

**SUMMARY OF DISCUSSIONS
INFORMATION AND COMMUNICATION
STANDARD DEVELOPMENT COMMITTEE
1:00 P.M. – 4:00 P.M., WEDNESDAY, NOVEMBER 1, 2017
2ND FLOOR EXECUTIVE BOARDROOM
NORQUAY BUILDING, 401 YORK AVENUE**

Present: Lisa Snider (Chairperson), Tanis Woodland, Doris Koop, Jim Hounslow, Carol Bartmanovich, Patrick Falconer (Barrier-Free Manitoba), Katrine Dilay (Public Interest Law Centre). Andrew Buck (Pitblado Law), Kathleen McCandless (Pitblado Law), John Wyndels (DIO)

Regrets: Jeff Buhse. Paul Knapp, Chris Bohemier, Allen Mankewich

For every accessibility standard developed under the AMA, Barrier-Free Manitoba (BFM) has asked experts to perform a jurisdictional scan of guidelines and best practices elsewhere. This is prepared for BFM on pro bono basis. The two authors of the Information and Communications report are from Pitblado Law, Andrew Buck and Kathleen McCandless. They were assisted by Katrine Dilay of the Public Interest Law Centre. The two authors led us through their report and what they found.

In order to cover the entire document, the presentation was high level, looking at the broader aspects of an information and communications (IC) standard. One of key concepts to consider, which the committee has discussed on numerous occasions, is whether the standard be prescriptive or aspirational. If the standard is too aspirational it doesn't provide enough guidance for people that want to comply with the standard. When the IC standard is too prescriptive, there is the danger of it being frozen in time.

Here in a bullet point form are some of the issues presented and discussed.

- They stressed proactive more than reactive.
- The AMA was covered in the report (to date), along with its definition of disability.
- They stressed that specific criteria versus broad was a potential issue, and how to bridge the two objectives.
- They stressed accessible formats and communication supports.
- The report mentioned kiosks in the AODA and how there wasn't a lot of detail around them.
- The government always went first in the AODA and smaller entities could be less slow to innovate.
- The AODA was not detailed in terms of outcomes.
- NS Act Advisory Panel recommendations are aspirational (Standards don't exist yet).
- EU Mandate 376 was discussed, and it is at a granular level.
- One Committee member noted that it was being revised very soon.

- Section 508 IN THE United States was noted in terms of legacy materials being exempted.
- The ADA was referenced, in terms of the undue burden exemption.
- WCAG was discussed in terms of it changing soon and how the legislation may deal with changes in standards.
- One Committee member agreed and also noted that WCAG in particular was lacking for cognitive disabilities, and even with the 2.1 update coming out, it may still lack in areas for accessibility, especially in the areas of learning, cognitive and neurological disabilities.
- One Committee member had concerns with the report mixing legislation, in terms of most of the legislation referenced only focusing on government. This legislation is very different than legislation that applies to government and private entities. The government legislation tends to be more detailed and prescriptive because of the narrow scope of it, and this is may not work when it applies to 'everyone' and not just one specific sector. As well, this Standard works with both analog and digital, and much of the legislation worldwide only deals with digital (such as technology specific) or analog.
- One Committee member had concerns that this mix of legislation, and the stressing of definitions of disability may lead to expectations from the public that may not be realistic, in terms of the scope of the Committee.
- One Committee member talked about guides versus legislation.
- One Committee member noted that many of the legislative items in the report are undergoing review, and that the Federal Accessibility Act will also include ICT procurement (expected Spring 2018).
- The BFM said that this would be sent to their members, and then a discussion on expectations ensued.
- BFM discussed their frustrations with the 13 page Employment Standard given to the public to review.
- One Committee member talked about how this Standard is different as future proofing was minimal in other Standards (to some extent), and that this Standard works with the physical as well as the digital.
- A discussion was had on this Standard being unique, in terms of the pace of technology.
- One Committee member talked about the range of technology, such as AI, VR, 360 degree video, etc. and how accessibility is still problematic even in the physical environment.

With only four members of the committee present after the presentation, it was decided to adjourn the meeting early rather than return to the side-by-side.

After it was indicated by the four members present that they were available Wednesday, November 15, it was agreed a email would be forwarded to other committee members to determine their availability.