

Kevin Kehoe  
[REDACTED]  
New Glasgow, N.S.  
B2H 3J2

Office of Legislative Counsel  
CIBC Building  
Suite 802  
1809 Barrington Street  
P.O. Box 1116  
Halifax NS B3J 2X1

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Re: Bill 59 Accessibility Act

Hello,

First off, let me say that I'm not exactly clear on the process used to enact this legislation and establish the associated accessibility standards. As a result, I may be submitting these comments to the incorrect forum. If I am out-of-synch with the process, hopefully it's a case of being too early rather than too late with my comments.

I'm not going to comment directly on the draft legislation because there are others better equipped to do that. Instead, I'm going to tell the story of a real person, me, who might be impacted by this legislation. I hope my comments will be given the same consideration as any legal arguments. So, if you'll indulge me...

I have a disability. My disability prevented me from getting my driver's license when I was 16 years old. Some 25 years later, my disability was mitigated to a point where I was medically cleared to drive. At 40+ years old, you're probably thinking I took a couple of hours to run over to the DMV, got my license, and life was good. Well, that didn't quite happen.

What if, instead of having to "get my licence" I had to "become a new driver?" The latter is, I think you'll agree, a much different process. I'm not talking about the classroom course either. I'm referring mainly to the practice hours with a fully-licensed driver.

If I was a 16-year-old today, and about to be a new driver, what would my primary practice resource be? My parents, right? Well, I don't have that, or any alternative resources. If it helps, picture me as a Syrian refugee just off the boat. Obviously this deficit presents a significant life and employment barrier, particularly since I don't have anyone to drag me around. Oh, and there's no mass-transit in this area either.

I have no money and I need to "buy" the resources that will remove this barrier, a barrier that ultimately stems from a disability. However, when I approach any government or quasi-government agency for assistance, the reply is "*we don't do that*," or "*we don't have a program for that*." If I try to take the issue up the chain-of-command, the replies devolve into gibberish, essentially amounting to a thinly veiled "go away."

To be fair, let's see what the government **will** do for me:

- if I had a criminal record they'd be right on top of getting it suspended in order to enhance my employment prospects. I attended a meeting last year and one of the participants asked about this issue - the response from a Community Services representative was "*we can move mountains*" to get that done.
- if I'd previously had my license and lost it permanently, due to motor vehicle infractions, the government has a "*faint hope*" clause that might allow me to get it back. Apparently somebody recognizes the life and employment significance of having a license?
- I can take advantage of a myriad of educational assistance programs out there. There are too many to document, most no doubt costing thousands of dollars per recipient. I mention this in order to establish the amount of money they're generally willing to spend to improve my employability.

That is what the government **will** do for me. Am I the only one that thinks I might get more help if I was a law-breaking citizen?

"Unfortunately" I don't have a criminal record, nor have I lost my license, so let's explore the education option a bit further since everyone thinks that's the answer to my problem. I'm talking about real educational opportunities, spanning at least several months, not 2-day fluff courses like First Aid, WHMIS, etc.

At this point I should mention my existing qualifications, an Electronic Engineering Technology Diploma and an A+ Network Certification. Both of these qualifications lead to jobs that involves fixing electronic stuff, usually computers. That type of work almost always requires a degree of mobility to get to a multitude of worksites, i.e. schools, offices, retail locations, etc.

So, existing skills aside, what if I completed the "perfect" training opportunity, in terms of opening a gateway to an excellent job market? Where would that leave me? I would be more educated, but probably still sitting at home, unable to employ said training. Rather than help me employ what I think are my existing 21st-century skills, the experts want me to come up with a "*new career interest*," which would have to:

- a) coincide with appropriate training available under their programs, and
- b) not run into the mobility issues that I've been speaking about

I wouldn't want to bet on that happening!

What else do the "experts" say?

- The experts say that perhaps I should move. That would be an expensive proposition for me and would only serve to put me in a different place with the same problem. Maybe they just want to get me out of their hair and into somebody else's hair?

- The experts say I should open my own business, presumably home-based. Great idea, from the point of view of literally getting to work, but what happens when I have to visit a lawyer, accountant, bureaucrat, the post office or accomplish any of the endless minutia involved with operating a real business? I have enough trouble maintaining a home, let alone a business. If 80% of small businesses fail anyway, how much worse are my odds?
- The experts want to put me in an "*Older Workers*" program. These programs assume you've worked a single job for many years and need basic skills training rather than new career training. I was referred to one of these programs and the operators determined I was "*overqualified*" for what they were offering. We were able to agree about what I **really** need but, like all the other agencies, it wasn't something that they could provide.
- the experts say they know people who work without having a driver's license. This, in their mind, invalidates the idea that a driver's license might be the solution to my problems. People work without First Aid or WHMIS certifications, but the experts seem to think that sort of thing is the solution to my problem.

As I see it, all these expert ideas about what I should do are just like lipstick on a pig. From a life and employment perspective, how are my needs any different than needing to get a G.E.D., etc. They aren't, but "*there's a program*" for the latter.

The experts seem to want to see a direct relationship between the training and the eventual employment, i.e., welding training for a welding job, or electrician training for an electrician's job. Any concepts that fall outside that paradigm get dismissed out of hand. Driver training apparently leads to....nowhere, if you follow their logic. In reality, how many jobs are out there where the **only** required "skill" is the ability to operate a motor vehicle? All you have to do is think about people who deliver...well...anything, really!

The experts seem to want instant results too, and can't picture waiting 9 months to get the N off my license so I can drive alone for employment purposes. Or they worry about me being unable to afford a car, insurance, etc, essentially invalidating my license and the money **they** spent to get it. That could be an issue, but you have to start somewhere, and coming at it from the opposite direction makes no sense.

Practicalities aside, a driver's license make you look normal, stable, or dependable to an employer. Is it fair to make the opposite conclusion in the case of a non-driver? No, but fairness and the real world don't always coincide. It's almost impossible to hide the fact that you don't have a driver's license. It's often exposed when you have to work out the logistics of getting to a job interview, so you're in a hole with the employer right off the bat. Of course the employer wants to know why you don't have a license but he can't ask and probably assumes the worst - a medical issue or motor vehicle infractions, neither of which make you look like a good prospect. Even having a license and no car presents a better image to the employer.

Yes, what I need is more expensive than a First Aid or WHMIS course, but a lot less expensive, I think, than a year or more of conventional job training. Unfortunately, no one can see the logic of repurposing a small amount of the money they'd otherwise use to send me to that conventional job training. My needs would require "*new funding*" and a "*new program*." When you add government overhead, it becomes the Bluenose refit of job creation ideas and quickly gets the spike.

Employment Support Services (ESS) describes what they do as a "*client-driven process*" but it's hard to drive...no pun intended...when they're holding the wheel. Of course we can't simply agree that they can't (or won't?) help me, although I think my ESS caseworker secretly does agree with that conclusion. Unfortunately he can't outright say so and continue to advance the officially prescribed agenda with a straight face. He describes his position on the office totem pole as "*under the desk*."

Imagine if you can't sleep because your bed is broken, so you go to the furniture store to get a new one. When you get there, the salesman tries to sell you a dining room table. Complaining to management doesn't help, so you just shake your head and walk out. This is the type of pitch that I'm getting but I can't afford to walk out.

The only other support I get from ESS is an order to "*look for work*," although they would no doubt disagree with that evaluation. They operate on a "pound the pavement" model of looking for work, where your effort is judged by the number of resumes handed out, in other words, a quota. Unfortunately, when you have a problem like I do, significantly shrinking an already bad job market, the quota doesn't shrink. I could spam out applications to be a doctor, C.E.O., or cab driver to satisfy the quota but that would just be a waste of everybody's time.

It's no longer a world where you hand out applications door-to-door, get a job sweeping floors, and work your way up to C.E.O. Today, that C.E.O. who started out sweeping floors wants you to have 5 years experience sweeping floors before you get in the door. I have the experience required to **do** the work that's out there - I just can't **get** to the work.

Nobody wants to think outside the box and invent a solution for a different problem. They want to reinvent my problem so that it becomes one that has a solution within the system. I describe it as "finding clients for their solutions." Shouldn't they instead be finding solutions for their clients?

My problem will not be solved by all the building code updates or inspections in the world. The solution will not require millions of dollars to retrofit buildings, rebuild sidewalks, etc. Yes, it's ultimately a question of money, but not that much money.

My problem lies squarely between the ears, and I don't mean my ears. Back in the day we would have said that somebody needed a "tuning up." I believe Bill 59 calls it an "attitudinal barrier," and that barrier is firmly in place within government and its tentacle organizations. Can common sense be legislated? Can the government police itself?

I realize the government can't be everything to everybody, and I'm not asking for anyone to send me to medical or law school. I am, however, looking to knock down a **disability-related employment and life barrier** and allow access to more opportunities than any other single career training option.

Has anyone seen that TV commercial where the guy is talking about quitting smoking, and the camera pans around to reveal that he's talking to the dog? When I talk to anyone about this issue, I feel like I'm in that commercial. I'm just not sure which one of us is the dog.

So, does all this add up to me being discriminated against under any current legislation? If not, will it become discrimination if Bill 59 and its subsequent accessibility standards are enacted? I'm sure that will be up to the lawyers to answer.

Your presentation indicates that it is anywhere from a 2-year to a 20-year process to put teeth (standards) into this legislation. If that's the case, then Bill 59 will not likely help me any time soon, yet I feel the need to make my voice heard.

I hope you will consider my comments as you finalize this legislation and implement the associated accessibility standards.

Thank you,



Kevin Kehoe

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