

**PRESENTATION**

**BY THE**

**ONTARIO FEDERATION OF LABOUR**

**TO THE**

**ONTARIO HUMAN RIGHTS COMMISSION**

**DISCUSSION PAPER**

**ON**

**ACCESSIBLE TRANSIT SERVICES IN ONTARIO**

**JUNE 29, 2001**

The Ontario Federation of Labour (OFL) welcomes this opportunity of commenting on the Ontario Human Rights Commission's *Discussion Paper on Accessible Transit Services in Ontario*. The OFL constitutes the largest provincial federation of labour in Canada. The 650,000 members of the Ontario Federation of Labour are drawn from over 40 unions. Our members work in all economic sectors and live in communities across Ontario from Kenora to Cornwall and from Moosonee to Windsor.

Since our founding in 1957 we have sought to improve the economic and social conditions of workers and their communities. Our members decide OFL policy at our convention. In turn, the democratic decisions made at our conventions become the basis of action for the Ontario Federation of Labour. Such action, regardless of the particular issue at any one time, has as its goal an Ontario based on the principles of fairness, accessibility, public accountability and democracy.

It is from this perspective that we support the statement in the Executive Summary of the *Discussion Paper*:

“Access to public transportation services is a human rights issue. Transportation is fundamental to the capacity of most persons to function in society. Transit services facilitate integration into public and social life in our communities, as well as allow people to access work, and basic goods, services and facilities.”

There are a number of broad issues that should be addressed if we are serious (as a community) in providing accessible transit services in this province.

### **Support for Public Services**

In November 1999 the Ontario Federation of Labour Convention discussed and endorsed a policy document entitled *Privatization: Private Gain at Public Expense*. The paper noted that there are three aspects of public services that have always been important components of Ontario Federation of Labour policies:

- 1) The need for labour rights for public sector workers who provide services for other members of society;
- 2) The responsibility of government to provide public services to Canadians, when and where they are needed and
- 3) Public services are part of the ongoing struggle for democratic safeguards and accountability.

The paper went on to note that:

“There have always been groups and individuals who put private interest ahead of public interest, who believe that the so called “free market” can and should deal with and solve any issue. They believe that public activities as well as public sector workers are a drain on the wealth of society. They believe that they generate this wealth and it is theirs to do with as they see fit. They believe that decisions, whenever possible, should be made behind closed doors and they should not be bothered by issues of process or public accountability.”

Philosophical beliefs or values are at the core of any public policy discussion. They are the stimulus for action or for inaction.

The present Conservative government in Ontario is philosophically opposed to public services and to those who provide them. Consequently it has used every opportunity to stifle existing or needed public services. Their rationale for this approach is that they are forced to act in response to “the deficit crisis”, “public demand for a tax cut”, “market pressures from our trading partners” or “public demand for more efficiency”.

### **Jurisdiction and Administration of Transit Services**

The *Discussion Paper* aptly points out that in Ontario all levels of government share in the jurisdiction, administration and provision of transit services. This shared responsibility can result in the provision of transit services being the victim of “turf wars” between the various levels of government. Additional confusion has been deliberately created by the provincial government policy of forced mergers and amalgamations of local communities and their governments.

It is our view that no aspect of transit services or transportation policy in general should be dealt with in isolation. There must be an integrated approach taken in policy development and implementation between the levels of government. There must be an integration of transit services/transportation policy with other government activities such as economic development, land use and environmental policies. Viable transit services must rely on supports from other government services. For example, in winter Ontario transit systems are expected to cope with climatic realities of ice and snow. However, an inadequate public works budget for snow removal which results in lengthy delays in cleaning roads, sidewalks and snow banks makes a mockery of the idea of accessible transit services. There must be visible ongoing political and financial support from all levels of government for accessible transit services. The goal must be to develop a system which satisfies the transit needs of Ontarians now, and has the capacity (political will and sufficient resources) to adapt to changing needs in the future. This cannot be created or financed from the money taken out of the fare box which had been put there by the users of the system.

## **Active Involvement of Users in the Development and Implementation of Accessible Transit Services**

Any discussion on accessible transit services in Ontario must be inclusive and accessible to users of the service. Ontarians with disabilities and their organizations must play a full role in policy development and implementation concerning accessible transit services in this province. They bring an unique perspective on the issues. Their involvement must not be based on either public relations considerations or a hasty afterthought.

An accessible transit system provides a quality service for all its users. For example, users of a paratransit service may receive a different service (door to door) than users in a conventional service (stop to stop) but this does not mean the quality of service for either group of users should suffer. The active ongoing involvement of users will ensure that quality service for all transit users remains a high priority.

## **Active Involvement of Providers in the Development and Implementation of Accessible Transit Services**

Workers (in a number of different unions) who provide accessible transit services in communities across Ontario are members of the Ontario Federation of Labour. They have an “on the ground” perspective of the strengths and weaknesses of the existing system as well as the understanding of what needs to be done to make and keep the system truly accessible.

An accessible transit system is an important public service. It must provide a quality service to all its users. It should also provide a quality working environment for all the providers of this service. The workers should be members of the appropriate union in their workplace and be covered by the collective agreement.

The labour movement has long experience of working with management in identifying and implementing accommodations in the workplace for workers who are returning after an injury when there is a legal requirement on employers and government to do so.

Any accommodation improvements in a workplace are of limited value to a worker if he/she is unable to reach work because there is not accessible transit services to that workplace. There must be a legal requirement for these services to be provided.

## Next Steps

In the first part of this presentation we identified a number of broad issues:

- support for public services
- jurisdiction and administration of transit services
- active involvement of users
- active involvement of providers

These broad issues provide a context for dealing with the important issue of accessible transit services in Ontario.

We know that this government will not change their philosophical beliefs nor their methods of operation. We also know that the damage to Ontarians, their communities, their institutions and organizations will take years to repair.

A first step is the replacement of the present government through the electoral process and their replacement with others who have a more positive and inclusive platform.

A second step is not predicated on the replacement of the government. The labour movement continues to be committed to employment equity legislation. Such legislation seeks to make our economy and society more accessible for Ontarians, and this legislation which this present government repealed in 1995. Earlier that year during the election campaign, the present governing party committed itself to bringing in an *Ontarians with Disabilities Act (ODA)*. Such an Act paves the way to equality for persons with disabilities by identifying and removing barriers and preventing barriers. A commitment which they philosophically are opposed to but are finding themselves under increasing political pressure to implement. If/when implemented the ODA will send a message across Ontario that as a society we want complete accessibility for persons with disabilities. This is a right. The issue of accessible transit services will benefit from the change in the political climate.

A third step that of real consultation with and involvement by users and providers in the development and implementation of accessible transit services will likely occur only after a government change. This will be a positive development which will build on the good work already accomplished. The work would be largely at the provincial and local levels. This undertaking will provide broader perspectives for the development and implementation of policy on such issues as: What are the goals and objectives for accessibility? What are the standards for accessibility? What are the planning tools needed to attain accessibility? What is the role for accessible conventional transit systems? What is the role for accessible paratransit systems? What are the resources (political and financial) needed to implement/sustain accessible transit services?

The Ontario Federation of Labour has a long history of involvement in issues of human rights and accessibility. We compliment the Ontario Human Rights Commission for making a positive contribution to the public discussion on this issue with the release of your *Discussion Paper on Accessible Transit Services in Ontario*.

Respectfully submitted by the Ontario Federation of Labour  
opeiu:343