felt I couldn’t afford the expensive private disability benefits plans that I was advised to buy.

In my situation, it would also have been helpful to have a basic income floor, so there would have been more security once I acquired my disability. The current system is punitive. If you get social assistance through the Ontario Disability Support Program and want to work, they claw back your wages. I know the issue of basic income has its problems. But I also know of people with disabilities who run their own small businesses, even if they can’t make much money or it gets clawed back. They do it because it’s important to their overall well-being that they contribute and can express their talents. Most people want to work and contribute, but they don’t want to do it at the expense of their physical or mental health.

**Flexibility is the key. Employers can’t take a cookie-cutter approach to employment practices. My work experiences also speak to the importance of flexibility in the provision of benefits. Before the onset of my disability, I was paying into disability benefits but couldn’t take those benefits with me to another employer. *Bonita***

# Page 57. Eugene

**Injured workers sometimes have to fight the system to claim their rights**

**My name is Eugene. I am 54 years old. I live in Kaministiquia, Ontario. I was working with the Gull Bay Anishinaabe First Nation band when I was injured on June 5, 1985. I was working in the bush, cutting a log and my partner started skidding (pulling cut logs out of the forest) at the same time. The logs fell on me and the bottom of my foot ended up underneath my arm and my back was severely injured.**

I was rushed to the Thunder Bay General Hospital and I had the first surgery which involved putting my knee and the cartilage back together. I was in rehab therapy for a while to learn how to walk again.

After the initial surgery I did rehab through the Workers’ Compensation Board (WCB; renamed Workplace Safety and Insurance Board or WSIB in 1998). My doctor kept telling me, “Oh, you’re going to get better. You’re going to be able to go back to work.”

But it wasn’t true. Since 1985, I have had fourteen surgeries on my knee. People shouldn’t have to have fourteen surgeries on one limb. It hurts. It changes you.

My injury was severe enough and I could not return to my pre-accident employer. The rehab specialist with the WCB closed my file right away when he found out I was a university student. I was a part-time political science student at Lakehead University in Thunder Bay, Ontario.

The adjudicator said because I had ten percent disability and was a university student they didn’t need to pay for my education. I told them they had to reopen my file because I needed help for education and training in the job market. I had to go on welfare while I was fighting to get my compensation. I pursued the Board and had my rehab file reopened to get help.

As a Status Indian, Indian Affairs did play a role. My original compensation cheques deducted various taxes I was entitled to keep. I was getting nowhere with the WCB worker I was dealing with, so I told them my brother worked for a radio station and they’d be very interested to learn about my case. Of course, it was a small university radio station with a listenership of maybe four people. But in the end, they ended up reimbursing me all the taxes they had deducted!

Around a year later, I was just about ready to return to work and I tried. There wasn’t much money from compensation and I wanted to be able to support my family. But when I returned to work, I had to have more surgeries.

As it happened, the only job training I got was to write a résumé and interview for a job. No real skill development or anything substantial that would have realistically enabled me to get a job. By this time, there was a two-year gap in my work history. I didn’t finish my degree and wasn’t properly educated. I was really a labourer. Eventually, I decided to investigate becoming a cabinetmaker and took some training in that. Of course, my knee didn’t cooperate, and I ended up with more surgeries.

Every time I was laid up, the family life suffered. I was dependent on my wife for everything. I was dependent on the Board for my income. All the while, I was focused on trying to get better. But it didn’t work again and again. Also, whenever I was out of commission due to surgery, the Board closed my file and I went back on welfare. This back-and-forth process happened for a long time.

I had to fight my own case for two years and eventually hit a wall. I decided to reach out and find some help. I heard of the Thunder Bay and District Injured Workers’ Support Group. I went to the meeting and learned there were a whole bunch of other people in the same boat as me, so in 1988 I decided to join the group. It still wasn’t easy, but at least I didn’t feel alone.

I remember one time around 1989, I went for rehab and was assured I was strong and ready for work and sport. I went to a baseball tournament. I played shortstop. There I was on a Friday afternoon with my brand-new knee and trusty glove. The ball was hit to me. I twisted the wrong way, and the knee fell apart. I was rushed to the hospital and booked for surgery.

After that, the knee was just like a wet noodle. I could never trust walking on it. Even when the doctor told me, “Oh, you’re all ready to go to work.”

I thought, “Well, how can you work with a knee that’s so unstable?”

That’s just one example. Another time I tried to go back working in the bush. I cut two logs and I was on the ground reeling in pain because the knee just let go. It got to the point where I’d be walking across the street and would fall to the ground right in the intersection. When my kids were born, I refused to carry them as infants. I would sit down because I was so afraid of standing or walking with them because I was afraid I was going to fall. In 1995 I got a new knee. I did a computer course and could not find any office work, so I went back to manual labour.

The WCB sent me up to Pickle Lake, 500 kilometers northwest of Thunder Bay, to be an airport administrator. The job was subsidized by the WCB. Although they knew all about my knee, I ended up loading airplanes with all sorts of goods; oil barrels, canned goods, non-perishables, meat, etc. The only real job accommodation was perhaps the fact they paid my mileage. There were no other real accommodations. Well, I was there maybe six weeks before my knee gave out again and I had to have another surgery. That was the second steel knee replacement I got.

In 1991, I started working for CBC (Canadian Broadcasting Corporation). There was an opening for a production assistant. It was a unionized job and my wages were subsidized by the Department of Manpower and Immigration (now Human Resources and Social Development Canada). CBC was great for accommodations. They gave me typing lessons and were flexible in terms of providing space and time to take breaks to rest my knee. I worked for the CBC for four years on and off in contract jobs. I was earning more money at CBC than I had working in the bush, so the WCB decided to start clawing back my wages and tried to deem me ineligible for continued support. I found additional funding through a First Nations organization that enabled the CBC to keep hiring me on contract jobs and I moved up in the system from a production assistant to a technical announcer. Eventually, I was laid off in 1995 due to government cutbacks.

The WCB found another placement for me with a First Nations tribal council in northern Ontario. Unfortunately, the job requirements didn’t match my experience and skillset, so I didn’t get the job. At that point, I never went back to work. The WCB provided me with a letter that said I would not benefit from any further rehabilitation and transitioned me to an older worker supplement. My sense is that the Board treated me as a liability. When I was working, I was an asset to the company. But as soon as I got hurt, I became a liability.

Being an activist, I felt I had an opportunity to learn where the true power lies in the system and that injured workers don’t have to suffer alone. No matter what injured workers fought for, the WCB/WSIB would find an answer. We’d say, “Pensions should be indexed.” We’d get the indexing, and later they’d take it away. Other times, we were more successful. We fought for health and safety and we got a Member of Provincial Parliament to introduce a bill to include health and safety in the high school curriculum.

More importantly, I learned that we have a whole network of injured workers across the province. In 1991, I helped establish the Ontario Network of Injured Worker Groups. We have a network of injured workers who have one voice. We were initially funded by the provincial New Democratic Party (NDP) government for a five-year term. We stretched that funding to nine years at which point our funding was cut in 2001. Despite having no funding, we continued to do all kinds of political organizing. Eventually, the WSIB stepped in around 2004 with a new funding program. Unfortunately, this funding came with the proviso that we were to strictly operate as a support group and not to engage in political activities. In the end, we rejected the funding offer and decided to continue on our own.

One of the biggest changes over time is best reflected in the 1998 decision to change the name of the Workers’ Compensation Board to the Workers’ Safety and Insurance Board. The name change indicated a change in approach from compensation to a model that more closely resembles a profit-oriented private insurance organization. This rebranding coincided with a deterioration of benefits for injured workers, including greater scrutiny of claimants for initial entitlements. More and more injured workers are being denied compensation due to pre-existing conditions.

In my opinion, the WSIB has lost sight of the founding principles of the workers’ compensation system. Back in the early twentieth century, Sir William Meredith had said the worker has no recourse when they are injured, and that employers should be responsible for paying workers who are hurt. Nowadays, employers and the WSIB distance themselves from injured workers and seek to pay the absolute minimum to injured workers.

I’m afraid this situation is getting worse. Recently, the WSIB complained they don’t have the funds to pay compensation claims, and at the same time they provide employers a three percent decrease in their rates. This creates a situation where you wonder how they are going to pay existing and incoming claims. You become suspicious that, in fact, their approach of fighting incoming claims enables them to give employers a discount on their rates.

Bottom line, you can’t have a profit-oriented organization like the WSIB running a social service like the workers’ compensation system. More and more money is being bankrolled and invested in the stock market, supposedly to secure future liabilities. I believe the WSIB currently has approximately twenty-five to thirty billion dollars in investments. Given the way the organization interacts with injured workers, I wonder about the extent to which those kinds of funds can buy political influence or subject the WSIB to outside influences.

Ultimately, employers have a key role to play in all of this. It’s the employers who can put injured workers back to work. Frankly, you can’t just keep injuring workers and expecting brand-new workers all the time. Employers need to take responsibility for people who are injured as part of the work. The emphasis right now is on accommodating people so they can get back to work. But “accommodation” is a vague term. Most employers are concerned about financial hardship and will put workers back to work as long as they spend as little money on them as possible.

Prosthetics will wear out clothing quicker in a work environment, so the WSIB used to provide a clothing allowance to help injured workers with the added expense of having to buy new shirts or pants or whatever. We fought the WSIB for nearly a decade to keep the program, but they eventually dropped it. We appealed to the Ontario Human Rights Tribunal, which ordered the WSIB to reinstate the program. The WSIB then instituted an application process to get a clothing allowance. Again, we fought them on that and the Tribunal agreed that employers (through the WSIB) were responsible for making restitution through a clothing allowance. For the WSIB, it was perhaps a four-million-dollar savings, and who knows how much they spent on legal fees to fight that provision. But it is indicative of the culture and approach that predominates. It’s a culture that nickels and dimes all the way and erects stumbling blocks wherever it can to protect its own bottom line against the liabilities of injured workers.

After a while, with the examples piling up, it’s hard to have faith in the system. One of the more egregious examples was when they wanted to drop a program providing assistive devices to amputees. A worker loses a limb or two and the WSIB says they can’t provide any assistance. Where is the justice in that? There’s something terribly wrong in the orientation and approach to the care of injured workers in this province.

Several years ago, we developed a “Platform For Change.” We looked at the policies of the board and designed an alternative platform that was more pro-worker. Years ago, at age sixty-five if you have a permanent disability like an amputation, you are transitioned to a lifetime pension. The WSIB has stopped that and at age sixty-five your WSIB benefits are cut off entirely. For example, because I was injured in 1985 and not more recently, I have a lifetime pension. But my friend beside me who was injured in, say 1999, does not get a lifetime pension. Same injury, same circumstances, but totally different outcome.

The first thing we need is more political will for positive change. We need somebody to stand up against the employer lobby. Over time, we’ve seen this is quite a tall order. Neither the NDP, the Conservatives, nor the Liberals have been able to do it. We’ve had royal commissions, endless studies, and researchers considering the situation of injured workers and ways to return them to their employer or career of choice. But the system is not set up to deal with long-term serious injuries. It is more oriented toward short-term injuries and expedient return-to-work measures. The system is still better than the private insurance industry but we’re quickly heading down that path and will eventually get there unless there is some more political will for positive change.

We need to listen to the voices that are already out there. Listen to the research that has been done. Listen to the unions when they talk about health and safety. In some countries around the world, when someone is seriously injured or killed at work, the police get involved to see who needs to go to jail. In Canada, it’s a monetary fine. And in most cases, employers can expense the accident. Even when a worker is killed, an employer can expense the injury. What does that say about the work disability system, when the authorities consider money over the value of human life? What does that say about our society when all we care about is money and a human life doesn’t matter?

Unfortunately, right now, it seems once you are injured you are a broken tool and they’ll just find somebody else to replace you. Right now, there are around 20,000 people each year in Ontario who are injured on the job. That’s a medium-sized town every year that goes from working to reliance on public assistance.

I think if we had more opportunities for injured workers and employers to sit down and talk about their needs and the reality of the situation, we could make some real improvements in the system. Perhaps we could float something like a flat rate system depending on the industry so there isn’t this entire economy built around employers trying to shirk their responsibilities to injured workers. When you take away experience-rating, there’s less opportunity for fights from the employee or employer side.

**Most injured workers just want to get back to work. If I had more support in getting back to work, then I would be off the books and everybody would be happy. But I had to fight tooth and nail just to get a pension increase. *Eugene***

# Page 67. Steve

**Injured workers want to return to work and government agencies can help or hinder that objective**

**My name is Steve Mantis. I live outside of Thunder Bay, Ontario in a little rural area called Kaministiquia. I was twenty-eight years old in September 12, 1978 when I lost my left arm.**

Every year around that date I feel the injury again. It’s something that never disappears for me. I was working in construction at the time and my left arm got caught in a winch, got wound up and pulled off.

Construction is a funny type of employment because there's not a lot of secure jobs. You work when there's work and when there's no work you wait. There's a lot of movement between employers and plenty of “hazy” employment relationships. These are largely temporary, precarious, undefined jobs.

Suddenly, I was thrust into the workers compensation system for which I was completely unprepared. I didn’t even know if I was covered by workers’ compensation or how it worked. I was lucky enough to be university-educated and so one of the first things I did in hospital was have one of my friends get me a copy of the Ontario Workers’ Compensation Act. I wanted to read the law to see what the deal was and how things worked. A lawyer friend came and visited me in hospital and briefed me a bit about the workers’ compensation system to figure out the ground rules so I knew what I was getting myself into.

I filed and I’ve been learning ever since about what it means to be a worker with a disability. Right away I spotted some significant shortcomings in the system. I saw people who needed help but were treated suspiciously and virtually accused of taking advantage of the system. That approach really put a lot of stress on folks at an already tough time.

I was lucky in the sense that I was part of the one or two percent of claimants who have a very visible injury. There was no debating whether I was injured. You know, there used to be an arm there and now there isn’t!

Two months after I lost my arm I was sent to the WCB Downsview Rehabilitation Hospital in Toronto where many injured workers in the province of Ontario went at the time. I spent three weeks there being assessed by doctors and rehabilitation workers. I met other injured workers and heard many stories and saw the kind of treatment that people were getting. I had thought this was a system that was supposed to help people injured at work.

I get a letter in the mail with a plane ticket telling me I must fly to Toronto within the week and if I break any rules I risk losing my benefits for the rest of my life. I’m a northern boy, you know, so I knew next to nothing about the big city and it was intimidating. I arrive at the airport in Toronto, board a taxi and arrive at the hospital.

There’s a guardhouse with a guy in military-type uniform and a six-foot high wrought iron fence with spikes. I thought, “Okay, that’s weird, but I don’t know.” There was a long lineup of people waiting to check in, so I went and waited under some trees, you know, I live in the bush so this is more familiar to me. I had a look around and saw a high chain-link fence with three strands of barbed wire pointing in that surrounded the grounds. I started to really stress out. I wondered, “What happened to me?”

I entered the big main building and saw these long green hallways that are polished. Everyone was dressed in a kind of uniform—stonewashed blue jeans and terry cloth short sleeve and pullover. Suddenly I thought, “Oh God, maybe they’ve sent me to a mental institution! Where am I?” I checked into the room I shared with five other guys and though I understood why I was there, the institutional arrangement scared me. I later learned the Chair of the Workers’ Compensation Board at the time, Michael Starr (who held the position from 1973 to 1980), was responsible for the militaristic style. Even though Starr had been part of a 1973 task force that recommended greater sensitivity and a service-oriented approach, he may have been responding to an escalation in claims that put unprecedented pressure on the workers’ compensation system. There was a recreation area with a little bowling alley. I remember one guy warned me to be careful.

“They're watching you all the time,” he said. “I think there's a two-way mirror in the bowling alley. If you're showing you’re able to bowl, maybe they think you're not disabled or something.” There was clearly suspicion on both sides.

I had received some physiotherapy and occupational therapy in Thunder Bay when I was first injured. I was given appropriate tools that were sharpened so I could practice my craft. My occupational therapist had a little shop and the first question to was, “What's your lifestyle like? What do you have to do differently now that you only have one arm? What can we do to facilitate that?”

I replied, “I heat my house and shop with wood. How am I going to carry the wood?”

“Well, look here, we've got a design for a firewood carrier you can make.”

When I arrived at the occupational therapy carpentry shop in Toronto, I was confused. The shop was very small and the tools were dull. It’s hard to cut a straight line with a dull saw. It’s hard to work with a dull chisel. If I was there for an assessment, how accurate was it going to be with inappropriate tools?

By the end of week three, we had a case conference. There were twelve healthcare professionals around the table, led by a surgeon whom I had never met. The surgeon opened, “We've completed our assessment. We've noticed you've lost your arm, and we think we should build you a new prosthetic arm.”

And we’re done. All the way to Toronto for that.

I returned to Thunder Bay and around Christmas (1978), I was given the go ahead to help my family build a home in Arizona. Away I went in January of 1979, about four months after I lost my arm, with a brand new prosthetic arm, and spent the next three months living in the desert, building my folks' house. I stayed down in Arizona until the end of April. I came back to Thunder Bay and looked around and said, “Who's going to hire a one-arm carpenter?” No one was really jumping at the chance, so I decided to start my own construction company, which I ran for the next ten years. We built some new homes but did mainly additions and renovations.

It was easy to see how the system wasn’t adequately supportive. I understood early on there were many issues at play and we should be working to make the system better for the people it’s supposed to help. That initial experience really set me on the advocacy path I’ve continued for the last forty years or so. When I was in Toronto, I had heard about a group, the Union of Injured Workers. I was never able to establish contact with them, but since I was in northern Ontario I decided maybe we should start our own group. I learned there was already a group in Thunder Bay, but the founder was burned out.

I called one day, “Can I speak with Johnny? I’d love to pitch in with the injured workers group.”

“Stop bothering him. He's helped so many people. He just can't take it anymore. Just stop phoning, okay?” That was the end of that!

I carried on with my life and collected my pension to supplement my employment earnings. Back then, when you had a permanent impairment you got a permanent pension. No clawbacks on earnings of any sort. You would get a permanent pension based on your level of impairment based on a “meat chart” calculation of the extent of the injury. My case was straightforward. I believe I was given 65% of 75% of my pre-accident earnings. No ongoing reporting.

My interaction with the Board was limited to when financial arrangements screwed up or I needed repairs and replacements of my prosthetics. I would regularly keep three arms on the go since, working in construction, they broke all the time. Often, two of the three would be in the shop for repairs. They weren’t really built to enable amputees to do the kind of work I was doing.

In January 1984, there was an ad in the newspaper. There was to be a public meeting in downtown Thunder Bay to hear about changes to the Ontario Worker’s Compensation Act, including the elimination of pensions. That certainly caught my attention. I went to the meeting and eight or so of us attendees that night formed what later became the Thunder Bay and District Injured Workers Support Group.

Our Group researched various parts of the system and reported back so we could educate ourselves about what was happening. We determined that the primary purpose of our group was going to be providing information and support. It can be hard to adjust to life with a disability, so forming a peer support network of injured workers going through the same things was empowering for everyone involved.

We held regular monthly public meetings with fifty to 100 attendees. Early on, we conducted a survey of our members asking what they felt were the most critical issues. Ninety percent told us their focus was on returning to work. Our top priority, then, was on helping people return to work. Our second goal was to engage in systemic advocacy. We felt that if we can impact how the system works for everybody then we’ll get a better return on our time and energy. Our third goal was to raise awareness in the public sphere; educate people about workers’ compensation and health and safety issues so the community could get involved.

Over time I saw that the workers’ compensation system is influenced by politics. When a new government is elected in Ontario, they want to put their own stamp on the direction and ideology of the Board. There was often a change in senior management and over time this created a culture of instability and uncertainty across the corporate structure. Administrators prioritized serving political interests over serving workers with disabilities. Instead of establishing a foundation based on evidence and experience, the Board is often focused on the present and preparing for the next change in the political sphere. It seems to me this approach undermines confidence in the Board and certainly impacts corporate openness to innovative ideas to solve problems.

The desire to reduce costs has achieved disproportionate attention over time. In 1991 I served on the Board of Directors of the Ontario Workers Compensation Board (WCB) as a representative of a provincial injured workers organization. At that time, there were approximately 500,000 claims each year and growing concern about the financial viability of the accident fund. Prior to that time, the WCB would periodically raise employer assessment rates to cover the increased costs of accident claims. Employer lobby groups would apply pressure to the government to lower rates and often the WCB decisions on rate increases would be reversed. High inflation rates in the 1970s and early 1980s cut deeply into the fund. In 1984 the WCB developed a thirty-year strategy to balance the books that included strict measures to control costs at every turn.

The result of this approach is a WCB that is narrowly focused on its finances. Of course, in business, there is always a desire to control costs. But when the people depending on the system are recast as financial liabilities, then the focus is shifted away from serving them. When you have a system that is more focused on finances than people, it misses all sorts of things. How well are workers with permanent impairments doing? What’s their health and employment status? They don’t keep track of any of that long term.

With their relentless downward pressure on assessment rates, employer lobbyists have done a lot of damage to the WCB corporate culture. Employer groups have invested millions in lobby organizations. For some big companies, a small shift in assessments rates could end up meaning big bucks. However, when they invest, say $100,000 in a lobbying organization and reap a $1 million savings, that’s a pretty good return on investment. You can’t lobby your insurance company and expect them to simply lower their rates. But because workers’ compensation is tied into the government which is influenced by lobbyists, then this is certainly a realm where political influence is decidedly real.

A program called Experience Rating was introduced in the 1980s to regulate employers' assessments. It was first piloted in the forestry industry and then rolled out to the rest of the province. The idea was to reward employers with good safety records and punish those with poor safety records. The program provides rebates to employers who had lower than anticipated claim costs, and surcharges or fines for employers who had higher than anticipated costs. This program expanded significantly in the 1990s under the Progressive Conservative government. An unintended consequence of this program, however, was that a whole industry of consultants emerged to fight accident claims. Consultancies would tell employers, “You let me manage your compensation claims and I’ll save you money by improving your Experience Rating.”

The WCB itself really started promoting this Experience Rating program and saying, “Look, if you do X, Y, and Z, you're going to save money, you're going to get a cheque at the end of the year back from us.” Then you had consultants who are then working directly with the employers to implement some of these recommendations. That really increased the employers' awareness of, you could play a game here. With CPP for instance, you pay your CPP as an employer, and that's that. Employers can join an industry association and lobby for lower rates. But you can't game the system; but with workers compensation, you can. Experience Rating added this whole new dynamic that ultimately established measures for employers to become more active in manipulating the workers’ compensation system.

These types of interactions between the WCB, workers, employers and their consultants, created a mistrust between employers and workers. This is especially damaging for small businesses where often there is closer relations. Once the WCB gets involved, expectations and communications get ruptured, often irreparably.

We have consistently lobbied the government to engage in long-term tracking of employment, health and quality of life outcomes for workers with a permanent impairment receiving workers’ compensation. It hasn’t happened. The WCB is a repository of lots of data but they have consistently deprioritized systematically evaluating what happens to the workers they’re serving.

I believe there are at least three things that are key to successfully reintegrating into the workplace after a permanent impairment or disability: communication, control and support. An injured worker and their issues can easily get lost once all the gears of the system kick in. Communication is often sidetracked between the injured worker and other parties and better coordination is needed. The ideal of the system being client-centered is an illusion in most cases. For example, the expectations of a healthcare professional may differ from the employer or his agents. It’s important to create mechanisms so that everyone is on the same page, and that starts with better communication between parties.

In most workplaces, you’re rarely encouraged to question management decisions or talk about how the work gets done. When the worker has some control over how the work gets done, it’s easier to implement accommodations which enable a smoother return to work. The WCB and employer usually want the worker to get back to work as soon as possible. When you have no control, you may do things you shouldn’t be doing. For example, the doctor might say you can’t lift more than twenty pounds, but the supervisor is saying, “Come on. We’ve got to get this done,” and everyone is under pressure. So now, the worker has to decide, “Do I listen to my doctor and lose the respect of my co-workers and boss, or do I exceed my limitations and hope for the best?” When there is more worker control over how the work gets done, these kinds of dilemmas are more easily solvable.

In terms of support, it's a challenging situation and you need support. You need someone in your court. We conducted a survey in the 1990s and we asked three or four questions: Were you hurt at work? Are you a union member? Are you working now? Ninety-percent of unionized responders were working versus twenty-five percent of non-unionized workers. Unions have a structure that provides support to their members. Not all unions are effective, but at least there is a structure and process that can work to the benefit of that injured worker returning to work. When you don't have any of that, it's up to the individual to navigate the accommodation process and the system more generally to figure out how to get back into employment. Consequently, we have lobbied unions to develop injured worker support groups within their regional caucuses and at the local level. Beyond unionized workplaces, we’ve got to promote the development of peer support groups across the province because we feel peer-to-peer networking is one of the top ways to build supports and find a way forward.

**A more participatory approach to accommodation that involves staff in decision-making works. It makes workers more productive and loyal, and takes the guesswork out of accommodations. Of course, there will always be production demands and expectations. If workplaces had more respect for a participatory style where workers are encouraged to contribute to the best of their ability, then I think we’d have more productive and happier workplaces. But to get there, we’ll need to work on the legal and cultural structures that challenge this approach. *Steve***

# Page 77. Wolfgang

**Implementing standardized disability management practices in corporate structures supports organizational change to build a better culture of accommodation**

**My name is Wolfgang. I am the President of the Pacific Coast University for Workplace Health Sciences (PCU-WHS) and Executive Director of the National Institute of Disability Management and Research (NIDMAR).**

Getting involved in disability issues was the result of a serious industrial accident forty years ago. It was 1977, I was twenty-years old, and had graduated in civil and forest engineering. After getting a job with MacMillan Bloedel, Canada’s largest forest products company and BC’s largest employer, I was working alongside approximately 450 workers in a logging camp just outside Port Alberni on Vancouver Island. It was my first week on the job and we were cutting a fifty-foot alder tree with a power saw when it “barberchaired” (split vertically up the center before the hinge is cut thin enough to bend and fall where it is intended). The tree fell on me and left me with a severe spinal cord injury.

The company accepted responsibility for the accident, partly because the union, International Woodworkers of America-Canada (now the United Steelworkers), was such a champion for me. The union argued, “Look, here's a guy that's twenty years old and permanently impaired due to negligence on the part of the company because the training program consisted of signing a piece of paper called a job safety breakdown and being given a power saw.”

After two months in the spinal cord unit in Vancouver and additional months at the GF Strong Rehabilitation Center, BC’s premier major trauma rehabilitation facility, I returned to work at McMillan Bloedel and retrained as an accountant. At that time, it was one of the biggest companies in British Columbia with 25,000 employees but in those years there was absolutely no language in the collective agreement with respect to Return to Work and absolutely nothing to work with in terms of human rights legislation, Duty to Accommodate, or UN Best Practice guidelines. But the company did build ramps and made the washroom accessible for me.

I worked there until 1982 when the company unilaterally decided to terminate all disabled workers across the entire organization. There was backlash in the media and government, but since disability wasn’t protected under any human rights legislation in BC at the time there was nothing to stop them. Ultimately, another disabled co-worker, Sven Frederickson, and I co-founded the Disabled Forestry Workers Association of BC as a non-profit society focused on advocating for the rights of injured workers.

The unifying factor for most injured workers has always been the provincial Workers’ Compensation Boards (WCB). I never had any issues with the WCB, which is of course not a universal experience. In fact, companies seemed to take the position that whatever the WCB needed to do, should be done—a fact which applies more so in cases of severe impairment. For us, the focus was more on the companies, the lack of human rights protections, and lack of employer Return to Work obligations. By 1988, we had reached out to other injured workers advocates, including Steve Mantis, to create the Canadian Injured Workers Alliance (CIWA). In 1990, we co-chaired the first national conference held in Ottawa on the reintegration of injured workers.

In 1994, with the support of key union and employer stakeholders, we founded NIDMAR and developed a code of practice for managing workplace disabilities, certification standards and educational programs for disability management professionals, and a workplace disability management audit tool. The establishment of the PCU-WHS in 2007 emerged out of this to advance our goals around education and applied research in the areas of occupational health and safety, disability management and rehabilitation studies.

I became an advocate because of what we were seeing among injured workers and other people with disabilities. I was lucky enough to be able to go back to work and had a whole series of support mechanisms in place, including the union. But seeing way too many people with disabilities living in poverty and dependent upon social assistance, we thought, “unless we make systemic institutional changes, we'll never see different outcomes.”

Effective joint disability management programs can help people return to work successfully after an injury and maintain successful participation in all aspects of their lives. This is very much supported in our research. To give you an example, I have a friend who was a Vice President of Sales, broke his neck and now lives with quadriplegia. His company created a new position for him which enabled him to return to work in a job that suited his skillset and abilities. He’s retained his attachment to the workforce and avoided a loss of self-confidence, motivation and psycho-social compounding that normally accompanies a severe injury. This wouldn’t have been possible without proper disability management guidelines and practices to help employers accommodate disabled workers, regardless of whether the impairment is of a mental health or physical nature. There are countless other examples like this which is why we know this approach works.

A big part of this involves creating greater awareness of disability, occupational health and safety, and getting employers onboard with various initiatives. In 1986, we developed a documentary with the Canadian Broadcasting Corporation (CBC) called “An Insult to Injury” that focused on the termination of disabled workers at MacMillan Bloedel. We followed up with another documentary in 1987 called “Every Twelve Seconds,” a safety film in reverse that highlights the realities and consequences of a severe industrial accident, at a time when a compensable industrial accident occurred every twelve seconds in Canada.

The films were broadcast across the country and garnered significant attention. More importantly, we brought together a whole collection of companies that supported the development of the film as a joint labour-management partnership. The outcome of these initiatives was that the group of senior business and labour leaders involved in the project ended up supporting the development of NIDMAR and PCU-WHS. A participatory approach that gives employers, in fact all workplace partners, a role in raising awareness is key to systemic change.

You can be involved in all sorts of advocacy initiatives and awareness building activities as I have. But when you get to my stage, being an advocate for forty years or so, it’s easy to feel like you’re getting old and jaded when you see continuing high unemployment rates and poverty in the disability community. But that’s why we have always focused on the institutional side of things, because only through that approach will we initially influence behaviour and hopefully change the culture. Sadly, today across Canada, we still have approximately 1.2 million individuals with disabilities living on disability support, which is way below the poverty line. We have a long way to go in improving public policy and ultimately shift the playing field.

Since we started NIDMAR in 1994, we’ve received nearly thirty million dollars in development funds and we’ve worked to improve competency standards in return-to-work practices, establish professional certification in disability management and develop auditing tools to assess return-to-work programs in a company. Companies want someone with a Certified Disability Management professional designation behind their name because it means they are leaders in honing their human resource and management structures.

It helps to have governments and leading companies involved as champions. The BC government supported us in rolling out our auditing tools. One of the first workplaces to be audited was the healthcare sector in BC. We have six large health authorities that administer our healthcare system in the province and they used our audit tool to assess their current return-to-work practices. They identified gaps in their system and implemented a complete business redesign. All the best practice recommendations of our assessment protocols have, as of 2014, been incorporated into five collective agreements covering approximately 150,000 healthcare workers across four unions and more than 200 employers in the province. This success has led the BC WCB, Royal Bank, Borden Ladner, seven municipalities across Ontario, and many others to use the tool.

Our goal is to ensure workers, unions and employers can collaborate in such a way that people don’t fall through the cracks anymore. The audit tool was built in a way that fosters a participatory approach. An employer cannot audit on their own without participation from the workforce. In the case of unionized workplaces, it fosters collaboration between employers and unions.

Some people come to us asking, “What do I have to do to be an employer of choice?” We empower employers to create new best practices through auditing and establishment of competency standards. We see uptake of this in both the public and private sectors. The deciding factor is whether there are leaders within the organization that are willing to embrace change. These leaders may have all sorts of personal or aspirational goals that motivate them, but when they do reach out it can have a ripple effect across the sector.

The provincial WCB and Workplace Safety and Insurance Board (WSIB) can play a key role. A WCB or WSIB with the right attitude among its leadership can play a pivotal role in supporting return to work. The Ontario WSIB is the only WCB that has a Vice President for return to work. No other Canadian WCB has that. We need more leadership on that in the rest of the country.

We have made formal proposals to help the federal government move forward as a leader in disability management. Canada has signed onto the UN Convention on the Rights of Persons with Disabilities (CRPD), but has yet to sign the optional protocol. Nearly 100 countries have signed the optional protocol and there is public support to sign it. The protocol includes several enforcement mechanisms, including some which relate to Article 27 of the convention which requires every employer to have a return-to-work program.

We are also pushing to have auditing and certification standards included in the proposed Canadian Accessibility Act, the Canada Labour Code, and the Employment Equity Act. In most cases, there are simple tweaks that would greatly improve matters. Why not tweak the Labour Code to have a requirement for a joint disability management program or that every employer with twenty or more workers have a return-to-work program? Why not change the Employment Equity Act from a simple data collection exercise into a proactive strategy that demonstrates short, medium and long-term plans for recruitment of various equity groups and how you’re going to get there? In most cases, it comes down to a lack of will, which is why it is so important to have leaders and champions pushing for change.

Employers need to build a culture of accommodation within their workplace. One of the principal ways they can do this is with a robust return-to-work program covering mental and physical health issues. Currently, many employers won’t go out and hire a person with a disability. But by instituting structures that retain employees who suffer a physical or mental health impairment, over time that workforce will more closely resemble the general population. If you accommodate your own employees, and meet them where they’re at, it makes it that much easier to hire people with disabilities from the outside because you’ve removed that stigma. It’s much easier to persuade employers to buy into a return-to-work program because its dealing with the familiar—people you have worked with and perhaps known for years. This is how you build a culture of accommodation.

The public sector and parts of the private sector are going through this process right now. In any organization, whether that's on the union side, the employer side, or at the political level, you must have some level of motivation and willingness at the senior level to engage in practices that change behaviour.

I’ll end with a recent example. We implemented our program in a forest products company here in BC. It was a scorching summer day and a worker in his forties was operating a 100-tonne logging machine hauling logs out of the bush with a heavy steel cable. Another steel cable takes this main line back out into the field beyond the bush. By the time you have a steel cable that's 1,000 feet there’s tremendous tension on the line. The operator had the door open for some air because of the heat. Suddenly, the cable snapped, whipped around the machine and took his arm off. Under normal circumstances, that worker would have become a warden of the WCB system. But because the employer had a dedicated Return-to-Work program and every manager of every operation had to report quarterly on their performance (number of cases, days lost, return-to-work effort, and so on), their mindset was focused on return to work. Once the medical and rehabilitation aspects of the case were resolved, the joint Return-to-Work committee brought together a mechanical engineer and a rehabilitation engineer to match an appropriate prosthesis with engineering changes to the machine, enabling the worker to return to work and operate the machine safely.

**I saw too many people with disabilities living in poverty and dependent upon social assistance. I thought, unless we make systemic institutional change, we’ll never see different outcomes. *Wolfgang***

# Page 85. Donnie

**Collaboration among employers, legislators and insurance organizations is key to aligning different programs to provide better services**

**My name is Donnie. I’m a Chartered Accountant. I worked in the internal audit area of the Insurance Corporation of British Columbia (ICBC) and am currently the CEO of Healthcare Benefit Trust (HBT) in British Columbia, a non-profit health and welfare trust that provides employee health, dental and long-term disability benefits to provincial healthcare workers. My professional experience has taught me many lessons about the relationship between people with disabilities and the national insurance industry.**

My knowledge of disability programs has primarily been gained through over thirty years experience providing benefits to injured or disabled people through the insurance industry. In the BC healthcare sector, for example, there are four bargaining associations (organizations that represent a collective of unions) that cover virtually all healthcare workers across six regional organizations that manage health in the province. Bargaining associations have lead unions, such as the BC Nurses’ Union orHealth Employees’ Union, that bargain on behalf of member unions. Many of the benefits are negotiated and prescribed by the collective agreement, which is made through the negotiation of the employer and unionized workers. In BC, these benefits are provided through HBT, which is a health and welfare trust serving public sector employees. That model is common in Canada, with Alberta, Saskatchewan and Manitoba and some Maritime provinces having similar organizations. Employees also have separate organizations that deal with extended health, dental and long-term disability benefits.

Private sector workers with employer-sponsored healthcare benefits could be serviced by insurance companies such as Sun Life, Manulife, and Great-West Life. Private insurers typically provide standard benefit plans, versus organizations like HBT are set up to provide more tailored benefit plans due to the influence of collective bargaining. Private insurers will generally dictate the terms of the plans they provide and won’t often provide custom changes to the standard plan. As a non-profit organization, HBT must take direction from the outcome of the collective bargaining process. We are taxable, but with the large amount of deductions available, we haven’t had to pay tax and thus don’t have to pass on these costs to the plan sponsors. The profit element means private insurers are more selective in terms of taking on risks whereas public insurers are more likely to have a take-all-comers-type approach.

In terms of return-to-work programs, in BC we have two programs the unionized sector is involved in. One is the Enhanced Disability Management Program and the other is the Early Intervention Program. These are negotiated programs that are provided through collective agreements. Both the employer and union work together on the disability claim to help the employee return to work with the supports they need. Support for mental health claims has progressed because of these programs.

Many large organizations like HBT are self insured and enter into Administrative Service Only (ASO) contracts with large insurance companies to provide claims adjudication services. We will often rely on insurance industry experience in the provision of rehabilitation programs and long-term disability (LTD) management. For example, we contract out LTD claims adjudication to Great-West Life and rely on them to provide rehabilitation and disability management services. An inherent challenge for HBT is the negotiated provision where disputed claims could potentially be arbitrated. Disputed claims may go through the Labour Relations Board for an independent review of the disability claims. The labour relations board is an independent quasi-judicial tribunal that adjudicates and resolves employment and labour relations matters. There isn’t a lot of flexibility in how you deal with a disability claim. Often there must be an approved rehabilitation plan that is signed off by both the union and employer. This can sometimes clash with the policies and processes of the private insurer doing the claim adjudication, which may work against the constraints of the collective agreement. All of this can make it difficult to set up a rehabilitation plan and return-to-work program.

Employers play a leading role in both return to work and disability claims processes. They are the ones paying for benefits, so they naturally focus on the costs of long-term disability claims. Bottom line, employers want cost certainty. They don’t want the volatility of the cost of a long-term disability. There have also been some movement away from defined benefit towards a defined contribution plan for employee benefits in the health care sector in BC. Employers are looking at how best to provide appropriate benefits while limiting increases in benefits and disability plans. Part of this means employers are very active in helping employees through return-to-work programs. They generally take accommodations quite seriously as it’s all about getting the employee back to work. Some public employers in BC have even set up their own disability management groups to manage the return-to-work process.

I think one of the key initiatives to improve disability claims and accommodation outcomes is trying to get more integrated data on disability and healthcare utilization. Often, data is scattered in all sorts of places and employers are trying to connect the disability data with the extended healthcare data and drug usage to see how best to predict that and manage it going forward.

Employers are certainly trying to look at what is affordable from their perspective. Employers are always looking at overall cost increases related to employment, especially in the healthcare sector where there is a lot of strain on their budgets. Annual increases to health care budgets used to be around six percent and there is now downward pressure to bring such increases down to the rate of inflation. Employer organizations constantly complain about the lack of funding in the healthcare sector that forces employers to manage tight budgets and ultimately puts downward pressure on the bargaining process.

Part of the problem is that the systems are fragmented and narrowly focused. Drivers disabled in a car accident can sue for disability benefits through the tort system. Claimants can get good benefits if they’re not at fault by suing for general damages, future care, and future and past wage loss. If you’re at fault in BC, a claimant can only get a maximum of $150,000 in no-fault benefits. WorkSafe, workers’ compensation in BC, pays for disability benefits when you’re injured at work via a no-fault compensation system, but you’re not always guaranteed the kind of benefits a claimant needs in terms of income replacement, medical benefits, home renovations and mobility assistance. If you’re disabled outside work and not from an auto accident, you fall within the purview of government disability benefits. The lack of integration between all these compensation systems also means they pay different benefits depending on how the disability arises and the compensation system in each jurisdiction.

I don’t see much trending toward greater integration and streamlining in Canada at present. There are certainly international models we can draw upon. For example, New Zealand has a model where automobile insurance and workers’ compensation are integrated in one organization so that it doesn’t matter if you’re injured at work or in a car accident. If you’re disabled, you’re treated in a much more integrated way.

The problem in Canada is that there’s different legislation and organizations that run programs with very specific mandates. Integration is a big challenge with separate legislation, organizational structures and compensation schemes presenting a complex web of barriers. Perhaps this is why there hasn’t been much movement towards integration because it would be very challenging to sort out the different compensation systems for someone disabled in a car accident or at work.

To me, a better way forward would be to focus on collaboration rather than integration. To learn from one another, to find ways to align programs where possible. More can be done across different organizations that have similar functions. For example, HBT and WorkSafe have had discussions to collaborate, such as in cases where WorkSafe provides retroactive awards. But there isn’t much discussion about what constitutes appropriate benefits and more substantive issues. Everyone has different return to work and accommodation interventions. Perhaps if we shared knowledge, expertise, and data, we could develop new initiatives that help a disabled claimant navigate the system and return to work with the appropriate supports. However, I think it’s too much to try integrating these systems because you’re looking at major legislative and organizational changes. That doesn’t mean there isn’t a lot of work to be done in finding common knowledge and eliminating inefficiencies across systems.

One area that could be improved is to review the communication structures for the different disability schemes. There is a real lack of information to educate people about what benefits are available and how to navigate the different compensation systems. Many people don’t realize what benefits are payable depending on where they’re at in the system. Easier access to information that is tailored and specific to the type and circumstances of injury and/or permanent disability is needed. Many times, people are not aware of all the intricacies and connections and what they’re entitled to. It seems nobody really understands all the different pieces and it’s helpful to have some context in terms of how claims should be dealt with. More high-level information that drills down on the specifics of compensation, benefits and entitlements would be helpful.

I’m not sure the lack of integration of compensation systems is necessarily due to a lack of political will. I think it’s a lack of a strategic viewpoint from the perspective and experience of a disability claimant. Governance systems are all different and they’re each looking at how to fix their own auto insurance problem, or WorkSafe problem, or long-term disability problem. Instead, we need to approach this from a perspective that recognizes the experience of a disabled person right off the top.

Organizations like NIDMAR (National Institute of Disability Management and Research) are helpful in establishing integrated structures and standards in organizations to promote this disability perspective. This is a very complex world and pulling it together is probably impossible without better disability management resources and standards. It’s also helpful to pull in other disability organizations that can provide a disability perspective. Talking to the grassroots about the disabled person’s perspective is key to understanding the effectiveness of programs like return to work, early intervention, and enhanced disability management.

**Presently, there isn’t much incentive for organizations to change their approach. In the insurance system, for example, there is a tendency to push off claims payments to other organizations. Insurers could change their perspective by embracing opportunities for collaboration and learn about what is effective and what helps reduce the cost of disability. We can all learn from each other. It’s a matter of setting things up in a way that provides value for employers, governments and organizations to participate so they can see the benefits of greater collaboration. *Donnie***

# Page 93. Mes Amis Catering

**Accommodation is a shared responsibility and can be made easier if government agencies actively supported businesses that hire social assistance recipients**

**My name is Ruth Anne. I opened Mes Amis Catering Company in 2013 in Hamilton, Ontario. We offer full service catering for weddings, meetings, parties, and fundraisers. We have retail products that we offer to a couple of grocery stores and cafés. We work with children and education in arts, music and nutrition, and learning to cook. We're just launching a small eatery at the Hamilton Farmer’s Market in October.**

I started the company because I have something called borderline personality disorder and some physical health issues. When I tried to go back to work, I found it difficult to find a compassionate employer who could offer appropriate mental health accommodations. I figured other people were probably also struggling with that. I wanted to create a company where people were encouraged to talk about their mental health. I wanted to show that you can have a successful business and have depression, struggle with suicidal ideation, and have all these things but still make it work. Maybe we do things a little differently, but we’re not all that different from other workplaces.

We're a social enterprise, so our focus is on local, healthy fresh food, environmental sustainability and creating “accessible employment.” We phrase it as accessible employment for people who struggle with finding or retaining traditional employment. Some of our workers have visible disabilities with physical and speech impediments, while others struggle with mental health. Some are living in poverty. Some have anxiety or panic attacks. Creating an accessible work environment sometimes means that we change the way we do things. One worker was a stay-at-home mom. Now she brings her two-year-old daughter to work who attends all our staff meetings, and each of us takes a turn hanging out with her. We make sure the kitchen is always safe to have a kid around.

We don’t recruit people with disabilities specifically. We first opened in a building in Hamilton called the Perkins Centre, an affordable housing complex targeting lower income single adults at risk of homelessness due to disability. We rented a kitchen on the rental side. A lot of the people who lived at the Centre started working with me and then more employees came through word of mouth.

For us, accommodations grow out of relationships with people. We have a working philosophy that recognizes people are individuals with unique needs. Those needs may change day to day, or even moment by moment. It’s incumbent upon all of us working together to make time and space for an individual’s needs. We’re just a small start-up, so we don’t have any formal policies or system of accommodations. Instead, we focus on providing care for workers and trying to support them so work is practical for them and their family and life, rather than forcing them into a strict definition of what work means at our company.

Right now, that means a lot of accommodations include support outside work. I'll go with my staff to their doctor's appointments. One worker really struggles with suicide, and I'll go with her to the hospital when she needs some support or when police are involved. I’ve found that if we can support workers in this way and recognize that there are things that get in the way of people getting to work when they don't have support in other areas of their life, then they will be better engaged in the work we do.

There’s obviously many challenges inherent in this approach. Not having strict policies in place allows us to be more flexible to individual needs. We are a small company and all five members of our leadership team are fully committed to this approach. When we come together for our weekly meetings, and when we all do our check-ins and stuff, there’s not like a top-down approach where I’ve set up a system for them to follow. Instead, it’s all of us participating and figuring out what everybody needs, and providing that for each other.

There are simple accommodations, like setting up a lower table for someone who can’t stand for long periods of time. Some staff need to get paid in cash so we need to be flexible with that. Sure, it's more convenient for me to write cheques than to make sure I have cash on hand for payments, but understanding their challenges is key. Some find it stressful or challenging, or they might go to a high-interest lender to deposit their cheques because they're living in poverty and need to make ends meet. Being flexible may mean getting them advances when they really need it or providing bus tickets or rides when it's dark out. That all counts as accommodations in our books.

Many of our workers receive social assistance through the Ontario Disability Support Program (ODSP). I'm also on ODSP so that I can have the medical coverage, which makes me kind of uncomfortable to be honest, but my doctor said I should stay on it so that my prescriptions are covered. My experience with the ODSP system has been frustrating for myself and for my staff. There are many automatically-generated letters based on what the computer receives or inputs. Often, these letters threaten to cut off services, it happens constantly but it is usually some administrative error. Obviously, this causes panic and anxiety for my staff. I will need to reassure workers that they can still work and won’t lose their social assistance. I don’t find ODSP provides much support for employers. If anything, it seems they put barriers in the way of working. Whenever I have a new worker or earnings change, I have lots of paperwork to fill out for ODSP, and the caseworkers aren’t up to speed on how small businesses work. Certainly, it’s challenging to maintain worker-employer relations with all of that going on.

I think the ODSP and other parts of the work disability system could better enable people to start small businesses. I would love to see more people with disabilities like me create small businesses that are structured around their strengths so they can be working successfully. Opening a small business was a good opportunity for me to get back to work because it meant that I could create accommodations for myself. Perhaps starting with more structure and support for start-ups including filing paperwork, taxes and those kinds of things. I mean, I'm a baker; I'm good at baking, I'm not good at paperwork and taxes. Communication with clients also needs to improve. Computer-generated communication doesn’t build good relationships, especially with some people with disabilities who may need things explained to them. It seems each ODSP worker does things differently, judging what’s an acceptable work expense and what’s not. It's frustrating because I feel as if I'm constantly having to justify and prove myself. There’s also a lot of uncertainty built into the system on a month-by-month basis.

My staff are always guessing, “Oh, did I work too many hours this month? Do I have to work more hours this month?” They are never quite sure what their deductions are and if it benefits them to work or not. It creates panic and instability at work, and my staff might quit. Then it means my time is spent talking my workers back into work telling them, “We will figure this out together. Don't worry, you're not going to lose your benefits.” I don't mind doing that for them. I am happy to be part of that, but it seems like a waste of everyone’s time when it's supposed to be a system to support people with disabilities. It also turns into a poverty trap where people will work less because they don't want to run the risk of losing their medical coverage. They just need enough money to live, even though working is so healthy and good for building self-esteem.

There needs to be more support within the work disability system for employers and what they’re trying to accomplish. I employ six people in Hamilton who are on ODSP right now. I am constantly being challenged by ODSP workers who say, “Why don't you do this or that.” I don't understand why the system isn’t more supportive of employers who hire people receiving ODSP.

At our workplace, we want all workers to be invested in making accommodations for each other. Ours is not a top-down approach, but a shared responsibility. The way we think about it is that we all need accommodations to be healthy and happy and excited about work. When I hire people, the focus is on what kind of work environment we are creating, and recognizing that everybody has needs that present differently. We feel workers’ needs are their needs, and we all need to figure out how to meet them or how to change the job to fit. The approach works because worker needs are being met and co-workers are part of the solution.

I employ five people on my leadership team who work full time and around ten casual or part-time workers. Some of the casual part-time workers who have the highest needs and receive ODSP, have been fired from every job they’ve had. One worker has never been able to keep a job, but she's worked out with us since the beginning. She cares for me the most at work. She is always making sure that I take a lunch break, that I have water. She notices if I'm emotionally upset. She's just so invested in my well-being and doesn’t recognize that we're accommodating her. She's just so focused on accommodating us and trying to do things to make it easier for us all. I think it's important to feel needed and when you have a disability and work, you’re in a position where you can take the focus off your own needs and do things for other people.

A temp worker we once had told me about his experience working with us. He said, “I had trouble the whole time figuring out who was supporting who. It just felt like everyone was supporting someone, but you don't know where it started or stopped.” That's exactly the kind of team environment we want to create.

Every Monday we have a leadership team meeting. The first forty-five minutes, sometimes longer, is just check-ins where we see how we’re all doing. Each person just gets to share how they’re doing personally. If someone's struggling with their marriage, or if someone's going through counseling, or just is tired, or annoyed at their in-laws, or whatever, it doesn't matter what they're going through. It’s a chance to talk about it. Then the questions we ask include, “Was there anything helpful lately at work that we've done for you, or that you've experienced? Is there anything that we could be doing differently for you?” It's about making time for those things and making that part of our everyday work. I don't remember when we implemented that, but I think that once we started having meetings, we just wanted to check in with people all the time and how they're doing. It's not that hard and we made time for it. Sometimes it means we prioritize people's wellbeing and mental health over everything else. I would rather make a customer wait to hear back from us via email or for a quote or something and make sure that my team is healthy and supported, than push forward and get as much business as possible. My priority is on people's wellbeing. Our customers and clients love that, and want that, and feel that at our events and in our food.

This approach means employers must be vulnerable from the top down. In most workplaces right now, it’s not easy to share your mental health. How many people come in to work and say, “I'm really depressed today and this is what I'm thinking about, and this is what's hard for me.” I try to exemplify the kind of workplace I want to create. I am very upfront about my mental health problems, and the medication that I'm on, and those kinds of things. My staff tells me that creates a safe environment for them to share their own struggles.

It doesn't always happen right away, but when they know they can say those things safely and not be judged, then good things happen.

We need to break down barriers between employers and workers. There’s too much of an us-versus-them attitude, especially in larger companies with highly structured hierarchies. We need to move away from the constraints of “professionalism” and recognize that success at work can look like a lot of things. We need to have a more holistic approach to work that appreciates the intimate connections between work, home life and personal suffering. It requires a paradigm shift that focuses more on building relationships at work rather than adhering to a strict set of policies. Some workplaces pressure you to meet a deadline, or to accomplish X, Y and Z by the end of the week, or to have a certain number of contacts, or whatever. The only time we really pressure each other is when we can see that you're not taking care of yourself, or you're pushing yourself. For example, someone's working too long without a break. We will stop and say, “As your team, we aren’t okay that this is happening. We want you to take care of yourself.”

The other day I had a lot of chronic pain, and my assistant asked me, “Do you need to go home and lie down?”

“No, no, I don't want to do that. I need to get this done.”

“I didn't ask you what you want. I asked you what you needed,” she replied. And she sent me home!

We came up with this term “Care Bullying” where co-workers emphatically tell each other their wellbeing is important to them, and that they need to take breaks.

Our customers tell us they're happy if they know they're going to be spending a lot of money on an event, they're happy to know it's going to more than just that event, but back into the pockets of people who need it. Sometimes, if we have the extra income, we'll hire counselors for our staff if they need, which they can't always access through their doctor. Our customers have a lot of satisfaction about knowing their fees are going right back into local farms and into supportive employment.

We've gotten letters from customers saying, “You can feel the kindness in your team as a person at the table in the buffet line.” The care and kindness we extend to each other extends into how we treat our customers. “Gentle pride in their work," was one phrase that came up. We're pretty gritty! I think people are often impressed when facilities that hire us break down, or there's not power or hot water. We're able to figure out ways to make it work. After all, as people with disabilities, we're used to coming up with creative solutions.

Right now, around ninety percent of our business comes through referrals. We catered a wedding and the bride had Post Traumatic Stress Disorder (PTSD). She hadn’t worked for six years because she hadn’t found a compassionate employer. A year after our event, she contacted me and said, “Hey, I'm trying to go back to work and I was trying to think of where could I work, and I was so excited about what you were doing. Is there any chance you would consider letting me try?” Seeing people go from being clients to becoming part of our team feels great. That’s happened a few times where we have done work for somebody and they have rehired us or joined our team. Or we’ve had people who worked for us, moved on and hired us to do events for them. This takes us back to the relationship piece.

**Supported workers need extra attention and accommodations. With our approach, we have little turnover and many people have been with me since day one. We’re expanding as a business. We’re launching a new eatery this year. So in my opinion, our approach is definitely working! *Ruth Anne , Mes Amis Catering***

# Page 103. Dolphin Digital

**Universally-inclusive recruitment and employment strategies that focus on skills and potential are key to finding untapped talent**

**My name is Jamie. I am Vice President of Dolphin Digital Technologies Inc. Dolphin is a communication technologies firm, and we are widely recognized for our use of technology to tackle social issues.**

We started out in 2006 as a very small information technology business in the hub of tech central—Waterloo Region in southwest Ontario. We became aware of the fact that no new graduate, no experienced techie, no innovative thinker would want to work for an “unknown” like Dolphin when Google, OpenText, Blackberry, and other major companies were recruiting locally.

When my business partner and I started our business, we knew we wanted to have a social impact. We knew that business could be done differently and our backgrounds led up to this opportunity. We had been working with an incredibly talented worker who had a disability but experienced no limitations utilizing the technologies in our workplace, and so we began with a focused effort on attracting talent from the disability community. We considered how the stigmas associated with disability probably clouded the potential of workers with disabilities. We wondered if we could demonstrate this potential by deploying technological solutions that would enable the employment of people with disabilities.

Of course, there were several challenges implementing this vision. But our mantra is “keep moving forward.” We had to educate ourselves about the opportunities and strategies for employing people with disabilities as there wasn’t much readily available information out there on what we wanted to do. I logged thousands of hours of research investigating how other companies around the world were hiring people with disabilities. I investigated insurance policies, WSIB considerations, and discovered there weren’t too many sound examples of a business with a specific focus on hiring people with disabilities in Canada. We became compelled to prove that it was possible to do business with a social impact, and tried to figure out what this would mean in terms of designing solutions to meet our intended outcomes.

Technology seemed to create a level playing field. We don’t necessarily seek to recruit people with disabilities, even though part of our business objectives is to prove they are employable. We recruit talent, and we do this by focusing on creating a barrier-free hiring strategy and the opportunity to demonstrate skills and potential.

Initially, we were inundated with applications that overwhelmed our small business of three people, at the time. We had no means of meeting that demand without developing an innovative tool. Our response to this interest was an in-house vetting tool called ViTAS, Virtual Technical Assessment Solution. Every person who applies to Dolphin is evaluated in a virtual environment from their perspective of their skills, abilities and potential for other skills that they perhaps weren’t aware of in a virtual world. We don’t use a résumé as the de facto standard; in fact, it’s probably the last thing we look at. We really feel that the résumé is probably the number one barrier to employment for more than eighty percent of the people who apply for a job. In our opinion, everything employers have put into place to find the ideal candidates ensures they're missing the best workers.

At Dolphin, our workforce includes people in customer service, senior network technicians, programmers, website design, and project management with a focus on technology. Our workforce is a mix of “able-bodied” and disabled workers. We don’t identify our employees who identify as having a disability because we don’t differentiate between disabled and “able-bodied” people in the workplace, and the whole point of how we function is that it doesn’t matter. The word disability never comes up. The word “accommodation” or what is needed to complete a given task is the same description on everyone’s file. There’s zero difference in how we manage a person or the tools they need to function or facilitate their employment. Every single person is treated the same and given the same opportunities to succeed and grow their skills.

Accommodation is a widely accepted word referring to the tools that are needed for someone with a disability to mobilize, engage, interact, work, whatever it may be. We don’t see accommodations the way it is typically used in the workplace. It’s not necessarily the first word we put forward. It’s more likely to be a question of what a worker needs to succeed in the job or learning about the typical technological enhancements they need in their work environment. We begin interviews with potential employees this way, asking: What do you need to have a successful interview with us? Do you want to do a chat session? Do you want to do a phone call? Do you want to Skype? Do want to chat on the phone? We just tell them to tell us what they're most comfortable with.

I like to talk with other employers because they often approach the recruitment of workers with disabilities with fear and see it as being very complicated. They say, “What if we make a mistake?” I tell them, “Well, if you lead with ‘What do you need?’ You really can't make a mistake because the individual is telling you what they need. It's a very simple concept.”

This approach has always worked for us. In fact, some candidates don’t even realize what they need, so sometimes it’s a process of figuring that out together and identifying what is needed. For example, flexible schedules in our workplace is huge. We have a product-driven timeline, so how workers accomplish goals is up to them on many of our projects. We can base projects on whether an individual wants to work full or part-time. It has happened on a couple of occasions where people were assigned full time hours and when we reviewed their success, they could have been more successful had they been working fewer hours because the increase in stress was greater than they anticipated. If someone needs to work two-thirds time to be more successful, then why worry about it.

This may not seem like an easy approach for all employers to implement, but it is when you look at your bottom line. If you take the time to effectively measure outputs and compare them to indicators of stress in workplace or sick days or anything like that, you're going to see the value of understanding that equation is more effectively productive (i.e., it makes more money than if you don't do it).

When we first developed our business model and plan, we approached the Ontario Disability Support Program (ODSP) with a plan of facilitating the hiring of people currently receiving social assistance through ODSP. We thought it was a good model of social organizations working with business to help people with disabilities develop their technical skills and general employability. As a small firm, we couldn’t necessarily pay workers who couldn’t do the required tasks of a job or follow the learning curve. However, we felt it would be a good partnership. We quickly became aware of the challenges many applicants faced receiving ODSP. Most were fearful of losing their benefits or stated they could only make a certain amount of money because of the earnings clawback component of ODSP. We had never heard of this, and no one on our team was familiar with this concept so it was an emotional process working with successful applicants to mitigate their fears. It was so disheartening to see how much fear ruled.

We received little to no support in trying to recruit people receiving social assistance. The onus was certainly on us as employers to seek them out. We hired everyone that had the opportunity to fulfill our work terms, but I think there were many more who could have been employed had we received more support. I can’t imagine many other employers in 2009 and 2010 would have gone to the lengths we did in the recruitment process either.

The fact that we employ people with disabilities is part of our brand and how we are known today. Initially, however, this approach almost sunk us when we first started out. There were plenty of people telling us we couldn’t do it and certainly no promotion of Dolphin as employer of people with disabilities within the not-for- profit sector. Our earliest clients really promoted what we were doing and wanted to share our unique approach. But when we evaluated this with our employees, they told us “Don't talk about the fact we are people with disabilities. You will find what we’ve found our whole lives. People don't want to engage with you. If you just let us do our work and show that we can do an excellent job, then Dolphin will succeed, and you're going to be able to hire more people and they're going to do a good job, and the clients will have great service. And it will just be.” That changed everything.

Our clients have no problem signing with us as an employer of people with disabilities. In fact, quite the opposite. They are quite willing to have that conversation with us. But instead of broadcasting the social impact goals of our company, we just did the work, and in doing so we could show what was possible instead of telling what was potentially possible. We focused on technology, used the skills of the people we hired our way, and went about doing our business. That’s when we became recognized for what we were doing.

We have a very proactive approach to problem solving in our company. We share our ideas and get to work together on finding solutions. We have learned things from the most junior of technicians, to the most senior of technicians, that we have never conceived was possible because we embrace engagement. We created a lab where people can do whatever they want, and if it works, they bring it to our attention and say, “Hey let’s try this on the next project.” It's a virtual lab, and you can go there and play with things, and erase it and it doesn't affect anything. But the whole point is, to maximize the potential of the individual you must provide the opportunity where they can push their limits, where they can learn more, and increase their skills themselves.

Many of the people we've hired have never worked before. They are self-taught and have never had formal education. They are people who didn't know what they could do until they had an opportunity to do it. It's presenting what's possible instead of confining them with position titles and direction. We make sure that there are no barriers to success for any one individual, and that everyone is treated with respect and dignity. Period. Frankly, it’s a pretty easy way to run a company.

Most companies function from a stance of mitigation and exclusion. They feel they are working with the best of the best when they put applicants through a rigorous process of exclusion. It has been proven in neuroscientific research that this mitigation approach not only excludes those who recruiters think can do the job, but it excludes those who could potentially do the job with a brief component of intervention.

We lose out on the potential of good talent because we fail to realize the recruitment tools we use don’t recognize that a gap in someone’s résumé may be a cancer treatment, or caregiving responsibilities, or an episodic disability. It is an egregious error on the part of employers who fail to recognize that life is fluid. There are times where we have things interrupt the linear flow of our lives. Does that make a person less-than? No. But a recruitment process that operates from an exclusionary standpoint implies that we are less-than. I understand businesses have a need to identify people to fill positions quickly. If recruitment technology is barrier-free, then there is a greater potential of finding untapped talent.

By exploring applicant’s true skill, we discovered someone was great at customer service, and horrific at the tech position which they had applied to. We realized that an entry-level applicant could do tasks at a senior network engineer level. We found an incredible employee, after looking for two years for a specific skill, simply because we provided the tools for him to demonstrate what he could do. It is vital that we don’t create barriers to success to facilitate our own eagerness to do things “same old, same old”. We need to ensure the algorithms behind solutions are built on an unbiased foundation that is inclusive in its design. When you challenge someone to come up with something in an unbiased space and do something in a way no one else has done, it’s truly a beautiful place to exist and work. Being able to apply those solutions to ensure anyone could utilize what you designed is an unparalleled opportunity. Our solutions for our clients are premium solutions for that reason. To the best of our ability, we ensure they are barrier free so that their employees can benefit to the maximum potential from that product and solution, and so that they can interact with each other, and with the clients they serve to the best of that opportunity.

What employers need is a concierge service tool to guide them through the process of identifying the best barrier-free talent they can get. They need to have tools to be able to resolve problems quickly and accurately for individuals and individual situations. There’s a huge gap between the services that facilitate the employment of people with disabilities, or the return-to-work piece, and employers.

We need better strategies to engage employers so they aren’t viewed as the bad guy for not hiring people with disabilities. Employers can’t fix the unemployment problem themselves because current recruitment and employment mechanisms are not responsive to their actual needs. For students, there isn’t enough innovative thinking in business schools to develop solutions to meet community needs and drive new ways of doing business. Corporate social development has gone some way to address the social impact question of business.

We know which brands support animal welfare, or green energy, or whatnot. But the future of business is in being able to have business address social needs in an integrated way so that it benefits both the business and the community in which the business resides.

Government obviously has a role to play in addressing these needs and should work with the business community to identify solutions to social issues. But we cannot simply rely on government for everything as it will be too costly for taxpayers to bear this burden. It’s going to be the business community operating within a responsible economy and doing business differently that helps us effectively apply solutions to address social needs.

Social finance and social enterprises do good work and it’s important to recognize their importance in moving toward a responsible economy. But we need to work on reconfiguring the traditional business model to emphasize that it is possible to do business with a positive social impact. I don’t think government can or should be the driver behind this change. Instead it needs to come from within the business community with government as a stakeholder at the table. Business is generally effective at measuring success. If we apply business acumen toward strategies to deal with social needs, we create greater potential to have successful outcomes. We already work with some incredible small, medium and large employers who see the value in this.

In my opinion, it has never been the employer who has been against the employment of people with disabilities. Employers are looking for talent and have immediate needs that must be met effectively. I have yet to meet anyone in business who has said they don’t want to hire someone with a disability. Instead, the problem has been about the perception of disability that revolves around fear. It is human nature to fear the unknown. People are generally uncomfortable with anything they haven’t done before.

In 2011, I founded Dolphin Disabilities Mentoring Day to help connect talented people who identify as having a disability, to employers. I felt it imperative to share the resource that we discovered, as there are so many talented people who are often overlooked. By putting two people together in a skills-based work environment that is acceptable to both, you increase productivity and confidence in a competitive marketplace. At the same time, this approach ensures we have workplaces that are diverse and inclusive. I believe there will come a day when it is difficult to find someone to hire who identifies as having a disability because their unemployment rate will be less than average. I have every confidence that if a business focuses on talent, removes barriers, and looks at it as a strategic opportunity within every line of business, they will succeed better than they had ever anticipated. There’s so much opportunity, even from a design perspective.

But the messaging must change. It must be first and foremost about matching talent with needs. The whole “business case of hiring people with disabilities” is an old line. It harkens back to a time when people were put into silos to make them comfortable with talking about the issue. I’ve stopped saying yes to research with organizations where I’m defined by their terminologies, because that is a barrier. When there’s still “us and them” language that is divisive, it’s ridiculous. There should be a single door for employment the ensures everyone is able to get through the door and they are treated the same. Period. We need to transition the language on this point. I have yet to meet a marketing firm that will take on the challenge of creating something that speaks to the strategy of showcasing the talents of people with disabilities, without singling them out as Others.

**The challenge is that the unemployment problem in the disability community is not properly considered part of the business conversation, even though it is a business problem. You don’t go anywhere where visible minorities are excluded from the workplace, so why is it so widespread for people with disabilities to be excluded? *Jamie, Dolphin Digital Technologies***

# Page 113. CCRW

**We need to do a better job of connecting employers with jobseekers and work together on both policy and frontline levels to fill the gaps that separate them**

**My name is Maureen and I am the President and CEO of the Canadian Council for Rehabilitation and Work (CCRW) which is the only not-for-profit national organization in Canada that has the sole mandate of working with people with disabilities and employment.**

We work on a frontline basis with people with disabilities and employers. We help make an employment match, and ensure it is the best fit for retention in the future. We also engage in advocacy and education from very high levels at the United Nations on the Convention of Rights for Persons with Disabilities all the way to working with small mom-and-pop shops, talking to them about the benefits of hiring people with disabilities.

I once worked with a Member of Parliament who was tired of the same old routine happening regarding promoting employment in the disability community. He said to me, “What has changed? If the statistics are the same for the last twenty-five, thirty years, what are you going to do differently? We can't just keep going on with the same old, same old.”

That really jarred me and made me think. Well, what are we going to do differently? We started evaluating what we’ve been doing, how we’ve been doing it, and how we have or should be changing with society.

One of the principal areas we identified was a huge gap in service on the employer side. We need to continue to make sure that people with disabilities are represented and that they've got the training and information, and all the things they need to land and hold a job. But what we've noticed at CCRW and where our path is taking us now is focusing on what employers need, because if we really want to change the landscape for employment for people with disabilities, we must look at that side of the coin. We need to look at how we are going to work with employers to make sure they are confident and competent in hiring and retaining people with disabilities.

There are many programs out there to engage jobseekers with disabilities and link them with employers. But Canada is so diverse and action plans vary widely between provinces. Some provinces have an action plan for people with disabilities and employment and some don't. In Nova Scotia, they streamline their services to people with disabilities under the Nova Scotia Works program. Anybody with a disability should be able to walk into any Nova Scotia Works office and receive the same service whether they have a disability or not. That's just one of the innovative approaches that are being taken. Of course it's controversial. The disability community and some advocates argue people with disabilities are going to get lost in the shuffle of that system reorganization.

There are service providers across the country that range from regional to provincial and federal in focus. The pots of money that are available to organizations to be able to provide employment and support services have variable parameters around funding. Therefore, it can be challenging for the person with a disability to navigate their way around the service providers that are out there; it really depends on where the service provider has landed with their funding contract and how that contract dictates restrictions. As you can imagine, that creates a multi-tiered support network that differs depending on what area of the country you're in and your type of disability.

There are many people with disabilities who could use disability accommodations funding, job accommodation service assessments or employer wage subsidies. If all of this and more were more readily available, then disabled workers who need support could go to a disability community service agency as opposed to trying to land a job on their own.

There’s a lot of supply of disabled people seeking work and lots of demand from employers, but the supply and demand don’t always match each other. For example, a senior manager from a major corporation wanted accountants and other administrative staff in his national headquarters that have a certain level of education and experience. Well, those people don't necessarily come through a social service agency. Those people with disabilities are very independent, and they may not even identify as a person with a disability when they're applying for a job. Further, many funding bodies have restrictions to serve only the most marginalized within the disability community, resulting in many skilled jobseekers being ineligible for service.

To be a successful matchmaker between employers and disabled workers, we must stop just looking at the supply side (disabled workers and jobseekers) and start looking at the demand side (employers). We must start looking at what jobs are out there. What is it the talent employers need to hire? What type of qualifications are employers looking for to hire right now? In the future, we then need to go into the talent pool in a proper type of recruiting fashion, as opposed to just trying to slam a square peg into a round hole. We need to recognize that employers are just as diverse as the disability community. I think that if we started doing more of that I believe we will help make both connections better.

I also believe we're in the middle of a change right now. I think that we have taken a bold stance and said, “We have employer champions who we will now showcase.” They're not going to give the impression, “Aren't I a great employer because I hire all the disabled people.” But rather, “Look at me, I'm a great employer. I've made a very good business decision because I’ve met all the needs for my organization and I’ve identified the talent of all employees, including those with disabilities.”

I think the gold nugget for social service agencies and service providers is recognizing the needs of business. We need to look at an employer and figure out their tag line, their mission, their mandate. Say it’s “To be Canada's store.” Great. Fourteen percent of Canadians have a disability, so how are you going to be Canada's store by representing this fourteen percent of the population? If we can help employers to fulfill their missions and their mandates by providing them with proper talent, it's a win-win all the way down the line.

There are employers out there that will never hire a person with a disability no matter what we do in terms of setting up discrimination legislation or instituting enforcement mechanisms. I think these people will eventually come around, but we needn’t focus on those employers now. Nor do we need to focus on the employers who have already recognized the benefits of hiring people with disabilities. We need to focus on the middle bunch who are simply unaware.

CCRW completed a survey in the spring of 2017 where we visited forty-five small to medium-sized employers from across Canada and asked them three questions: Why did you hire somebody with a disability? Why do you think other businesses are not hiring people with disabilities? Do you think incentives to employers help businesses decide to hire people with disabilities? All employers said that employer incentives work while eighty-seven percent responded that hiring people with disabilities aligned with their business goals of being an inclusive employer.

Most importantly, seventy-one percent stated that, in their opinion, other employers are not hiring people with disabilities due to a fear of the unknown (stigma of disability) and there is a lack of awareness or belief in the skills and talents of people with disabilities. It's a long-standing stigma, and it's huge, and what an opportunity for us to get out there and educate employers, provide them with the tools, support, and the means to be able to hire people with disabilities.

When you look at funding contracts for providing services for employment for people with disabilities, most of the funding is for the person with the disability—the supply side. There's very little money allocated to the demand side—to be able to go out and educate employers or to do awards. Employers love recognition! Give them some recognition! Get them to talk to other employers. When they're engaged, we find absolutely they want to talk about how they found this amazing workforce and share their story. But there’s little to no money for this kind of thing. For example, employers would absolutely come to a reception that has a couple of free wine tickets way more than they're going to come to an awards ceremony where we give out cookies because that's all we can afford.

Most of the businesses that we work with at CCRW are small to medium-sized private businesses, partly because I think they're able to make changes happen much quicker. However, while big corporations and financial institutions may be saying, “Yes, we're hiring people with disabilities,” the front-line manager at the local branch may not know how to provide appropriate accommodations for a person with a disability, or doesn't know how to do the outreach to the community agencies to see if there's any talent out there. They may know how to put out the job posting because there's a corporate process behind the job posting, but they still have their intrinsic bias at the local level that they may or may not be able to overcome.

We need to build the employer focus into new legislative initiatives that are coming down the pipe, such as new federal accessibility legislation. We're working hard to ensure that the employer perspective is represented within the letter and spirit of new legislation so that when the provinces follow suit and create their own legislation they will have a good model to work from. I find it inspiring to consider the real potential for legislation to be appropriately supportive to existing and future employers of people with disabilities, and not just have a punitive approach. It’s also important to look outside Canada for models and to see what other countries are doing and learn from their experience.

There's a lot of attention right now on employment for people with disabilities, and I think that we need to use this momentum to shift the landscape in Canada to ensure that employment is accessible for all.

For the momentum to continue to shift the landscape, we need to share ideas and services. For example, CCRW operates the Job Accommodation Service (JAS ©), a program that goes into workplaces that have somebody with a disability already working there and do a workplace accommodation assessment. Recommendations about what type of accommodations are needed for this person to fulfill the company's needs and their performance ability are created and mediated. We have seen the demand of that service increase over the years as something practical to benefit employers.

I sit on a round table for the Revision of Canada Pension Plan Disability benefit (CPP-D), and I'm amazed at how the program makes people label themselves as completely disabled, unable to work or unemployable. And yet, they have this work rehabilitation program that will send CPP-D recipients information, saying “Hey, did you want to try and work again?” Most recipients would say, “Well, you just made me promise that I can't work, so now is this a trick to try and take away my social income?” I have yet to meet one person who receives CPP-D who wouldn't want to go back to work. Who are the people on CPP-D? They are people who used to be attached to the workforce, and happen to be the easiest people to get back into the workforce because they know what work is all about. But we establish a system that further marginalizes this attached workforce.

All the policy silos in the work disability system that have been set up in reaction to separate needs should be reconfigured and streamlined so that there is a straightforward process that people who can’t work temporarily or permanently aren’t left behind. Part of this reform process should include greater emphasis on return-to-work strategies and other mechanisms designed to make it easier to find and retain work. For example, if you receive social assistance through the Ontario Disability Support Program (ODSP) and you find employment, you don't lose your medical benefits right away. I think that that's fantastic, because somebody with a pre-existing medical health issue that causes episodic experiences of disability won’t need to worry so much about how their medication will be covered if they come off the program and into employment.

Many people continue to be trapped in programs fearing the loss of benefits, which is a legitimate reason not to work. Even though these programs operate in silos, the people in Employment Insurance (EI) know what CPP-D is doing; and the people at CPP-D know what the people at ODSP are doing, and so on down the line. But often, it takes a leader in the policymaking process to stand against the great web of programs and help facilitate the reform process. Policymakers need to say, “Yes, it is my problem,” instead of saying, “No, this isn't our problem. We're focused only on this part of the population.” There needs to be greater commitment to making the system more fluid so that people can fall on a continuum and recognize that they're not stuck on one area of that continuum, but can flow back and forth. I’m unsure whether anybody is brave enough right now at the federal or provincial level to do that, because it's a lot of work.

We at CCRW and other organizations can go ahead and get employers and jobseekers ready, but the biggest barriers quite often are the policies that hold our social construct together. Right now, for example, as a stipulation of our funding contracts, to be eligible to come into a CCRW program, you must be EI-ineligible for five years. In other words, it's new employment or onboarding. After five years of not working or being eligible for EI, what kind of skills do you think that these workers are going to have? That's a barrier just in itself. It’s unfair to both jobseekers and employers to let people go out and flounder for five years before providing any services to them. Smart policy changes geared toward better coordination would resolve problems like this throughout the system.

I do believe that there is change happening, and I do believe there is a potential for that change. I must believe that we're going to use these opportunities properly. Establishing a mechanism for the implementation of the Convention on the Rights of Persons with Disabilities is something Canada must do. I think that especially with the CRPD and the new legislation, that we've got some great opportunities, but governments must be focused on implementing those changes.

**What if in twenty years or so, we've worked ourselves out of a job at CCRW? We would not be needed any longer because there will be employer champions that will take over for the training of employers, and people with disabilities will be properly supported through our system. Wouldn't that be great? *Maureen, CCRW***

**Dustin Galer** received his PhD in History from the University of Toronto. His book, *Working Towards Equity: Disability Rights Activism and Employment in Late Twentieth Century Canada*explores the relationship between disability and work and documents the history of the disability rights movement in Canada. Galer completed a postdoctoral fellowship in the School of Health Policy & Management at York University which focused on the relationship between disability rights and anti-poverty activism and he currently serves as a collaborator at the Centre for Research on Work Disability Policy. Galer founded MyHistorian ([www.MyHistorian.ca](http://www.myhistorian.ca/)), a personal history services company that coordinates and produces personal memoirs, family histories and corporate history projects.