



## **Nova Scotia Federation of Labour MEDIA RELEASE**

December 17, 2015

### **Labour Federation Appalled at Liberal's treatment of deaf man**

**Halifax, N.S.** - Nova Scotia Federation of Labour President Danny Cavanagh says that union leaders and members from across the province join all Nova Scotians in being dismayed, disgusted and appalled by the well-reported actions of Nova Scotia Liberal MLAs who voted to exclude a deaf Nova Scotian from presenting to the Legislature's Law Amendments Committee yesterday.

"We saw the Liberal MLA appointees to the Law Amendments Committee vote twice to not allow Robert Tupper, a deaf man who is directly affected by Bill 148, any ability to address the Law Amendments Committee through a sign language interpreter," says Cavanagh. "The incredible disrespect shown to Mr. Tupper by the Liberal MLA's on that Committee was shocking to everyone in the room, and it is unbelievable that politicians could act in such a discriminatory manner in this day and age."

Robert Tupper, a member of NSGEU Local 7, requires sign interpretation in order to communicate.

Tupper contacted the Law Amendments Committee on Tuesday afternoon through the Nova Scotia Legislature Clerk's office to be added to the list of presenters to the Committee, but was informed that no accommodation could be made to provide an interpreter.

NDP MLA Lenore Zann raised the issue of Tupper being denied accommodation twice at the Law Amendments Committee during the sittings on Tuesday afternoon and evening, but the Committee Chairperson could not be persuaded at that time to provide an interpreter.

After continued lobbying by the NDP to have Tupper's rights upheld, we were informed shortly after 2:00 pm by Liberal MLA Terry Farrell, the Chair of the Committee, that a sign language interpreter would be provided, and that Tupper would be allowed an opportunity to present if he arrived at the Committee by 4:50 pm when the Committee was scheduled to resume. Arrangements were made to contact Tupper immediately upon hearing this from the Chair, and Tupper appeared at the Legislature very shortly after 4:30 pm, well before the 4:50 pm deadline, only to be denied the right to present by two consecutive votes of the Liberal majority on the Committee.

"Our provincial legislature, as well as our entire province, should be welcoming spaces for Nova Scotians with disabilities, including hearing and vision impairments," says Cavanagh. "To blatantly discriminate against a deaf man by refusing accommodation initially and later not living up to an agreement to allow him to present once a sign interpreter was obtained sends a signal to all Nova Scotians with disabilities that this government feels that they are second-class citizens who do not share the same rights as others."

“Our union takes discrimination, human rights issues, and issues of overall fairness incredibly seriously,” says NSGEU Acting President Jason MacLean, who is an Officer of the Nova Scotia Federation of Labour. “Robert Tupper is a long-time and well-respected member of NSGEU, and we stand with our member against the disrespectful and unacceptable treatment he was given by the Liberal MLA’s who form the majority at Law Amendments.”

Late on Wednesday night, hours after he had left the Legislature, Robert Tupper was offered by the Liberal government an opportunity to speak to a “special hearing” of the Law Amendments Committee this morning at 10:00 am after the refusals to accommodate his need for sign language interpretation on Tuesday and the vote on Wednesday afternoon to cut debate short before the allotted time without allowing him to speak.

In a statement attached to this media release, Mr. Tupper indicates that he continues to feel disrespected and discriminated against by the Liberal MLA’s and chooses not to subject himself to such continued treatment, and has now declined the 10:00 am “special hearing”.

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For more information or to arrange interviews contact: NSFL President Danny Cavanagh @ 902.957.0822 (cell) or Joan Wark @ 902.471.8104 (cell)

*The Nova Scotia Federation of Labour is the provincial voice of the Labour Movement, representing 70,000 members in over 400 union locals.*

## **Statement by Robert Tupper**

### **For Release To Media: Statement On My Exclusion From Law Amendments** **Thursday, December 17, 2015**

As a provincial government employee affected by Bill 148, I have attempted this week to appear in front of the Law Amendments Committee of the Legislature to present my concerns about the Bill.

My first attempt to appear before the Committee were frustrated immediately on Tuesday afternoon when I asked to be added to the list and to have sign language interpretation provided as I am deaf and require an interpreter to communicate with others. I was told that there was no ability to accommodate my requirement for interpretation services at the Legislature for Law Amendments.

I understand that NDP MLA Lenore Zann raised the issue of the refusal to accommodate me twice at the Law Amendments Committee, both on Tuesday afternoon and early on Tuesday evening, but that the Chair of the Committee still would not allow reasonable accommodation at that time.

After 2 pm on Wednesday, I was reached and notified that Terry Farrell, the Chair of the Committee, had reconsidered their decision and that sign language interpretation services would be provided, but that the Committee would only be meeting until 5:00 pm and I would need to be present before the Committee adjourned at 5:00 pm.

On very short notice, I made arrangements to arrive at the Legislature as soon as possible, and was at the Legislature by 4:30pm. However, I was delayed at that time by Legislature's security questioning me about my dog and additionally delayed briefly by the security screening required to enter the Legislature.

Despite these delays, I was in the hearing room by 4:35pm, well before the 4:50 pm deadline that I was given to arrive before the Committee adjourned.

Immediately upon entering, the sign language interpreter provided to me began to translate the proceedings, which I was surprised to find were about me and whether I would be given a right to present to the Committee.

The arguing and debating between MLAs continued for some time, well past their 5:00 pm deadline, and two votes were held in which the Liberal MLA's present voted to not allow me to make a presentation to the Committee, despite having been invited earlier in the afternoon to do so by Committee Chair Terry Farrell. Opposition MLA's, and especially NDP MLA Lenore Zann, argued that I should have a right to communicate with the Committee and be given my allotted few minutes to speak about my concerns about Bill 148, but the Liberals voted to deny me that right. This decision by the Liberal MLAs was a complete outrage and a violation of my basic rights. In the end, the Liberals wasted far more time in arguing about whether or not I would be allowed to present to the Committee than I could have possibly used in presenting to the Committee if I were allowed to do so.

The treatment of me by these Liberal MLA's is clearly discriminatory. I was discriminated against as a deaf person, as a Nova Scotian citizen and taxpayer, and as someone who required very reasonable accommodation in order to address the Committee.

I find my experience in attempting to present to the Committee strongly outrageous and incredibly troubling. No efforts were made to accommodate my need for interpretation services when I first requested to appear on Tuesday, and then very short notice was provided to me on Wednesday afternoon that this reasonable accommodation would be allowed and that I needed to appear before the Committee was scheduled to be finished at 4:50 pm, which I was able to do but was still denied the ability to present. And the Liberals voted twice to exclude me from presenting, taking a half hour to debate and vote again and again to refuse me the ability to address the Committee for less than ten minutes.

The message that this sends is that the Liberals have no respect for the deaf or the disability community in general. It was disrespectful and discriminatory. I was singled out as someone specifically not allowed to present, despite repeated attempts since Tuesday afternoon to be added to the list and to have reasonable accommodation provided.

This treatment compounds my concern about Bill 148.

I find it completely wrong to have this government bring Bill 148 into law without allowing Collective Bargaining processes to fully play out.

In the case of my union, NSGEU, there is a tentative agreement which was reached which we have not yet been able to vote on. To rush this Bill through before we have been able to conduct a



democratic vote, and in a period in which our union has been discussing and explaining the tentative agreement to all of our members, is also incredibly disrespectful, and also unnecessary.

The Premier and this government have not been bargaining in good faith when they negotiate one day towards a tentative agreement and are prepared to impose legislation the next.

Like others, I am opposed to a legislated wage freeze which is far below the rate of inflation, meaning that the buying power of our wages will decline each of the five years that this legislation will be in effect.

Rather than looking for opportunities to increase government revenue through bringing new business to Nova Scotia and increasing the number of jobs in the province, this government has chosen instead to attack public sector workers, our wages and our working conditions.

Bill 148 goes way to far, and way too fast. This government should be working in cooperation with unions in the province, bargain in good faith and do the right thing by conducting bargaining through negotiations, not legislation.

I believe that Bill 148 attacks union members unnecessarily and without cause.

And, in denying me the ability to present to the Law Amendments Committee, the Liberal MLA's on the Committee continued that attack, also unnecessarily and without cause.

I believe that I am owed an apology, both by Law Amendments Committee Chairperson Terry Farrell as well as from Premier Stephen McNeil as the leader of the Liberal caucus which acted in a discriminatory manner towards me as a deaf Nova Scotian.

I was told that I would have an opportunity to speak, with needed sign language interpretation, before the Committee adjourned at 4:50pm, but by 4:35pm the Liberal members of the Committee were already debating and voting on a motion that would shut down the Committee and exclude me from presenting.

I was disrespected, and my time was wasted.

Late last evening, I learned that Premier Stephen McNeil would allow a "special hearing" of the Law Amendments Committee today at 10:00am to allow me to speak to the Committee.

At first, I was pleased at this development. However, the Law Amendments Committee has already reported to the Legislature and completed its work. It is unclear to me what purpose this morning's 10 am "special hearing" would have if the Committee's report is concluded.

Very soon after receiving word that Premier McNeil would allow a 10:00 am "special hearing" at the Committee for me, and that he agrees that I should have been allowed to speak yesterday afternoon, I read several news reports quoting Law Amendments Committee Chair Terry Farrell as saying the reason I was denied the right to speak was because I "didn't follow proper protocol in making arrangements to appear" and that they were prepared to hear from me at 2pm today and that I was late.

These are both false statements.

I followed the only protocol available to be allowed to address the committee: I communicated on Tuesday afternoon that I would like to make a presentation and that I would require sign language interpretation services. These were denied.

Only a fight by opposition MLA's, and especially NDP MLA Lenore Zann, raised this to the level that reasonable accommodation was offered.

I was not invited to speak to the Committee at 2 pm. I was contacted after 2pm and told that Committee Chair Terry Farrell agreed that I could make a presentation if I was in the room prior to the Committee adjourning at 4:50pm.

Despite the short notice, and the need on my part to make arrangements in order to make my way to the Legislature with this little notice, I was more than 15 minutes early before the assigned adjournment time that I was provided.

Given that Liberal MLA and Law Amendments Chair Terry Farrell continues to defend discriminatory and disrespectful behavior by himself and his Liberal colleagues by telling untruths about me and continuing to disrespect me, and given that I still have not received an apology, either from him or from the Premier or any representative of government, I have no faith that the Liberal MLA's on the Committee will listen to any presentation that I might make at 10am.

**Therefore I decline their invitation to present this morning at 10 am.**

When I accepted their prior invitation yesterday, they subsequently and very soon after voted to deny me the right to speak through sign interpretation. This invitation for this morning seems just as hollow, if not more so. I am invited to appear in front of a Committee that has done its work already and reported back.

I will be reviewing options with respect to filing a complaint on this issue with the Nova Scotia Human Rights Commission and/or the Provincial Ombudsperson, and will be seeking legal counsel and legal advice to determine what next steps I may pursue on this blatant discrimination.

I cannot trust the Liberals any further, because they let me down badly yesterday. This behavior is disrespectful, it is discriminatory, and it is a continuation of a culture of bullying that this government has embraced. I believe that the Chair of the Committee should resign as MLAs, as should all Liberal MLA's involved.

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Robert Tupper  
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