



WAVLI PRESENTS:

Ensuring Your Workplace, Service or Event is Accessible to Deaf Individuals

ABSTRACT

This documents will help to define what the term “Deaf Community” means, what interpreting services are, and why providing communication that is accessible via sign language is an integral part of ensuring accessibility for Deaf and Hard of Hearing individuals. There are also resources for finding appropriate services and avenue for obtaining sign language interpreters services.

Adopted by the WAVLI Board June 2016



Ensuring Your Workplace, Service or Event is Accessible to Deaf Individuals

Why Accessibility Matters

Being able to access life events such as doctors' appointments, bank loan applications, job interviews, reporting of a crime to the police, theatrical performances, public events, or simply ordering a meal through a drive-thru restaurant, is something many of us take for granted.

For people who are Deaf, hard of hearing or Deaf-blind, this kind of participation is not an automatic occurrence. Because the primary language of Deaf Canadians is American Sign Language (ASL)¹, it cannot be presumed that effective communication can occur in written English or by speech reading, between a Deaf person whose first language is ASL and a non-signing person.

The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) provides a definition of communication that includes not only spoken languages but signed as well (2006a). The UNCRPD also describes the right of "people to enjoy all the human rights and fundamental freedoms equally" (2006b), and refers to the importance of people's access to information and communication, health and education, and to physical, social, economic and cultural environments.

Communication is the key to fully participating in life, contributing and thriving in the communities we live in. Communication access is a fundamental human right and ensures equal participation for Deaf individuals, the same as everyone else.

Who does the Deaf population include?

- Approximately 8 000 British Columbians with mild to severe hearing loss
- American Sign Language (ASL) users, the primary language of most Deaf Canadians
- Members of a cultural linguistic minority group

¹ The Canadian Association of the Deaf notes: "sign languages have been recognized internationally as legitimate languages with their own grammar, syntax, and vocabulary" and that "a number of Canadian provinces have formally recognized Sign as the language of Deaf people and/or as a language of instruction in the Deaf schools."

Accommodations and Access Rights

The Canadian Charter of Rights and Freedoms, the BC Human Rights Code, the UN Convention of the Rights of Persons with Disabilities all support equal access to persons with disabilities.

Canadian Charter of Rights and Freedom

The Charter is a bill of rights entrenched in the Constitution of Canada. The Charter protects the political and civil rights of all Canadians and supersedes all provincial human rights codes. The Charter is explicit in its provision for sign language interpreting services during any proceeding in which Deaf Canadians are involved (see Sections 14 and 15.1).

BC Human Rights Code

The BC Human Rights Code protects BC citizens from discrimination based on characteristics such as race, ancestry, family status, disability, etc.

The BC Human Rights Code is clear that those who provide services to the public have a 'duty to accommodate'. The BC Human Rights Code could be the first step for a complaint against an agency unwilling to provide reasonable accommodations. The purposes of this Code are as follows: (a) to foster a society in British Columbia in which there are no impediments to full and free participation in the economic, social, political and cultural life of British Columbia; (b) to promote a climate of understanding and mutual respect where all are equal in dignity and rights; (c) to prevent discrimination prohibited by this Code; (d) to identify and eliminate persistent patterns of inequality associated with discrimination prohibited by this Code; (e) to provide a means of redress for those persons who are discriminated against contrary to this Code.

United Nations Convention on the Rights of Persons with Disabilities

Accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions [article 21(b)].

Canadian Human Rights Act

This Act extends the laws of Canada to uphold the principle that "all individuals should have an opportunity equal with other individuals to make for themselves the lives that they are able and wish to have and to have their needs accommodated...without being hindered in or prevented from doing so by discriminatory practices based on ...disability."

Providing Access at Workplaces, Public Venues and Events

In keeping with legislation, the provision of qualified sign language interpretation is one measure to removing barriers to information and communication, health and education, and to physical, social, economic and cultural environments, by enabling access that is equal to that of people who can hear.

Enabling equal access to a Deaf person's workplace and/ or environments open to the public is the responsibility of the employer and/or facility involved. Places of public access must give persons with disabilities an equal opportunity to participate in and to benefit from their services. They cannot provide unequal or separate benefits to persons with disabilities.

In 1997, access to services for Deaf, hard of hearing and Deaf-Blind people in BC was significantly impacted by a Supreme Court of Canada decision that ruled "failure to provide sign language interpreters – who are, in fact, necessary for effective communication for the procurement of medical services – is a violation of equality rights under s. 15(1) of the Charter" (Tate, 2001).

Although this finding was specific to the provision of interpreters in medical settings, it has implications for all services to which every individual in society is entitled to, including Deaf persons. In regards to accessibility, The UN Convention Article 9 also states that member countries are obligated to provide sign language interpreters in public buildings and facilities. Thus, communication access may require re-booking of an appointment to secure interpreting services in order to provide the equal participation of all parties.

If you provide services to the public, you should be prepared to make your services or events accessible to the deaf community.

The most commonly requested accommodation for deaf persons using ASL is an ASL-English Interpreter. Because of their protected title status in British Columbia, ASL-English Interpreters must be members of the Westcoast Association of Visual Language Interpreters (WAVLI), ensuring that interpreters have graduated from an interpreter education program and adhere to a code of ethics.

There are a variety of other accommodations that can be made for accessible events/workplaces, however, for the purposes of this paper, we will focus on ASL-English interpretation services.

There are several considerations that will be necessary to ensure "effective communication" with an individual who is deaf, hard of hearing or deaf-blind. For example, in addition to booking a qualified interpreter or a team of interpreters, it may be necessary to change seating arrangements or lighting so that there is a clear line of sight to the interpreter and the speaker, and also to ensure that the interpreter is clearly visible (see Appendix B).

There may be a need to hire additional service providers, such as a deaf-blind intervener to work with the interpreting team, in order to provide access for deaf-blind participants. Policies and practices may have to be altered in order to provide communication access; such as the case where businesses that normally would not permit a customer to bring a pet on the premises must change their policies and practices to give access to a person with a service animal.

Interpreters in BC and Booking Interpretation Services

Depending on the nature of your event, ASL-English Interpreters should be booked as far in advance as possible.

- Registered Sign Language Interpreters accurately relay messages from one language and cultural context to another language and cultural context. An interpreter's goal is to make this transition without altering meaning.
- Registered Sign Language Interpreters in BC are bound by the Code of Ethics and Guidelines for Professional Conduct of their professional association, the Westcoast Association of Visual Language Interpreters (WAVLI).
- A team of two or three interpreters may be required depending on the context, length of appointment, complexity of content, needs of participants, etc.
- Sometimes interpreters work with an ASL language specialist who is Deaf (i.e., a Deaf interpreter) to provide additional communication support (e.g., Deaf immigrants, young children, etc.)
- Providing agendas, scripts, and any technical information for the event, in advance of the event, is necessary for the interpreter to adequately prepare and understand the content and context of the information, in order to relay your information accurately
- If you have a theatrical performance the interpreters may need additional time in advance to prepare for the event, rehearse songs, meet with actors and director, attend tech rehearsal for setting placement and lighting.
- Interpretation services can sometimes be arranged, if necessary, through a process using technology such as video relay; however, is not a standardized or commonplace protocol to date. Inquiry with individual service providers is recommended.
- Depending on level of skill, fees for interpreting services vary from practitioner to practitioner.

- There is an industry standard of 48 hour notice of cancellation otherwise services are expected to be paid in full.
- Due to occupational health and safety guidelines, interpreters usually will not work for longer than 90 minutes without a second team interpreter. Some events may require three interpreters.
- Each event would have to be assessed separately for communication access. This assessment could involve the interpreter or interpreting agency consulting on how many interpreters are required to provide successful communication services.
- The cost of interpreters may entitle a business to an income tax credit, as well as the usual business-related expense deduction. Businesses should consult their tax or financial advisors on this issue.

Additional Useful Resources

There is a list of Registered ASL-English Interpreters who are qualified to work in BC available at www.wavli.com/directory. Listed at the end of this document are some referral service agencies available in the province of BC.

The Provincial Deaf and Hard of Hearing Services is a great local resource for further information (see Appendix A) and can advise on accessibility issues around the province.

A great online resource that further explains important information about interpreters is found at: <http://www.deafnix.com/Interpreting/consumers.html>

Who pays for these services?

See Appendix C.

Summary

Access to information, programs and services is a human right that extends to persons who are Deaf through interpretation services, video captioning and other technical and non-technical means. Finding and providing a qualified interpreter is the responsibility of the employer and/or organizer of any service, program, facility or event that is intended for the public. Consulting with Deaf participants can help to facilitate the process of locating the preferred interpreting services and resources and/or resources known to them. Interpretation services are a way of bridging the communication gaps between people who can hear, and those who are Deaf. Interpreters serve both parties, provide them with equal access into one another's worlds, to be able to understand each other's needs, expectations, in order to participate in meaningful and inclusive exchanges.

Resources

Canadian Association of the Deaf. (2015). Issues and positions, language.
Retrieved from <http://www.cad.ca/language.php>,

Tate, K. (2001). Disability and health care: The Eldridge case. The Decision of the Supreme Court of Canada.

United Nations Convention on the Rights of Persons with Disabilities. (2006a). Article 2 – Definitions. Retrieved from <http://www.un.org/disabilities/default.asp?navid=15&pid=150>

United Nations Convention on the Rights of Persons with Disabilities. (2006b). Preamble, v. Retrieved from <http://www.un.org/disabilities/default.asp?navid=15&pid=150>

Canadian Human Rights Act (R.S.C., 1985, c. H-6)

APPENDICES

Appendix A

References

Information included in this document was compiled from a variety of sources, listed in the Resources on page 6. WAVLI would also like to extend thanks to members of the Deaf and interpreting communities in British Columbia for working collaboratively in the writing of this guideline.

Provincial Association of Sign Language Interpreters:

- Westcoast Association for Visual Language Interpreters
www.wavli.com

The National Association of Sign Language Interpreters:

- Association of Visual Language Interpreters of Canada
www.avlic.ca

Deaf organizations:

- Canadian Association for the Deaf
www.cad.ca
- Deaf B.C. (information on events)
www.deafbc.ca
- Canadian Cultural Society for the Deaf
www.deafculturecentre.ca
- World Federation of the Deaf
<http://www.wfdeaf.org/>

Resources for Information:

- Family Network for Deaf Children
www.fndc.ca
- Provincial Services for the Deaf and Hard of Hearing <http://www.mcf.gov.bc.ca/psdhh/>

Sign Language Interpreting Agencies:

- Preferred Interpreters Inc.
preferred.interpreters@gmail.com
- Still Interpreting Inc.
(604) 433-6359
stilterp@shaw.ca
- Western Institute for the Deaf and Hard of Hearing
<http://www.widhh.com>
- ASL Interpreting
asl.interpreting@telus.net

Appendix B

So how can you best make your service or event accessible?

Please visit www.ryerson.ca for a resource guide that was produced with The Accessibility for Ontarians with Disabilities Act, titled, “Guide to Accessible Events”

You can find this document at:

http://www.ryerson.ca/content/dam/accessibility/resources/guide_to_accessible_events.pdf

Definitions:

Duty to accommodate: <http://www.chrc-ccdp.ca/eng/content/what-duty-accommodate-and-how-can-it-help-me>.

Undue hardship: <http://www.chrc-ccdp.ca/eng/content/duty-accommodate>

Appendix C

Interpreting Services in British Columbia: Who Provides What

Service Requiring Interpretation	Funding Provided By:	Contact
Medical appointment covered by Medical Services Plan (e.g., family doctor appointment)	Ministry of Health Medical Services Plan	Medical Interpreting Services 604.736.7039 voice mis@widhh.com
Medical appointment <i>not</i> covered by Medical Services Plan (e.g., dentist appointment)	Health care provider	health care provider
Government appointment (e.g., Employment Centre)	government	local government office
Crown agency (e.g., court)	government	local crown office

<p>Interpreting require fee-for-service</p>	<p>No funding available – obligated to provide service unless can indicate it will cause an undue financial hardship</p>	<p>ASL Interpreting 604.817.2754 Asl.interpreting@telus.net</p> <p>Island Deaf and Hard of Hearing Centre - Nanaimo 250.753.0999 nanaimo@idhhc.com</p> <p>Island Deaf and Hard of Hearing Centre - Victoria 250.592.8144 victoria@idhhc.com</p> <p>Preferred Interpreters (PI Signs) 778.588.1870 bookinterpreteronline.com preferred.interpreters@gmail.com</p> <p>Still Interpreting, Inc. 604.433.6359 stilterp@shaw.ca</p> <p>WIDHH – Community Interpreting Services 604.736.7391 voice cis@widhh.com</p>
<p>Police (e.g., witness interview)</p>	<p>police departments</p>	<p>police personnel contact Community Interpreting Services through the Western Institute for the Deaf and Hard of Hearing (WIDHH)</p> <p>604.736.7391 voice cis@widhh.com</p>

Vancouver residents only – low income	City of Vancouver grant	Community Interpreting Services through WIDHH 604.736.7391 voice cis@widhh.com
Translation of written English documents	WIDHH	Drop-in at Community Interpreting Services - WIDHH 604.736.7391 voice cis@widhh.com
Telephone calls	WIDHH	Drop-in at Community Interpreting Services - WIDHH 604.736.7391 voice cis@widhh.com
Any office or service receiving government funding (e.g., woman's shelter, etc.)	Government	service office
Recreation, family, or other non-professional, non-government supported activity	PI Signs - LIMITED annual budget; contact for more information	PI Signs 778.588.1870 bookinterpreteronline.com preferred.interpreters@gmail.com
Job interviews, training, etc.	WIDHH	WIDHH 604.736.7391 voice cis@widhh.com

Student volunteer interpreters from the Douglas College Program of Sign Language Interpretation *may* be able to provide service if funding from no other source is available. Contact the program at intr@douglascollege.ca