



**Council of Canadians
with Disabilities**

A VOICE OF OUR OWN

**Conseil des Canadiens
avec déficiences**

CETTE VOIX QUI EST LA NOTRE

Invest in the Independence of People with Disabilities

**Pre Budget Consultation Brief
to
the Standing Committee on Finance**

**Submission from
the Council of Canadians with Disabilities (CCD)**

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Introduction

The Council of Canadians with Disabilities (CCD), is the only national cross-disability organization of men and women with disabilities working for an inclusive and accessible Canada.

Like other Canadians, people with disabilities seek to share in Canada's prosperity. However, the opportunity for many Canadians with disabilities to participate in the productive activities of Canada is impeded by historic barriers. CCD promotes the elimination of these barriers so that Canadians with disabilities have the opportunity to take their place in the Canadian economy.

Coordinated by CCD and the Canadian Association for Community Living (CACL), people with disabilities and their families have developed a National Action Plan for addressing these barriers. In this brief, CCD will share those solutions relevant to the work of the Standing Committee on Finance, which is currently consulting Canadians about:

- how to achieve a sustained economic recovery in Canada,
- how to create quality sustainable jobs,
- how to ensure relatively low rates of taxation,
- how to achieve a balanced budget, and
- how to attain high levels of job growth and business investment in order to ensure shared prosperity and a high standard of living for all.

Moreover, we understand that the Committee is particularly interested in "the thoughts and suggestions of Canadians about how to attain high levels of job growth and business investment in order to ensure shared prosperity and a high standard of living for all." CCD will be focusing on solutions aimed at ensuring shared prosperity and a high standard of living for all citizens.

Of note, CCD is well aware that the federal jurisdiction has its limitations and that responsibility for many of our issues rests with the provinces and territories. CCD therefore urges the Government of Canada to work collaboratively with all provinces and territories on labour market strategies and broad social policy initiatives to address the needs of persons with disabilities. Wherever possible, CCD asks the Government of Canada to use its legislative and programmatic powers to ensure that persons with disabilities are included fully in Canadian programs and services and thus have opportunities to contribute to its social and economic prosperity.

Support the Vulnerable

In these challenging times of deficit reduction, CCD urges the Government of Canada to remember those who already face significant disadvantage. Many within the disability community live on incomes of less than \$10,000 per year.

Canadians with disabilities struggle to have their needs met when times are good. When times are bad, sadly we are often the first to feel the effects of cutbacks in services and supports or loss of employment.

CCD respectfully puts forward the following three recommendations which, if implemented, would increase persons with disabilities' opportunities for inclusion and contribution, improve their standard of living and facilitate their sharing in Canada's prosperity.

1. Address the disproportionate poverty experienced by Canadians with disabilities

The Registered Disability Savings Plan created in budget 2007 is a positive initiative but its impact will not be felt until 10 years after its inception. The Disability Tax Credit is the Canadian government's main program that addresses the 'non-itemizable and non-reimbursable costs of disability' for those who meet the DTC eligibility requirements. At present, many Canadians with disabilities who would be eligible for the DTC have no benefit from it because they do not have a taxable income.

CCD recommends that:

The Government of Canada make the Disability Tax Credit (DTC) refundable for Canadians with disabilities who do not have a taxable income.

2. Expand the EI Sickness Benefit

A qualifying worker can receive the EI Sickness Benefit for 15 weeks. In the area of Sickness Benefit, Canada lags behind other countries. The inadequate duration of the benefit puts Canadians at increased risk of slipping into poverty. Michael J. Prince, in "Canadians Need A Medium-Term Sickness/Disability Benefit", points out that:

There is a serious weakness in Canada's social foundation of income security. Much more than a crack, the problem concerns the absence of a social insurance program for millions of working Canadians whose work and earnings are interrupted because of illness or disability (Prince 2008, p. 1).

In its National Action Plan, the disability community has recommended reform of the EI Sickness Benefit to provide 52 weeks of coverage, as one of the first steps to end disability poverty. Such reform would assure continuity of income against interruptions of earnings in case of illness or disablement. Note: over one hundred Canadian organizations supported this proposal when they endorsed the National Action Plan.

CCD recommends that:

The Government of Canada reform the EI Sickness Benefit to provide 52 weeks of coverage.

3. Support Organizations of People with Disabilities

Organizations of people with disabilities will be called upon during an economic downturn to support and create community services that assist those who have lost jobs or find themselves less able to cope. Canada's organizations of people with disabilities provide a wide array of programming, including training and professional development, individual supports and shelter to members of our communities. During hard times volunteers and their associations play a critical role in addressing the difficulties encountered by many. The Government of Canada must enable volunteers and disability organizations to continue to make the strong and effective contributions that only they can provide.

CCD recommends that:

The Government of Canada renew and expand the Social Development Partnerships Program that supports the disability community to bring to government advice and information for creating a more accessible and inclusive Canada. This fund has not been increased since 1996 and people with disabilities and their organizations have been repeatedly asked to do more with less. This cannot continue and soon, if government does not expand its support, the value added by engagement with disability organizations will be lost.

Conclusion

On March 11, 2010 Canada ratified the United Nations Convention on the Rights of Persons with Disabilities (CRPD). By adopting the recommendations made by CCD in this brief, the Canadian Government would be acting in accordance with the spirit of the CRPD, which obliges States Parties to a standard of progressive realization of the objectives established by the Convention. Relevant articles from the CRPD are referenced in Appendix "A".

Appendix “A” —Relevant Articles from the CRPD

Article 28

Adequate standard of living and social protection¹

1. States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing and to the continuous improvement of living conditions, including equal access to clean water, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability.

2. States Parties recognize the right of persons with disabilities to social protection, and to the enjoyment of that right without discrimination on the basis of disability, and shall take appropriate steps to safeguard and promote the realization of this right, including measures:

(a) To ensure access by persons with disabilities to appropriate and affordable services, devices and other assistance for disability-related needs;

(b) To ensure access by persons with disabilities, [in particular women and girls with disabilities and the aged with disabilities,] to social protection programmes and poverty reduction programmes;

(c) To ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses (including adequate training, counselling, financial assistance and respite care);

(d) To ensure access by persons with disabilities to public housing programmes.

(e) To ensure equal access by persons with disabilities to retirement benefits and programmes.

Article 27

Work and employment

1. States Parties recognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. States Parties shall safeguard and promote the realization of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation, inter alia:

(a) To prohibit discrimination on the basis of disability with regard to all matters concerning employment, including conditions of

¹ The Ad Hoc Committee has used the term social protection on the understanding that it has a broad interpretation, as contained in the report of the Secretary-General to the Commission for Social Development at its thirty-ninth session (E/CN.5/2001/2).

recruitment, hiring and employment, continuance of employment, career advancement, and working conditions;

(b) To protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redressing of grievances;

(c) To ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others and in accordance with national laws of general application;

(d) To enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;

(e) To promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining and maintaining and returning to employment;

(f) To promote opportunities for self-employment, entrepreneurship and starting one's own business;

(g) To employ persons with disabilities in the public sector;

(h) To promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures;

(i) To ensure that reasonable accommodation is provided to persons with disabilities in the workplace;

(j) To promote the acquisition by persons with disabilities of work experience in the open labour market;

(k) To promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.

2. States Parties shall ensure that persons with disabilities are not held in slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour.

Article 4 General Obligations

3. In the development and implementation of legislation and policies to implement the present Convention, and in the decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.

Article 33
National implementation and monitoring

1. States Parties shall designate one or more focal points within government for matters relating to the implementation of the present Convention, and shall give due consideration to the establishment or designation of a coordination mechanism to facilitate related action in different sectors and at different levels.

2. States Parties shall, in accordance with their legal and administrative systems, maintain, strengthen, designate or establish at the national level an independent mechanism to promote, protect and monitor implementation of the present Convention, taking into account, where necessary, gender- and age-specific issues. When designating or establishing such a mechanism, States Parties shall take into account the principles relating to the status and functioning of national institutions for protection and promotion of human rights.

3. Civil society, in particular persons with disabilities and their representative organizations, shall be involved and participate fully in the monitoring process.