

Presentation Regarding Bill 59: Accessibility Act

Submitted by Agnieszka Hayes

Dear Members of the Law Amendments Committee,

I moved to Nova Scotia from out of the province last year. Prior to settling in Nova Scotia, I lived in four other provinces. I have also travelled extensively throughout the country. I can truly say that Nova Scotia is one of the most beautiful places in Canada. However, I am also appalled at the blatant disregard for accessibility that I see in the town of Wolfville, where I live. I have reached out to town council members, who informed me that the provincial government is drafting accessibility legislation. Therefore I am addressing my concerns to you as you evaluate Bill 59. My presentation is based on my experiences in Wolfville, however, I believe that the issues I present apply to other municipalities in the province. My two main concerns are about entrances and washrooms. I believe that these issues not only disregard fundamental human rights, but also are bad for local business. Inaccessible businesses risk diverting money away from themselves by increasing the attractiveness of competitors located elsewhere, and they therefore risk closing. Inaccessible non-profit organizations risk closing by becoming irrelevant when individuals stop using them. A lack of diverse local businesses and non-profit organizations hurts not only their specific communities, but also the province in general.

Entrances

The entrances to many businesses in the town of Wolfville are a major flaw in accessibility. Some of these entrances consist of a high step that is not at sidewalk level. Other entrances consist of stairs. Both types of entrances are inaccessible to anyone who uses wheels for their mobility. This group includes users of wheelchairs, scooters, and walkers, as well as parents and caregivers with strollers. Moreover, there are very few businesses that have either

automatic doors, or wheelchair accessible buttons. Therefore, even if the entrances are level with the sidewalk, the individuals mentioned above sometimes are forced to rely on the help of others in order to open doors. In all these situations, these individuals cannot enter the businesses freely, unlike individuals who do not use wheels for mobility.

Washrooms

Many washrooms that purport to be accessible are, in fact, inaccessible. Although they are large enough to accommodate wheelchairs/scooters/strollers, they do not have wheelchair accessible buttons, which would automatically open the doors. Again, individuals who rely on wheels for mobility may have to rely on other people to access these washrooms, and cannot access them freely.

Examples

I am writing about the town of Wolfville, since I live in this town, and so I will present a few examples of business establishments that are inaccessible in the ways I have described above.

Due to its prevalence, it seems that the high step entrance is a relic from the past, during which it was a common aspect of business design. Both the Rolled Oat Cafe, and its neighbour Slow Dough Pastries & Café, have high steps in their entrances. They are separated by Cinematopia that does not have a high step in its entrance, which suggests that either the landlord or owners of Cinematopia chose to eliminate the high step entrance. The Inquisitive Toy Company/Inquisitive Baby has two entrances. The first entrance has stairs, and the second entrance is a high step that is not in line with the sidewalk. The irony is that although parents and caregivers may purchase strollers in this store, they cannot subsequently enter the store with a stroller. The businesses in the block of Harris Court (112 Front Street) all have high step

entrances to the establishments at ground level. Most businesses do not have a wheelchair accessible button at their entrances. There are many more examples of establishments that have inaccessible entrances.

In terms of washrooms, Cuts Meat Market, the Wolfville Memorial Library, and the Visitor Information Centre all have accessible washrooms that do not have a wheelchair accessible button. This oversight means that individuals who rely on wheels for mobility may be forced to ask for help in order to access these washrooms, or at least have difficulty entering these washrooms. The lack of wheelchair accessible buttons renders these supposedly accessible washrooms inaccessible.

Consequences

It is obvious that accessibility is a fundamental human right. Sadly, some business owners may believe that making their businesses accessible will be too expensive, and are motivated thus to keep their establishments inaccessible. Such business owners are more interested in their bottom line than in human rights. However, these owners should realize that keeping their establishments inaccessible actually hurts their profits.

It is very easy for individuals who rely on wheels for mobility to boycott establishments that have inaccessible entrances, since such establishments have a literal roadblock in their entrances. If individuals cannot enter an establishment, they cannot spend money in it. In other cases, they may choose not to frequent an establishment, since they know they will have difficulty accessing its washroom. These individuals will look elsewhere to satisfy their needs and wants for goods and services.

“Elsewhere” may include businesses in the same town, but they may also include other communities, as well as online. Online shopping is so convenient for many individuals that they

may choose to abandon brick-and-mortar establishments altogether. Online shopping takes money away from local communities. Big box stores that have accessible entrances and washrooms are also more inviting to individuals who rely on wheels for mobility. As such, they provide competition to local businesses that are inaccessible. Shopping online and at big box stores takes customers away from local businesses. If local businesses do not make enough money, they may close.

Therefore, retaining inaccessible entrances and washrooms actually hurts the bottom line of businesses. It also hurts the province, in that businesses that are closed are not paying taxes, and therefore are not contributing to the province's budget. As for non-profit organizations that have inaccessible washrooms, such as the library or tourist information centre, these establishments risk making themselves irrelevant by decreasing the number of individuals who use them.

Affected Population

There may be an erroneous assumption that inaccessible entrances and washrooms affect a smaller amount of people than they actually do. The population affected includes individuals with permanent and temporary disabilities, the elderly, and parents and caregivers who use strollers. This group most likely includes other individuals of whom I am either unaware, or am forgetting. Inaccessible entrances and washrooms are akin to hanging a sign that tells members of the affected population that they are not welcome in these establishments. Affected individuals include residents and tourists. As previously stated, residents will search for other establishments to meet their needs. Tourists will feel unwelcome and will speak negatively of their experience in such an inaccessible town, thereby causing their family and friends to dismiss such a town, and perhaps the whole province, as a tourist destination.

I am presenting this experience of inaccessibility in Wolfville not only because I believe that it violates a fundamental human right, but also because it affects me personally. I am a new parent who suffered a back injury. Therefore, I cannot carry my baby in a baby carrier, but must use a stroller. I boycott Wolfville businesses that have inaccessible entrances. As stated above, I find it easy to do so, since I cannot enter them. I seek out alternatives, which results in my money not reaching these businesses. As for “accessible” washrooms without wheelchair accessible buttons, I use them, but it requires a lot of maneuvering of the stroller while attempting to keep the door open. However, I am not in as bad a position as individuals who must use wheels to be mobile. If I really needed to access a service or good from an establishment, I could not take my baby with me, and step over the high step entrance or stairs to enter an establishment. I have not yet had to do so, since I have been able to seek out alternatives. Individuals who must use wheelchairs or scooters cannot simply leave them behind. They are always barred from inaccessible establishments.

Proposal for Change

I understand that change will not happen immediately, but the new legislation should ensure that change happens over a relatively short period of time. Some ideas to put accessibility at the forefront are:

- New businesses must ensure that they have accessible entrances, and if they have washrooms, the washrooms should be accessible with wheelchair accessible buttons
- Established businesses should be supported in becoming more accessible by provincial grants that would offset some of the costs of renovations to make entrances and washrooms accessible

- Such grants should be widely advertised, so as to make as many business owners as possible aware of them
- Both new and established businesses could receive tax deductions if they make their establishments accessible

Conclusion

Ideally, all people would see accessibility as a fundamental human right. However, concern for the bottom line clouds some people's judgment, and therefore they choose not to stand up for accessibility. Unfortunately, they are short-sighted. They do not see how remaining inaccessible hurts their bottom line by preventing a significant number of individuals from becoming their customers. Non-profit establishments, such as the library and the tourist information centre, run the risk of becoming irrelevant in their communities. Even though they offer valuable services, they turn away potential users through inaccessible spaces. Ultimately, all of these establishments could close, which would impoverish the diversity of the communities they serve, as well as the province and municipalities, to which they pay taxes.

I hope that Bill 59 will address my concerns, and make local establishments more accessible. Thank you for your time and willingness to hear Nova Scotians' concerns.

Kind regards,

Agnieszka Hayes

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