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## BACKGROUND PAPER



# ***Overview of Studies Related to Persons with Disabilities, House of Commons 1981–2012***

**Publication No. 2012-84-E  
2 October 2012**

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***Overview of Studies Related to Persons with Disabilities,  
House of Commons 1981–2012  
(Background Paper)***

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# OVERVIEW OF STUDIES RELATED TO PERSONS WITH DISABILITIES, HOUSE OF COMMONS 1981–2012

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## 1 INTRODUCTION

The House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities, its previous Sub-committee<sup>1</sup> on the Status of Persons with Disabilities and other predecessors have studied many aspects of disability during the past 30 years.

The Standing Committee on the Status of Disabled Persons was created on 4 November 1987 to replace the Sub-committee on the Disabled and Handicapped of the Standing Committee on Communications and Culture. Other forerunners were the Sub-committee on Equality Rights of the Standing Committee on Justice and Legal Affairs and, in the early 1980s, the Special Committee on the Disabled and the Handicapped, which prepared *Obstacles*, the first comprehensive federal report on challenges facing people with disabilities.

The Standing Committee on Human Rights and the Status of Disabled Persons was created on 5 April 1989 and combined the mandates of two previous committees: the Standing Committee on Human Rights and the Standing Committee on the Status of Disabled Persons. The committee's name was changed to the Standing Committee on Human Rights and the Status of Persons with Disabilities on 14 December 1995.

Amendments to the *Standing Orders* adopted by the House of Commons on 23 September 1997 divided up and reassigned the mandate of the Standing Committee on Human Rights and the Status of Persons with Disabilities. The human rights responsibility went to the Standing Committee on Justice and Legal Affairs while the responsibility for the status of persons with disabilities was given to the Standing Committee on Human Resources Development.

At a meeting on 18 November 1998, the Standing Committee on Human Resources Development and the Status of Persons with Disabilities agreed to create a Sub-committee on Disability Issues. The sub-committee held its first meeting on 9 December 1998. The standing committee re-established the sub-committee during subsequent sessions of Parliament until the end of the 38<sup>th</sup> Parliament in November 2005. The now-named Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities integrated issues related to persons with disabilities within broader studies on employability and poverty during the 39<sup>th</sup> and 40<sup>th</sup> Parliaments, but did not undertake an independent study on a specific topic related to disability issues.<sup>2</sup> At the time of writing, the standing committee had not undertaken, during the 41<sup>st</sup> Parliament, a study on specific issues related to the status of people with disabilities.

This paper summarizes the studies and reports of these committees.

## **2 32<sup>ND</sup> AND 33<sup>RD</sup> PARLIAMENTS: 1980–1988**

### **2.1 OBSTACLES (16 FEBRUARY 1981)**

In respect of the International Year of Disabled Persons – 1981, the Government of Canada appointed an all-party Special Committee on the Disabled and the Handicapped to undertake a comprehensive review of federal legislation pertaining to persons with disabilities. The special committee's report, *Obstacles*,<sup>3</sup> was the impetus for a number of reforms aimed at promoting the inclusion of persons with disabilities in Canadian society.

After hearing witnesses from every level of government as well as from consumer and service organizations, the Special Committee on the Disabled and the Handicapped made 130 recommendations that touched every aspect of the social, economic and legal situation of persons with disabilities, including human rights, leadership and coordination of disability issues, employment, income, disability supports, access to information and communications, transportation, and issues affecting Aboriginal people with disabilities, among others.

### **2.2 EQUALITY FOR ALL (25 OCTOBER 1985)**

The Sub-committee on Equality Rights of the Standing Committee on Justice and Legal Affairs studied at length the rights of persons with physical and intellectual disabilities and tabled its report *Equality for All* in 1985.<sup>4</sup> It urged that a place be given to persons with disabilities within the apparatus of government, and in Parliament. Other recommendations dealt with the need to increase the accessibility of federal facilities and the employment of persons with disabilities, as well as the need to treat persons with intellectual disabilities equally before the law.

### **2.3 CHALLENGE: PUTTING OUR HOUSE IN ORDER (2 APRIL 1987)**

In 1985, following up on the recommendations in *Equality for All*, Parliament set up the Sub-committee on the Disabled and Handicapped under the Standing Committee on Communications and Culture. The sub-committee took up the question of access to jobs in the federal government, carried out a survey and heard witnesses on the issue of the proportion of persons with disabilities employed by federal departments and agencies. The report that followed, *Challenge: Putting Our House in Order*,<sup>5</sup> called on the government to prepare action plans to achieve employment equity targets in the federal public service and to address questions of accessibility, employment policies and management commitment to the hiring of persons with disabilities. It also recommended the establishment of a Standing Committee on the Status of Disabled Persons.

### **2.4 NO NEWS IS BAD NEWS (18 AUGUST 1988)**

In 1988, the Standing Committee on the Status of Disabled Persons studied issues related to the depiction of persons with disabilities by the media, as well as access to

information and to means of communication. The committee concluded that the situation, at best, was uneven and, at worst, discriminatory. The recommendations included in the committee's report, *No News is Bad News*,<sup>6</sup> ranged from the need to appoint more persons with disabilities in public and private media operations to the need for guidelines and raising awareness campaigns to counter the stereotyping of persons with disabilities in both the print and electronic media.

With regard to the question of access to information, the committee recommended that the federal government take action to increase the amount of alternate format materials in libraries across the country and that the government make its own publications accessible in alternate formats. Finally, the committee recommended that the appropriate federal bodies take action to enforce accessibility to telecommunications equipment and put forward a new *Broadcast Act* that would respond better to the concerns of persons with disabilities.

### **3 34<sup>TH</sup> PARLIAMENT: 12 DECEMBER 1988–8 SEPTEMBER 1993**

#### **3.1 A CONSENSUS FOR ACTION: THE ECONOMIC INTEGRATION OF DISABLED PERSONS (18 JUNE 1990)**

In December 1989, the Standing Committee on Human Rights and the Status of Disabled Persons formally launched a major study on the economic integration of persons with disabilities. The committee's report, *A Consensus for Action: The Economic Integration of Disabled Persons*,<sup>7</sup> was tabled on 18 June 1990. The report assessed developments over the past decade, and reviewed major unresolved issues. It concluded with a cluster of six recommendations focused on the development of a national action strategy on the economic integration of persons with disabilities. The committee called specifically for the establishment of an effective mechanism to incite and coordinate action within government; an audit of employment equity within the government; a comprehensive review of existing legislation; federal/provincial cooperation; and improvements to collecting data (including a 1991 post-census survey of people with disabilities).

In September 1991, the National Strategy for the Integration of Persons with Disabilities was announced at a forecasted cost of \$158 million over five years. The objective of the strategy was to promote the inclusion of people with disabilities in every aspect of Canadian social and economic life.

#### **3.2 AS TRUE AS TAXES: DISABILITY AND THE INCOME TAX SYSTEM (10 MARCH 1993)**

In January and February 1993, the Standing Committee on Human Rights and the Status of Disabled Persons studied the effect of the income tax system on people with disabilities. Its report, *As True as Taxes: Disability and the Income Tax System*,<sup>8</sup> addressed specific taxation matters that affected people with disabilities and contained several housekeeping measures to allow public servants who administer

the tax system to better address issues related to disability. Recommendations also included more substantive measures such as a reform of the federal Medical Expense Tax Credit and the establishment of a new refundable disability tax credit.

### **3.3 COMPLETING THE CIRCLE: A REPORT ON ABORIGINAL PEOPLE WITH DISABILITIES (26 MAY 1993)**

In the fall of 1991, the Standing Committee on Human Rights and the Status of Disabled Persons pursued a study of the conditions of Aboriginal people with disabilities. During the course of its hearings, committee members spent a day visiting and holding meetings at the Akwesasne Reserve. The reserve straddles Ontario, Quebec and New York State. In June 1992, the committee tabled an interim report in the House of Commons, which stated concerns about the confusion in jurisdictional responsibility for Aboriginal people with disabilities, the lack of training and education available to Aboriginal people, the difficulties in gaining access to services and the coordination of federal activities.

The committee presented its final report, *Completing the Circle: A Report on Aboriginal People with Disabilities*,<sup>9</sup> in May 1993. It recommended that the federal government better coordinate programs and activities directed towards or used by Aboriginal people with disabilities. It also recommended that an annual report on the National Strategy for the Integration of Persons with Disabilities be tabled in Parliament. In light of the jurisdictional confusion, the committee called for the establishment of a tripartite federal/provincial–territorial/band action plan to ensure ongoing collaboration on issues pertaining to Aboriginal people with disabilities. Singling out the particular problem of Akwesasne, where international jurisdictions come into play, the committee called for discussions with the Government of the United States to address the problems of the people of Akwesasne.

### **3.4 SIGNPOSTS (14 JUNE 1993)**

In its 1993 report *Signposts*,<sup>10</sup> the Standing Committee on Human Rights and the Status of Disabled Persons reflected upon the mandate of the committee throughout the 34<sup>th</sup> Parliament, inasmuch as that mandate related to persons with disabilities. It cited the need for an ongoing parliamentary body to reflect the concerns of the disability community and to influence government actions. The committee recommended that the 35<sup>th</sup> Parliament reinforce and extend the mandate of the Standing Committee on Human Rights and the Status of Disabled Persons to deal with disability issues in a human rights context.

Committee members also requested, as they did in their report *Completing the Circle*, that an annual report on the National Strategy for the Integration of Persons with Disabilities be issued.

### **3.5 GETTING BACK ON THE ROAD: PASSENGER TRANSPORTATION AND PERSONS WITH DISABILITIES (16 JUNE 1993)**

As part of its ongoing study on the economic integration of persons with disabilities, the Standing Committee on Human Rights and the Status of Disabled Persons decided to review recent studies by the Royal Commission on Transportation, the National Transportation Agency (now the Canadian Transportation Agency) and the Department of Transport concerning passenger transportation and persons with disabilities. It tabled its report, *Getting Back on the Road: Passenger Transportation and Persons with Disabilities*,<sup>11</sup> in 1993.

In its recommendations, the committee called for a specific plan of action to deal with the coordination of federal activities no later than 31 December 1993. In particular, the committee urged that the National Transportation Agency's process for making regulations be evaluated. People with disabilities were to be involved in reaching solutions on such issues as "one person – one fare" policy and regulations that had been promised were to be enacted expeditiously according to a set timetable. With regard to interprovincial buses, the committee recommended the establishment of a national accessibility standard. If necessary, the committee added, the federal government should reassume jurisdiction delegated to the provinces in 1954.

### **3.6 PROFITABLE CHOICES FOR EVERYONE (28 JULY 1993)**

On 26 March 1992, with the support of the Speaker of the House of Commons, the Standing Committee on Human Rights and the Status of Disabled Persons held a parliamentary forum, Profitable Choices for Everyone. It brought together over 70 individuals – experts from the business, labour and disability community – to explore some new approaches for promoting the economic integration of persons with disabilities. In March 1993, the committee held a follow-up round table that involved some of the forum participants who assessed the situation a year later. At both these meetings, the participants made recommendations to the committee that were used in a report to the House of Commons, approved in June 1993.

In its report, *Profitable Choices for Everyone*,<sup>12</sup> the committee recommended that the government take immediate action to integrate persons with disabilities into the labour market by encouraging appropriate education and training for people with disabilities. In addition, it recommended that the federal government complete a comprehensive review of all its policies, programs and legislation, and prepare a plan of action to remove disincentives to education, training and employment. In addition, the committee urged the federal government to involve people with disabilities in its economic advisory commissions and to develop a Canadian disability economic development strategy that would be modelled on the Aboriginal Economic Development Strategy. The strategy was launched in 1989, at an estimated cost of approximately \$1 billion over the first five years, to address the inequalities between Aboriginal people and the non-Aboriginal population.

A further series of recommendations dealt with the need for government to facilitate the manufacturing and marketing of consumer products for seniors and for people

with disabilities. Finally, the committee suggested that the duplication and overlap in policies and programs be discussed at a meeting of first ministers.

#### **4 35<sup>TH</sup> PARLIAMENT: 17 JANUARY 1994–25 APRIL 1997**

##### **4.1 *THE GRAND DESIGN: ACHIEVING THE 'OPEN HOUSE' VISION* (13 DECEMBER 1995)**

In the fall of 1995, the Standing Committee on Human Rights and the Status of Disabled Persons reported on the results of its study of the National Strategy for the Integration of Persons with Disabilities, which was set to expire in March 1996.

The committee unanimously concluded that disability issues required a crosscutting mandate, interdepartmental coordination and intergovernmental collaboration. Its report, *The Grand Design: Achieving the 'Open House' Vision*,<sup>13</sup> included recommendations that addressed disability policies and programs generally, as well as the national strategy itself.

In its nine recommendations, the committee urged the federal government to continue providing visible leadership (with the ongoing involvement of people with disabilities) in developing policies and programs in areas that fall within its jurisdiction, and in assisting the provinces/territories in areas where jurisdiction is shared. Mechanisms to achieve this included a secretary of state with a formal mandate related to disability; a renewed national strategy with a clear vision, crosscutting mandate and relationship to central policy units; an annual report on disability; a legislative review; and an impact assessment in Cabinet memoranda.

The committee also recommended:

- protection for people with disabilities in the Canada Health and Social Transfer;<sup>14</sup>
- provision for the needs of people with disabilities in all employability measures;
- a broad interpretation of the Disability Tax Credit;<sup>15</sup>
- a review of the tax treatment of disability;
- collection of appropriate census data on disability;
- accessibility to the intercity bus systems;
- a comprehensive review of disability policies and programs in conjunction with the provinces/territories and the disability community; and
- maintaining the funding level of the \$168-million Vocational Rehabilitation of Disabled Persons Program until a comprehensive review was completed.<sup>16</sup>

#### 4.2 ***EQUAL CITIZENSHIP FOR CANADIANS WITH DISABILITIES: THE WILL TO ACT (OCTOBER 1996)***

In June 1996, the Government of Canada established the Federal Task Force on Disability Issues, chaired by Andy Scott, Member of Parliament for Fredericton. This was not a parliamentary committee but a task force that was requested by the ministers of Human Resources Development, Finance, Revenue and Justice. In its October 1996 major report, *Equal Citizenship for Canadians with Disabilities: The Will to Act*,<sup>17</sup> the task force reiterated many of the recommendations that had appeared in the Standing Committee on Human Rights and the Status of Persons with Disabilities report, *The Grand Design*.

In particular, the task force affirmed a federal role with regard to disability issues and the need for a disability policy framework that would ensure the full inclusion and participation of people with disabilities in Canadian society. To this end, the task force believed that the government should use the levers available to it – the tax system, federal legislation and federal fiscal transfers to the provinces – and that it should develop an overarching approach that would include all relevant federal departments and agencies. It recommended that disability issues be built into mainstream policies and programs, and where mainstream programs could not eliminate the additional disadvantage, that complementary action be taken.

The task force further called for the federal role, accountability mechanisms and federal activities to be spelled out in a new *Canadians with Disabilities Act*. It recommended that a minister responsible for disability issues be appointed and that a report on disability issues be published annually. It also recommended that the *Canadian Human Rights Act* be amended to include an obligation to accommodate people with disabilities.<sup>18</sup> In addition, the task force recommended that the federal government:

- invite the provinces to redesign the Vocational Rehabilitation of Disabled Persons Program to support individual vocational rehabilitation, as well as partnerships and innovations;
- initiate a process to provide appropriate income programs for persons with disabilities;
- deal with the additional cost of disability and the need for disability-related supports and services, independently from income security programs such as social assistance that have limited funding to provide for the extra cost of having a disability; and
- create a social policy research and development fund, as well as support for national organizations representing persons with disabilities.

The task force further recommended that people with disabilities who are eligible for employment assistance services under the *Employment Insurance Act* be given priority access to these programs. In addition, both insured and uninsured participants should be given access to employment assistance services.

With regard to the tax system, the task force recommended that it reflect the need for people with disabilities to pay additional costs related to their disability.

Recommendations included that the federal government:

- encourage employment for persons with disabilities by introducing measures such as a refundable work income supplement of up to \$1,000 per year, modelled on the federal Child Tax Benefit;
- index the Disability Tax Credit to inflation and allow greater measures of transferability;
- add to the list of eligible expenses and increase the limit on attendant care expenses;
- make changes to the administration of the Disability Tax Credit to incorporate greater fairness in the process; and
- establish a new disability expense tax credit to replace the existing Disability Tax Credit and Medical Expense Tax Credit.

## **5 36<sup>TH</sup> PARLIAMENT: 22 SEPTEMBER 1997–22 OCTOBER 2000**

### **5.1 *REFLECTING INTERDEPENDENCE: DISABILITY, PARLIAMENT, GOVERNMENT AND THE COMMUNITY (10 JUNE 1999)***

The Sub-committee on the Status of Persons with Disabilities was established on 9 December 1998. It prepared a report, *Reflecting Interdependence: Disability, Parliament, Government and the Community*,<sup>19</sup> urging the federal government to find new ways to promote action on disability issues. The sub-committee recommended the following:

- Since there was a need for a permanent parliamentary committee to monitor disability issues, the federal government should have created one.
- Disability issues need to be built into how the government "does business." It ought to be the job of Parliament in consultation with the disability community to determine the objectives of policies and programs as well as measuring progress.
- The federal government should address horizontal issues like disability that cut across a large number of departments and agencies. Innovative reporting of policies and programs that consolidates and presents information about outcomes and results from all departments and agencies should be presented to Parliament for study by parliamentary committees.
- The federal government should take measures to overcome the jurisdictional barriers that restrict the opportunities of people with disabilities. Too often, people moving from one province to another have to leave behind supports and services that they need to participate in their community.

## **5.2 TAXATION AND PERSONS WITH DISABILITIES (DECEMBER 1999)**

In December 1999, the Sub-committee on the Status of Persons with Disabilities held a round table on the tax system that brought together tax experts, social policy experts, national advocacy organizations and senior officials from the Department of Finance. At the request of the members, the chair wrote a letter to the minister of Finance recommending desirable changes to the tax treatment of people with disabilities in the short, medium and long term.

Specifically, the sub-committee requested more favourable tax treatment in terms of:

- the child care expense deduction;
- the various credits and deductions for people with disabilities and their caregivers;
- adding to the list of expenses eligible for the Medical Expense Tax Credit;
- a more generous Disability Tax Credit; and
- ending the taxation of the Canada Study Grant for students with disabilities.

The sub-committee also demanded accessibility standards for the provision of services for children with disabilities; the renewal of the Opportunities Fund for Persons with Disabilities;<sup>20</sup> demonstration projects involving the provision of disability supports and services, especially respite care; and the creation of an ongoing consultative process with people with disabilities to study the tax system.

The federal government adopted many of these proposals in whole or in part in 2000, including the renewal of the Opportunities Fund, more favourable tax treatment of caregivers, and an increase in the Disability Tax Credit.

## **6 37<sup>TH</sup> PARLIAMENT: 29 JANUARY 2001–23 MAY 2004**

### **6.1 A COMMON VISION: INTERIM REPORT (12 JUNE 2001)**

The Sub-committee on the Status of Persons with Disabilities collaborated with the Sub-committee on Children and Youth at Risk to prepare a unanimous joint report, *A Common Vision: Interim Report*,<sup>21</sup> which was tabled in the House of Commons on 12 June 2001. This interim report discussed the two sub-committees' efforts to deal with issues (children on one part and disability on the other) that cut across departmental and jurisdictional boundaries. They jointly recommended that a federal strategy be established to address the needs for supports and services for children with disabilities and their families. The sub-committees pointed out the value of having parliamentary scrutiny of these horizontal issues, particularly those that deal with social policy and society's goals more generally.

In its part of the report, the Sub-committee on the Status of Persons with Disabilities recommended that Human Resources Development Canada change the practice of giving short-term grants and contributions to disability organizations, and allow for

multi-year funding in order to give time to not-for-profit organizations to plan over a longer funding cycle. It also asked the government to invest in new technologies to assist persons with disabilities, to include persons with disabilities in the innovation agenda, and to utilize previous work and best practices in developing a labour market strategy for persons with disabilities. The sub-committee further recommended that an expert panel be established to provide advice regarding the Canada Pension Plan (CPP) Disability Program.<sup>22</sup> Finally, it called for the creation of a task force to study the harmonization of definitions of disability in federally administered disability programs and services.

## **6.2 GETTING IT RIGHT FOR CANADIANS: THE DISABILITY TAX CREDIT (21 MARCH 2002)**

On 21 March 2002, the Sub-committee on the Status of Persons with Disabilities' unanimous report on the way that the Canada Customs and Revenue Agency (CCRA) administered the Disability Tax Credit was tabled in the House of Commons. The report, *Getting It Right for Canadians: The Disability Tax Credit*,<sup>23</sup> criticized CCRA for practices that did not meet the needs of people with disabilities. The sub-committee acknowledged the necessity to make the Disability Tax Credit work more fairly for people with a mental illness and those with learning disabilities. It also addressed the need for the tax system to recognize cyclical, progressive and degenerative diseases like multiple sclerosis. Amid the sub-committee's 16 recommendations was a call for immediate action to reform the Disability Tax Credit.

Among other recommendations, the sub-committee called for consultations with the disability community and medical professionals to determine what amendments to the *Income Tax Act* could be brought forward to ensure that the eligibility criteria for the Disability Tax Credit reflect the reality of living with a disability. The sub-committee also asked the federal government to conduct an evaluation of the Disability Tax Credit and a re-examination of all tax measures affecting persons with disabilities.

## **6.3 TAX FAIRNESS FOR PERSONS WITH DISABILITIES (11 DECEMBER 2002)**

The Standing Committee on Human Resources Development and the Status of Persons with Disabilities tabled a report, *Tax Fairness for Persons with Disabilities*,<sup>24</sup> on 11 December 2002. This report stemmed largely from the work undertaken by the Sub-committee on the Status of Persons with Disabilities in the first session of the 37<sup>th</sup> Parliament. In fact, this report was tabled because the committee was not satisfied with the government's response (tabled on 21 August 2002) to the sub-committee's report, *Getting it Right for Canadians: The Disability Tax Credit*.

As in the earlier report by the sub-committee, the committee expressed concern in *Tax Fairness for Persons with Disabilities* about the administrative interpretations of the Disability Tax Credit provisions in the *Income Tax Act* and the proposed amendments of 30 August 2002 that were subsequently withdrawn. It called for a full

and complete review (involving the participation of the disability community and medical practitioners) to be conducted on the Disability Tax Credit eligibility criteria.

The committee's report further called for a redesign of all forms used to assess eligibility for the Disability Tax Credit. It also recommended that when CCRA rejects an application for the Disability Tax Credit, it should provide the applicant with a written explanation of the reasons why eligibility is being denied, inform them of their right to appeal a negative decision and outline the procedures for an appeal.

In agreement with its sub-committee, the committee also recommended that the federal government undertake a comprehensive evaluation of all federal tax initiatives in support of persons with disabilities.<sup>25</sup>

#### **6.4 LISTENING TO CANADIANS: A FIRST VIEW OF THE FUTURE OF THE CANADA PENSION PLAN DISABILITY PROGRAM (12 JUNE 2003)**

In April 2002, the subcommittee began a broad study of the CPP Disability Program, the largest federal disability income program. As part of its study, the subcommittee launched a new website in June as a pilot project to consult a broader range of Canadians and to involve them more actively in this study. It made Canadian history by conducting the first online consultation of any parliamentary committee in Canada – among the few carried out by any legislature in the world at the time.

The subcommittee determined that there was widespread support among Canadians for a public disability insurance program based on the principles of universality, portability, user contributions and partial wage replacement. However, it also uncovered a poorly structured, fragmented disability income and support system with significant shortcomings across the country, and a program where the current operations did not fully reflect the values that permeate the existing legislation and regulations.

In its report, *Listening to Canadians: A First View of the Future of the Canada Pension Plan Disability Program*,<sup>26</sup> tabled on 12 June 2003, the subcommittee presented the results of its online consultation on the future of the CPP Disability Program, outlined its findings and made 53 recommendations. These recommendations focused on near-term improvements that could – and should – be made to the CPP Disability Program, including a host of administrative and program modifications aimed at making the program more flexible and responsive to the needs of people with disabilities.

With regard to the relevance, objectives and principles of the CPP Disability Program, one of the subcommittee's key recommendations called for the establishment of a permanent joint government and stakeholder advisory group. It would have an ongoing mandate and resources to monitor and appraise the performance of the CPP Disability Program and ensure that it met its stated purpose and objectives.

The ongoing confusion surrounding the definitions of disability for federally administered disability programs and, in particular, the interpretation and application

of eligibility criteria to these programs assumed considerable importance during the study of the CPP Disability Program by the subcommittee. Numerous recommendations were made, including that the Privy Council Office establish a task force to address the continuing problems related to definitions of disability. The report also called on the federal government to initiate discussions with provincial and territorial governments to bring some consistency and coherence to the definitions of disability used by programs in all jurisdictions.

In addition, the subcommittee made many recommendations with regard to the application for disability benefits and appeal processes. It was particularly concerned about the large number of applications that were initially rejected, particularly in light of the high rate of successful appeals. It recommended that more resources be allocated to the initial consideration of applications and that, following a denial of an application, Human Resources Development Canada should automatically put in place a reconsideration procedure.

The subcommittee also looked at ways of supporting CPP Disability Program recipients who wished to return to work and made a number of recommendations to enhance the Vocational Rehabilitation of Disabled Persons Program, including that the program's budget be doubled and that its long-term impact be evaluated. Among other things, it further recommended that the Government of Canada increase its expenditures under Part II of the *Employment Insurance Act* as well as extend eligibility for the employment benefits and support measures to a much broader population than was captured in 2003 under the definition of "insured participant" to assist persons with disabilities in search of employment.<sup>27</sup>

## **7 38<sup>TH</sup> PARLIAMENT: 4 OCTOBER 2004–29 NOVEMBER 2005**

### **7.1 ACCESSIBILITY FOR ALL (14 JUNE 2005)**

On 14 June 2005, the chair of the Standing Committee on Human Resources, Skills Development, Social Development and the Status of Persons with Disabilities tabled in the House of Commons the report of its Subcommittee on the Status of Persons with Disabilities, entitled *Accessibility for All*.<sup>28</sup>

With respect to accessibility to buildings under federal jurisdiction, the subcommittee identified two particular problems requiring immediate attention. First, the Office for Disability Issues,<sup>29</sup> which one would expect to serve as a model for barrier-free access, was not fully accessible at the time of the subcommittee's study. Second, the compliance of federal buildings with the *Treasury Board Real Property Accessibility Policy* had yet to be fully evaluated.<sup>30</sup>

The subcommittee also looked at accessibility to employment in the federal public service and was pleased with the overall progress made in terms of the representation of persons with disabilities. Nonetheless, members of the subcommittee suggested that more emphasis should be put on hiring persons with disabilities in the federal public service.

The issue of accessible modes of transportation was examined briefly. The subcommittee made a recommendation “that the Minister of Transport immediately order an independent study of the comparative advantages of the regulatory and voluntary approaches to improving accessibility for persons with disabilities to modes of transportation under federal jurisdiction.”

The Clerk of the House of Commons also appeared before the subcommittee to discuss accessibility to the Parliamentary Precinct.<sup>31</sup> Members of the subcommittee appreciated the progress that had been made in previous years to increase accessibility but recognized that further modifications were needed to ensure that members of Parliament, parliamentary employees and visitors have full access to all that Parliament Hill has to offer. Recommendations were put forward to deal with various accessibility issues such as:

- promoting awareness and sensitivity;
- developing, monitoring and reporting on employment equity initiatives;
- creating an accessibility fund to make necessary modifications to offices of members of Parliament on and off the Hill;
- updating and disseminating the protocol for the emergency evacuation of persons with disabilities;
- making parliamentary information available to all Canadians with disabilities;
- conducting an accessibility audit of all parliamentary facilities; and
- monitoring the progress of major construction and renovation projects under way in the Parliamentary Precinct to ensure their full compliance with barrier-free design principles.

## **8 39<sup>TH</sup> PARLIAMENT: 3 APRIL 2006–7 SEPTEMBER 2008**

During the two sessions of the 39<sup>th</sup> Parliament, the now-named Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities did not set up a subcommittee on persons with disabilities. It did, however, address issues pertaining to the employment of persons with disabilities in its report on employability in Canada. The committee also undertook a study on poverty in Canada that included poverty among people with disabilities as part of its work. The report was completed during the 40<sup>th</sup> Parliament.

### **8.1 *EMPLOYABILITY IN CANADA: PREPARING FOR THE FUTURE (2 APRIL 2008)***

On 1 June 2006, during the first session of the 39<sup>th</sup> Parliament, the Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities began its study of employability in Canada. The employability issues examined included worker mobility, seasonal workers, older workers, skilled worker shortages, workplace literacy, Aboriginal workers, workers with disabilities, low-income workers, newly arrived immigrants, temporary foreign workers and the

recognition of foreign credentials. In April 2008, the committee tabled its report entitled *Employability in Canada: Preparing for the Future*.<sup>32</sup>

With regard to workers with disabilities, the committee made a number of recommendations, including that the federal government:

- establish a national disability act;
- increase funding for the Opportunities Fund for Persons with Disabilities;
- ensure that one of the objectives associated with the \$500-million federal investment in new labour market programming be the successful integration into the labour market of persons with disabilities;
- undertake a thorough assessment of the disability component of the Aboriginal Human Resources Development Strategy;<sup>33</sup>
- undertake initiatives to improve accessibility within learning environments for students with disabilities;
- create initiatives to facilitate school-to-work transitions for young people with disabilities;
- design new tax incentives to encourage employers to make the necessary accommodations to hire and retain employees with disabilities;
- assess and enhance its role as a champion and role model in the creation and development of employment opportunities for persons with disabilities;
- take further steps to enhance pay and employment equity in Canada; and
- set up pilot projects under the Labour Market Agreements for Persons with Disabilities to assess the feasibility and effectiveness of providing disability-related supports.<sup>34</sup>

## **9 40<sup>TH</sup> PARLIAMENT: 3 MARCH 2010–26 MARCH 2011**

During the three sessions of the 40<sup>th</sup> Parliament, the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities (as it was now called) did not set up a subcommittee on persons with disabilities. It did, however, address issues pertaining to poverty among persons with disabilities in its report on the federal role in reducing poverty in Canada.

### **9.1 FEDERAL POVERTY REDUCTION PLAN: WORKING IN PARTNERSHIP TOWARDS REDUCING POVERTY IN CANADA (17 NOVEMBER 2010)**

The Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities tabled its report, *Federal Poverty Reduction Plan: Working in Partnership Towards Reducing Poverty in Canada*,<sup>35</sup> in November 2010. The recommendations related to improving the lives of people with disabilities living on low incomes. They included calls for the federal government to:

- ensure that those who qualify for the CPP Disability Program automatically qualify for the Disability Tax Credit, and that some consistency and coherence be brought to the definitions of disability used by programs in all jurisdictions;
- make the Disability Tax Credit a refundable credit;
- double the budget for the Vocational Rehabilitation of Disabled Persons Program;
- extend Employment Insurance (EI) sickness benefits from 15 weeks to 50 weeks;
- increase the duration of the EI compassionate care benefit from six to 12 weeks and broaden the eligibility of these benefits;
- create a federal basic income program for persons with disabilities and call upon provinces and territories to deliver disability-related support programs;
- increase funding for the Opportunities Fund for Persons with Disabilities and expand its terms and conditions;
- invest infrastructure funds in accessible and affordable public transportation;
- make certain that the Canadian Transportation Agency meet at least annually with its Accessibility Advisory Committee; and
- revise the Government of Canada decision not to fund the Participation and Activity Limitation Survey in 2011 and commit to providing financial support for this valuable policy and research tool on an ongoing basis.<sup>36</sup>

## **10 41<sup>ST</sup> PARLIAMENT: 2 JUNE 2011 TO PRESENT**

During the 41<sup>st</sup> Parliament to date, the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities has not set up a subcommittee on persons with disabilities. Nor has it addressed specific issues pertaining only to persons with disabilities. However, it has looked at underrepresented groups in the labour force (including persons with disabilities) during the course of its studies on labour and skills shortages.

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### **NOTES**

1. This paper reflects the historic spelling of subcommittee names, which included the use of a hyphen in the word “sub-committee” until 2003.
2. During the 39<sup>th</sup> Parliament, the name of the committee was the Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities.
3. House of Commons, Special Parliamentary Committee on the Disabled and the Handicapped, *Obstacles*, 1<sup>st</sup> Session, 32<sup>nd</sup> Parliament, February 1981.
4. House of Commons, Standing Committee on Justice and Legal Affairs, Sub-Committee on Equality Rights, *Equality for All: Report of the Parliamentary Committee on Equality Rights*, 1<sup>st</sup> Session, 33<sup>rd</sup> Parliament, October 1985.

5. House of Commons, Standing Committee on Communications and Culture, Sub-Committee on the Disabled and Handicapped, *Challenge: Putting Our House in Order*, Initial Report, 2<sup>nd</sup> Session, 33<sup>rd</sup> Parliament, April 1987.
6. House of Commons, Standing Committee on the Status of Disabled Persons, *No News is Bad News*, First Report, 2<sup>nd</sup> Session, 33<sup>rd</sup> Parliament, August 1988.
7. House of Commons, Standing Committee on Human Rights and the Status of Disabled Persons, *A Consensus for Action: The Economic Integration of Disabled Persons*, Second Report, 2<sup>nd</sup> Session, 34<sup>th</sup> Parliament, June 1990.
8. House of Commons, Standing Committee on Human Rights and the Status of Disabled Persons, *As True as Taxes: Disability and the Income Tax System*, 3<sup>rd</sup> Session, 34<sup>th</sup> Parliament, March 1993.
9. House of Commons, Standing Committee on Human Rights and the Status of Disabled Persons, *Completing the Circle: A Report on Aboriginal People with Disabilities*, 3<sup>rd</sup> Session, 34<sup>th</sup> Parliament, May 1993.
10. House of Commons, Standing Committee on Human Rights and the Status of Disabled Persons, *Signposts*, Fifth Report, 3<sup>rd</sup> Session, 34<sup>th</sup> Parliament, June 1993.
11. House of Commons, Standing Committee on Human Rights and the Status of Disabled Persons, *Getting Back on the Road: Passenger Transportation and Persons with Disabilities*, Sixth Report, 3<sup>rd</sup> Session, 34<sup>th</sup> Parliament, June 1993.
12. House of Commons, Standing Committee on Human Rights and the Status of Disabled Persons, *Profitable Choices for Everyone*, Seventh Report, 3<sup>rd</sup> Session, 34<sup>th</sup> Parliament, July 1993.
13. House of Commons, Standing Committee on Human Rights and the Status of Disabled Persons, [\*The Grand Design: Achieving the 'Open House' Vision\*](#), 1<sup>st</sup> Session, 35<sup>th</sup> Parliament, December 1995.
14. Prior to 1995, there were two major financing arrangements through which the Canadian government contributed to the social programs delivered by the provinces: Established Programs Financing for health and post-secondary education and the Canada Assistance Plan for welfare and social services. The Canada Health and Social Transfer replaced both of these instruments and provided federal transfers to the provinces and territories for health, post-secondary education and welfare in a single block fund to be spent as each province/territory saw fit. It was intended to provide the provincial and territorial governments with greater flexibility in how they spent those federal dollars. In April 2004, two transfers were created: the Canada Health Transfer and the Canada Social Transfer.
15. The Disability Tax Credit has a long history. It was first introduced in 1944 to assist people who were blind with the extra costs incurred because of their disability. The definition of eligibility was expanded over the years and the rules changed. By the mid-1980s, the Disability Tax Credit had become a non-refundable tax credit for people whose disabilities caused severe and prolonged impairments and, as a result, had additional expenses related to their disability. The tax credit was deemed to be a measure of fairness as other workers without disabilities did not have to pay for additional expenses related to a disability.
16. The Canada Pension Plan (CPP) Disability benefit provides income protection by replacing a portion of the earnings of CPP contributors who cannot work because of a disability. One of the program's objectives is also to facilitate a return to work for those who may be able to do so by offering the services of a vocational rehabilitation program.
17. Federal Task Force on Disability Issues, *Equal Citizenship for Canadians with Disabilities: The Will to Act*, October 1996.

18. Bill S-5: An Act to amend the Canada Evidence Act and the Criminal Code in respect of persons with disabilities, to amend the Canadian Human Rights Act in respect of persons with disabilities and other matters and to make consequential amendments to other Acts, 1<sup>st</sup> Session, 36<sup>th</sup> Parliament (S.C. 1998, c. 9).
19. House of Commons, Standing Committee on Human Resources Development and the Status of Persons with Disabilities, Sub-Committee on the Status of Persons with Disabilities, [Reflecting Interdependence: Disability, Parliament, Government and the Community](#), 1<sup>st</sup> Session, 36<sup>th</sup> Parliament, June 1999.
20. The Opportunities Fund, created in 1997, is a contribution program with an annual budget of \$30 million. In Budget 2012, an additional \$30 million over three years was announced to improve labour market opportunities for persons with disabilities. Most of the funding is spent on contribution agreements designed to help people with disabilities overcome barriers to employment. The program is only available to persons with disabilities who are not eligible to receive employment insurance benefits.
21. House of Commons, Standing Committee on Human Resources Development and the Status of Persons with Disabilities, Sub-Committee on the Status of Persons with Disabilities, [A Common Vision: Interim Report](#), 1<sup>st</sup> Session, 37<sup>th</sup> Parliament, June 2001.
22. Quebec has its own plan that provides disability benefits to Quebecers – the Quebec Pension Plan (QPP). The CPP provides income replacement in the event of retirement, disability or death to Canadians outside Quebec. CPP Disability benefits were first paid in 1970 and have continued to play an important role in providing income support to eligible individuals who experience a long-term interruption in earnings due to disability. CPP Disability also provides benefits to dependants of disability beneficiaries, provided they are under the age of 18 or are 18 to 25 years of age and enrolled full-time in a recognized school. CPP Disability benefits are fully indexed (adjusted annually) and taxable.
23. House of Commons, Standing Committee on Human Resources Development and the Status of Persons with Disabilities, Sub-Committee on the Status of Persons with Disabilities, [Getting It Right for Canadians: The Disability Tax Credit](#), 1<sup>st</sup> Session, 37<sup>th</sup> Parliament, March 2002.
24. House of Commons, Standing Committee on Human Resources Development and the Status of Persons with Disabilities, [Tax Fairness for Persons with Disabilities](#), 2<sup>nd</sup> Session, 37<sup>th</sup> Parliament, December 2002.
25. The Technical Advisory Committee on Tax Measures for Persons with Disabilities (TAC) was announced in the 2003 Federal Budget and appointed in April 2003. Its mandate was “to advise the Ministers of Finance and National Revenue on disability-related tax measures.” In December 2004, the TAC published an extensive report on tax measures related to persons with disabilities entitled [Disability Tax Fairness](#).
26. House of Commons, Standing Committee on Human Resources Development and the Status of Person with Disabilities, Subcommittee on Persons with Disabilities, [Listening to Canadians: A First View of the Future of the Canada Pension Plan Disability Program](#), 2<sup>nd</sup> Session, 37<sup>th</sup> Parliament, June 2003.
27. [Employment Insurance Act](#), S.C. 1996, c. 23. Employment benefits and support measures offered under Part II of the Act to eligible persons with disabilities include assistance through four employment benefits: targeted wage subsidies, self-employment, skills development and job creation partnerships.
28. House of Commons, Standing Committee on Human Resources, Skills Development, Social Development and the Status of Persons with Disabilities, Subcommittee on the Status of Persons with Disabilities, [Accessibility for All](#), 1<sup>st</sup> Session, 38<sup>th</sup> Parliament, June 2005.

29. The Office for Disability Issues within Human Resources and Social Development Canada was made a directorate in 2001. It delivers programs and provides leadership through improved horizontal management and collaboration surrounding policies that affect those with a disability.
30. Effective 1 November 2006, the *Treasury Board Real Property Accessibility Policy* was rescinded and accessibility standards were integrated into the [Policy Framework for the Management of Assets and Acquired Services](#).
31. The Parliamentary Precinct includes all parliament buildings on and off Parliament Hill.
32. House of Commons, Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities, [Employability in Canada: Preparing for the Future](#), 2<sup>nd</sup> Session, 39<sup>th</sup> Parliament, April 2008.
33. The Aboriginal Human Resources Development Strategy was launched in 1999 for an initial five-year period. The strategy was renewed in 2004 for another five years. It provided \$350 million annually to Aboriginal organizations that would design and deliver labour market programs to help Aboriginal people prepare for, obtain and maintain employment. Other components of the strategy included providing assistance for Aboriginal youth to make a successful transition from school to work, and increasing the supply and quality of child care services in First Nations and Inuit communities. The strategy was audited and a report was made public in 2009. The strategy expired in March 2010.
34. Under bilateral labour market agreements for persons with disabilities, the federal government transfers up to 50% of the costs (based on the allocation specified in each agreement) incurred by the provinces and territories to increase employment among persons with disabilities. Each agreement allows a provincial/territorial government to focus on its priorities, in addition to at least one of the following required priorities: education and training, employment participation, employment opportunities, connecting employers and people with disabilities, and raising awareness.
35. House of Commons, Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities, [Federal Poverty Reduction Plan: Working in Partnership Towards Reducing Poverty in Canada](#), 3<sup>rd</sup> Session, 40<sup>th</sup> Parliament, November 2010.
36. Statistics Canada, [Participation and Activity Limitation Survey 2006: Analytical Report](#), Catalogue no. 89-628-XIE, Ottawa, 2007, p. 7. The Participation and Activity Limitation Survey was conducted in 2001 and in 2006. It is a post-censal “national survey designed to collect information on adults and children who have a disability, that is, whose everyday activities are limited because of a condition or health problem.” A post-censal survey of people with disabilities had been anticipated in 2011; however, it was not funded. A new Canadian Survey on Disability is planned for 2013.