



CITIZEN COMMITTEE REPORT

To:	Audit, Finance and Administration Committee; General Issues Committee; and City Council
From:	LGBTQ Advisory Committee Cameron Kroetsch, Chair
Date:	December 15, 2020
Re:	Accessible Captioning for Meetings of the LGBTQ Advisory Committee

Recommendation

That the City of Hamilton (City) provide accessible captioning as part of its virtual meeting software either through Cisco Webex or through another software provider for all future meetings of the LGBTQ Advisory Committee (LGBTQAC) and that the City, if it has not done so already, consult with the Advisory Committee for Persons with Disabilities (ACPD) to get their input and feedback about this as soon as possible and before implementing this recommendation.

Background

Members of the LGBTQAC have asked for accommodations, specifically that there be captioning in meetings, so that they can participate without barriers.

As of the last LGBTQAC meeting, staff reported back that the option for accessible captioning through Webex was explored and possibly available but not enabled or purchased at this time. Staff also advised that the City's information technology staff have said that Webex is the only virtual meeting software permitted to be used for City meetings at this time.

It appears that Cisco Webex, the City's preferred virtual meeting software, does have this capability through Webex Assistant.

According to the Cisco Webex Help Center -

"Webex Assistant is available in Webex Meetings version 40.4 and later. Contact your Cisco Collaboration Partner or Cisco Collaboration Account Manager to create a trial for you through the Webex Enterprise Trials program. Trials are expected to begin on June 2, 2020."

At present, members of the LGBTQAC are aware and have used other virtual softwares, web applications, or websites that have these capabilities including -

- GoToMeeting
- Microsoft Teams
- Zoom
- Google Meet (Live Transcribe)
- YouTube

The LGBTQAC also recognizes that it would be possible to provide live captioning services, also known as Communication Access Real-Time Translation (CART), through another interface.

Analysis / Rationale

The LGBTQAC considers this accommodation a matter of human rights and disability justice.

We are confident that this barrier can be overcome by the City of Hamilton. As the Canadian Hard of Hearing Association states, "90% of people with hearing loss can improve communication with hearing assistive technology, counseling or environmental changes".

We also recognize that this accommodation is not just important for those who are hard of hearing but for those who may have other cognitive disabilities, who experience Attention-deficit/hyperactivity disorder (ADHD), or who suffer from similar chronic conditions.

We understand that, because the LGBTQAC is a volunteer Advisory Committee, that it is not subject to the same laws, rules, and regulations that govern the City's employees but we thought it was important to share this information posted on the Accessibility for Ontarians with Disabilities Act (AODA) website on November 12, 2018 entitled Individual Accommodation Plans in Ontario Workplaces.

"The Employment Standard under the AODA states that all public sector organizations, and private or non-profit organizations with fifty or more workers, must develop and document a process for writing individual accommodation plans.

Individual accommodation plans are written documents that list all accommodations workers with disabilities need to make their jobs accessible. For example, accommodations that a worker might use include informational accommodations, such as documents in digital form or real-time captioning at meetings".

More information about the AODA Employment Standard can be accessed by visiting <https://www.aoda.ca/individual-accommodation-plans-in-ontario-workplaces/>.

While the LGBTQAC recognizes that its members are not employees, it is still participating in work in a virtual workplace with members of City staff and should enjoy the same level of accommodation as others in that workplace.

We recognize that both legislation and accommodation standards are changing with respect to virtual workplaces and environments and ask that the City be forward thinking in its approach.

As far as the LGBTQAC can tell, documents like the City's Barrier-Free Design Guidelines (Version 1.1, 2006) and its Accessibility Standards (2017) have not been updated to include provisions since the beginning of the COVID-19 pandemic with respect to virtual environments.

The LGBTQAC is asking for this to be implemented without an additional request from members of the LGBTQAC to submit paperwork and other documents. Sufficient requests have been made and we don't think it's reasonable to place additional burdens on or barriers in front of those asking for these reasonable accommodations.

Further, we do not think that this technological accommodation should only be extended to the LGBTQAC but should become part of every City meeting that is broadcast publicly. It is important that all Hamiltonians can participate in their municipal government and we feel that this is part of the City's commitment to and response to the Accessibility Standards for Customer Service (O. reg. 427/07) and the Web Content Accessibility Guidelines (WCAG 2.0).

While we recognize that there is not binding legislation that currently mandates that the City provide this accommodation, we feel that the examples we have drawn upon will aid the City in accepting our recommendation.

NOTE - We ask that the LGBTQAC Chair be updated as to when and at what Committee the recommendation(s) in this Citizen Committee Report will be addressed so that they can speak to the matter formally at that time.