

The Ontario Federation of Labour (OFL) welcomes this opportunity to further participate in the Ontario Human Rights Commission Consultation on *Education and Disability: Human Rights Issues in Ontario's Education System*.

The OFL is the largest provincial Federation of Labour in Canada. Our 650,000 members from 46 different unions live and work in all parts of Ontario, from Kenora to Cornwall and from Moosonee to Windsor.

Since 1957, OFL policies adopted at Convention have been the basis of our contribution to policy discussion and development on a wide variety of issues of concern to our membership. Often this involves working with like-minded community organizations across Ontario on issues of mutual concern. The public education system is one of the issues of great importance to our members.

Our members are students, former students and family relatives of students in Ontario's educational system. Many of our members work within this system. Through their taxes our members provide the financial resources for this system. Our members know the important role a public education system can and should play in the life of their communities.

To quote from a 2001 Ontario Federation of Labour Convention Policy statement, *The Privatization of Ontario's Education System: 1995 - 2001 OFL Education Is A Right Task Force Report on Publicly-Funded Education in Ontario:*

“Our vision includes an education system that is universally accessible and publicly funded. A quality, universally accessible, publicly-funded education system is the cornerstone of a democratic society.”

The OFL's views on education are articulated in this document. The content of the document draws on both existing OFL policies and the experiences gathered during a 22-city tour in the spring of 2001. This document was discussed and endorsed by our 2001 Convention. This document and our September 9, 2002 *Submission by the Ontario Federation of Labour to Education Equality Task Force on Ontario's Education Funding Formula* have already been shared with the Ontario Human Rights Commission.

Knowing this, it is not surprising that the OFL's vision is in opposition to the wrong-headed ideologically-driven agenda of the Progressive Conservative party since attaining power in June 1995.

We are not alone in our concern over the negative impact of this government's agenda on the lives of many Ontarians. Important research work such as the Roeher Institute's *Finding A Way In: Parents on Social Assistance Caring for Children with Disabilities* (2000), which found that families with children with disabilities were more likely to be poor and relying on social assistance; The Association for Community Living's *A National Agenda to Support Families* (2001), which documents the impact on workers in the labour market who are also parents of a disabled child; and the Canadian Council for Social Development's "*Special Education in Canada*" in their publication *Perceptions* (Fall 2001), which gives insights into the impacts of education restructuring and the availability of needed services. Taken together, these works document the negative impact of this government's policies on the lives of persons with disabilities, their families and their communities.

This is the political backdrop for any discussion on human rights issues in education for persons with disabilities. Such a discussion must include and address the needs of persons with disabilities who work as teachers and education workers in Ontario's educational system.

The actual nature and level of accessibility are key points to address within any discussion of human rights issues related to education regarding persons with disabilities. These points may be addressed with the establishment of a Services System Review involving: students, teachers, education workers and community representatives. This review would examine, make recommendations and develop time-lines for implementation for such issues as: facilities, programming, staffing, policies and educational materials. Each educational institution should undertake such a review. Such a review should be mandated by legislation which includes the provision that recommendations be negotiated with the appropriate bargaining agent and that there be a requirement that recommendations be implemented. To our knowledge such an integrated approach has not been undertaken anywhere in Ontario.

It is likely that such a review approach would have to work closely with the provincial government as their responsibilities through legislation, programming and funding are critical to the educational system in Ontario. The provincial government would have to be willing to commit the appropriate levels of new resources to ensure the success of this review process.

The Ontario Human Rights Commission's Consultation Paper makes reference to a study by the Canadian Council on Social Development that found students with disabilities often are alienated from fellow students and from the educational institution itself.

One aspect of this situation not noted in the Consultation Paper is the positive effect of the role model/mentor function, which could be played by teachers and education workers who self-identify themselves as persons with disabilities. This simple realization that there are “other people like me” in this setting can be a positive first step in dealing with feelings of alienation. These teachers and education workers could have an on-going positive impact on the lives of the students. This unique role for teachers and education workers with disabilities can be assisted with the support and understanding of their appropriate bargaining agent, their fellow workers, and management.

The current Ontario government is not supportive of employment equity. However, it is important to examine if and how persons with disabilities are encouraged to seek employment in the educational sector. Are they encouraged to advance within their areas of interest and expertise? Are workers in the educational sector given the exposure and training to understand the accommodation needs of their co-workers? Are necessary resources and training provided to management, for example, principals to assist them to work with those in need of accommodation? Would existing policies and procedures drive workers with disabilities out of the workplace? For example, the current policy of forcing teachers to requalify by taking extra courses will result in increased demands of time and money from teachers. In some cases, this extra workload will force some teachers who already suffer from fatigue to leave the system rather than put themselves in a dangerous health situation. An education system that does not accommodate and encourage the presence and continuing contribution by workers with disabilities, in our view lacks the credibility to address the needs of students with disabilities.

The needs of students with disabilities may best be addressed by identifying the strengths and weaknesses of the individual students. With respect to their strengths, students can be integrated and in areas of weakness, they can be supported through such approaches as resource rooms and/or specialized classes. Depending on their individual needs the students may need access to support programs, resources and staff within the educational institution. Practical examples of this approach are known, but unfortunately they are historical as they were often early victims of this government's education funding cuts.

Other early victims of funding cuts were programs such as English as a Second Language (ESL), Heritage Language, Literacy and Parenting Programs. Often these programs are important to persons attempting to adapt to new situations, which include persons with disabilities. With no appreciation of the importance of these programs, some government supporters label them as unnecessary frills and a waste of money.

Our members from a variety of unions have extensive experience in working with persons with disabilities in an educational setting. Many of our affiliates have made presentations during this round of hearings as part of their on-going advocacy to improve the existing situation.

A political solution to the question of human rights issues in Ontario's education system is to remove from office those who have caused so much hurt to so many Ontarians by their political agenda. The Government of Ontario should be working with all those who have an interest and expertise in this issue. Together they should be reviewing the experiences with relevant existing legislation. For example, the principal provisions concerning special education in Ontario may be traced back to the 1980 amendments (known as Bill 82) to the *Education Act*. Are these provisions still relevant and functioning smoothly, or is there room for positive revisions or refinements? Are these provisions supported by appropriate and accessible levels of resources? There should be a commitment to provide the resources for the needed staffing and programming across Ontario. The Government of Ontario should show

leadership. For example, if the Service Systems Review finds inadequacies in resource materials, then the Government of Ontario should co-ordinate the development and/or mass purchasing of materials to ensure that all Ontarians who need them can get them in a timely fashion. The present government lacks the willingness to find effective solutions to address these problems.

Given this situation, we welcome guidelines to address Human Rights Issues in Ontario's Education System similar to the Ontario Human Rights Commissions' *Policy and Guidelines on Disability and the Duty to Accommodate*. The Ontario labour movement is quite willing to work with the provincial government and others to ensure Ontarians that the educational system understands and is responsive to their needs.

We appreciate this opportunity of sharing our views on human rights issues in Ontario's education system.

All of which is respectfully submitted,

Ontario Federation of Labour

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