

# AT Banter Podcast Episode 320 - Trish Kelly & Untapped Acces...

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## SUMMARY KEYWORDS

accessibility, disability, people, organizations, bc, legislation, business, gpt, talking, community, accessible, trish, point, exclude, public sector, enforcement, understand, canada, fines, standards

## SPEAKERS

Rob Mineault, Lis Malone, Trish Kelly, Ryan Fleury

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**R** Rob Mineault 00:52  
Hey and welcome to another episode of AT Banter.

**L** Lis Malone 00:59  
Banter, banter.

**R** Rob Mineault 01:01  
Oh, wow, looking Lis, stepping in.

**R** Ryan Fleury 01:03  
I know. Wow.

**R** Rob Mineault 01:06  
Very good. No Steve. Anyways, this is of course the podcast where we talk with advocates and members of the disability community to educate and inspire better conversation about disability. Hey, my name is Rob Mineault. Joining me today. Mr. Cowbell himself, Mr. Ryan Fleury.

**R** Ryan Fleury 01:29  
Hello everyone.

R Rob Mineault 01:31  
And also joining us is Lis Malone.

L Lis Malone 01:36  
The one without the dangling parts

R Ryan Fleury 01:41  
Dangling participles.

R Rob Mineault 01:43  
Wow, nice. You are Mr. Literary, throwing out adverbs and adjectives. participles, what's going on? You taking some English classes and night class or something?

R Ryan Fleury 02:00  
Yeah, no, I don't have time for that. Yeah.


R Rob Mineault 02:03  
I hear that.


L Lis Malone 02:05  
Next week, we'll be diagramming sentences.


R Rob Mineault 02:08  
See, there you go. True. How did you know about next week show?


L Lis Malone 02:14  
You know, I have this thing was this calendar. Show planner.


R Ryan Fleury 02:21


 Ryan Fleury 02:21  
We have breaking news. I've just been informed that Steve will not be joining us today.


 Rob Mineault 02:25  
Oh, okay. Well, so I guess we'll have to address the elephant in the room that Steve Barclay will not be joining us today.


 Ryan Fleury 02:33  
So didn't I just do that?


 Lis Malone 02:38  
he just broke your breaking news.


 Ryan Fleury 02:40  
Yeah, he broke the broken news.

 Rob Mineault 02:43  
It's a double, that's a double positive. Is that a negative? I don't even know. What are we just done? Anyways, how are you guys today?

 Lis Malone 02:54  
Good. Thank you. How are you Rob?

 Rob Mineault 02:58  
I'm good also.

 Lis Malone 03:00  
I know because you always ask us how are you guys doing? And I just thought we never ask how are you Rob?

 Rob Mineault 03:06  
Well, you know what? That is actually very nice of you, Lis, I do appreciate that. Although I was

I was just about to criticize you for just coming up with good because that's my big complaints. Whenever I asked you guys, I always get a big deadspace or a "duddy" from Steve and that's it.

R

Ryan Fleury 03:24

And yet you still ask it week after week after week.

R

Rob Mineault 03:27

Listen, I figured like do some show prep do something. Get out there, have a story, what annoyed you today anything? Don't make me replace you guys with chat GPT.

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Ryan Fleury 03:45

We should do a show with just chat GPT

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Rob Mineault 03:49

Actually, that's not a bad idea. We can just ask it questions. What does bother me about the whole AI thing is what they're using it to replace. It's really stupid to me that you know we go after art and writing first with with AI. Like why don't we let's replace something that needs replacing like, I don't know, politicians? Shows like The Terminator and stuff, like we're supposed to be really afraid of AI. Listen, bring on President GPT, that's what I say. You know, that that would fix climate change, poverty, social injustice in fix it overnight. But no, we go after art and writing. That's fun. We like doing that stuff. Why will we make AI that could that could replace that doing that we that's something that we enjoy doing? It's ridiculous. And send all your comments to [cowbell@atbanter.com](mailto:cowbell@atbanter.com). Am I wrong? No.

R

Ryan Fleury 05:09

We'll see what the audience has to say about that.

R

Rob Mineault 05:11

Well, there you go. We will get a scathing, scathing email from Chat GPT. OK, enough silliness. Hey, Ryan.

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Ryan Fleury 05:24

Yeah, Rob.



R

Rob Mineault 05:26

What the heck are we doing today?

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Ryan Fleury 05:28

Today we are speaking with the managing director of an organization right here in our own backyard in British Columbia, Canada. We're talking to Trish Kelly from Untapped Accessibility. Welcome, Trish.

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Trish Kelly 05:43

Hi.

R

Ryan Fleury 05:44

Thanks for joining us.

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Trish Kelly 05:45

I'm glad I could too. What a what a way to end my day.

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Ryan Fleury 05:49

Yeah, sorry. We should come with a disclaimer at the beginning of the show. We're sorry,

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Rob Mineault 06:05

Listen, we are actually really, really happy that you've joined us. We are excited to talk to you. We love talking about accessibility around here, and especially with people who are sort of actively working in that space right now. Because I feel like it is a bit of an exciting space that we're seeing some movement in finally, given that, you know, we have legislation and stuff coming down the down the road. But before we get to all that maybe we could just start and maybe you could just give us a little bit of a background on yourself and a background on a little bit of of your advocacy work in the past.

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Trish Kelly 06:42

Just to start with my introduction. I work in a lot of EDI spaces. And so I'm definitely going to start with sharing my pronouns are she/her. I'm logging in today from downtown Squamish, which is where I live. And it's the unceded territory of the Squamish nation. And, and I also wanted to share that I have been working in the field of accessibility for several years. I don't myself identify at this point in my life as a person with a disability, although I have health

conditions that may move me into that area in the future. But most of them aren't terribly stigmatized at this point. So my real draw to this work is that I was raised by my single mom who had several disabilities, and including she lost her hearing in her 40s. And as a teenager, I was helping her navigate the medical system and trying to get back to work and dealing with insurance companies. And she never made it back into the workforce. And things have changed. That was quite a while ago, about 15 years ago, technology has changed to some degree, the attitudinal barriers that she experienced may have shifted a bit. But I do this work in part to honor her memory as as the person that, you know, really witnessed what she was going through as a as a, you know, indigenous woman in her 40s trying to get back to work with multiple barriers. And, yeah, so that's part of the reason I do the work. And when I think I saw a friend of mine did a post on LinkedIn the other day and said, "What do you want to be remembered for in your life", and I think I want to be the person that my mom would have been if she had my her heart and my privileges as a person with generally pretty good health and, and a lot of comfort in my life. So that's a little bit about me. My work with I think all of my social activism work going back to my early punk rock days as a Riot Girl through to my work with food security initiatives, and and then moving into the area of disability inclusion. A lot of it does go back to my mom, like she really is an inspiration for me and for my own lived experience, too. So I, I feel very strongly that the it's part of admission on this planet for me to try to make it a better place than I found it in. And that's very challenging. But that's the kind of keener I am. So. Yeah, so this this work feels like really important stuff. And I think as you said, In the beginning, it feels like things are really starting to starting to shift. There's some real opportunities, and I just feel like 2023 could really be the year of accessibility and especially in BC.

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Rob Mineault 09:48

Could you tell us a little bit about Untapped Accessibility and just sort of its origins and how you got involved?

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Trish Kelly 09:54

Yeah, sure. So it's, it's a baby organization. So Untapped Accessibility launched in November of 2022, so it's only a couple months old. It's a social enterprise that was launched by Open Door Group. Some folks in your audience might know Open Door group as one of the disability serving organizations in BC. So they run work BC Centers and the Opportunities Fund for persons with disabilities, as well as quite a few mental health support programs for people that are either looking for work or maybe are not going to be looking for work but need community connection. So it was their entrepreneurial spirit to kind of give the green light for us to start a consulting agency that would help organizations that are now looking at it, you know, for many of them a September deadline to comply with the Accessible BC regulations. So we are a social enterprise and owned by a nonprofit. And the goal is to actually make money at this and the money, that profit that we make, would go back into their nonprofit programs. And also, we have set a target to have at least 50% of the hours completed in the agency, be completed by people who self identify as having a disability. So I'm the managing director, and I have a co lead on the project, Steven O'Keefe, who is our principal consultant. So we're the two staff positions right now. And then we have a roster of associates. People who have different types of accessibility knowledge. So we have folks that have a communications background, or an educational background, people that have employment specific knowledge about supporting

employees with disabilities and autism in the workplace. And at this point, those folks are working with us as our lead contractors, basically. But our hope is that we're going to get enough clients in the door for this for Untapped Accessibility, that we're going to be able to offer permanent employment with benefits and a pension to those that want it. So recognizing not everybody is looking for a full time job, but to be able to build the organization enough that we can afford to do that is the goal. So, so we yeah, we started in November. And we've had, I think, six clients so far. And it's been really interesting, because one of those clients is an organization that actually has to do this work based on the legislation. They've got a September deadline of this year. But all the others are not there organizations, either nonprofits or small businesses or other organizations that have decided that accessibility is something that aligns with their values, with other work that they're doing around equity, diversity, inclusion, or they have other internal goals that mean this, it's time to do this work. So that's super exciting. That, you know, we hope we hope more of those big organizations need help, too. But it's great to see that this is just what's coming about in terms of where organizations want to focus their their energy, it's really, it's really helpful to see that.

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Rob Mineault 13:11

Yeah, that is really interesting. And that was actually one of my questions, too, because I was kind of curious about what the accessibility trends are right now. In terms of like, are you seeing a lot of businesses sort of taking this on because of the legislation? Or are you seeing them taking it on for other reasons? So it sounds like it's a little bit of a mixed bag.

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Trish Kelly 13:36

Yeah, like, I started working on this concept of something like Untapped Accessibility, February of last year, just knowing that the legislation was coming, I thought, wow, there's going to be a lot of organizations that just don't understand enough about what accessibility means. Or don't have the internal competency. And I bet you, you know, dollars to doughnuts, they're gonna put this on their HR team or their EDI lead and think that they're, you know, that accessibility means disability employment, and they're gonna miss out on all of the other aspects of what goes into the legislation or addressing accessibility in your in your organization overall. So I think that I think that what are some of the trends I'm seeing in the response so far is that there's not a lot of under awareness around the legislation. And in terms of some organizations that I've talked to think it's a lot more detailed than it is and they really do think it's about getting their employment practices to be more inclusive of people with disabilities, but they're not understanding that the bread's of it. Or they just don't know about it at all. So we're actually running a webinar on January 26. That is about trends and accessibility, and covering the legislation and other areas as well because I think there just needs to be more awareness, I think there's going to be quite a few organizations that will be pretty surprised by what they hear and immediately panicked about the deadline coming up in September for many of them. It's kind of like split, September 2023, or 2024, depending on their sub sector. But yeah, I think there's going to be quite a few organizations that are surprised by that. But it is so exciting as an advocate to be able to say to any organization, hey, you better get working on this. Because, you know, first it's the public sector, but we can expect it's going to roll out to every part of BC society. So private sector will be touched by this, you know, eventually anyway, so

why don't we get started now and align it with the values of your organization and what you're already doing, so that you're not at the mercy of whatever government tells you to do two years from now.

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Rob Mineault 15:51

We've been saying this for as long as we've we've had the podcast, that the term accessibility, it can be such a both intimidating and nebulous term, especially to business owners who don't really understand it. So how do you when you when you either have a business come to you and ask you about it? How do you kind of break it down for them in a sense of like, do you kind of have like a one minute accessibility elevator pitch that you can give them to sort of break it down really easily or for them, at least initially? How do you sort of approach that?

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Trish Kelly 16:31

Well, I think a lot of the organizations that I've worked with have some understanding of the employment side, because probably because of the work I've done before, before, I was an independent consultant, I worked at the President's Group. So I was working with business leaders that had committed to improving their employment practices for people with disabilities. So I feel like there is some degree of awareness of the employment side in BC. And so thinking about often often what I see are their HR people, if we have a webinar, or having conversation, that's probably getting delegated to HR. And so one of the key things I like to explain about accessibility is that I kind of line it up with a more plain language approach to explaining the difference between a social model and a medical model of disability. And so I say like, in the past, there was definitely a focus in organizations on the idea that a disability was a problem for an individual and that you were either supporting them with accommodations, or telling them to go get themselves fixed in some way, or was that still that individual's responsibility to deal with it. But accessibility for organizations is an opportunity to recognize that it's not the person's individual condition that is disabling it's the processes, attitudes, the policies, and the physical infrastructure of the organization itself that gets in the way. And the good news of that is that a lot of that is in the control of the organization I'm talking to, they have a lot of room to remove the barriers, because they're the ones that write the policies, they design their buildings, they decide who gets an interview, and all those kinds of pieces. So accessibility is the work that we do to remove the barriers that are in the control of the organization or the institution or the system.

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Rob Mineault 18:30

You know, I also think that a lot of a lot of companies will sort of look at the surface of something like accessibility and go, okay, well, we need, you know, we need to get them screen reader, we need to get them whatever, you know, a larger monitor with, with screen magnification software for this for this employee or that employee. But it does really go farther than that, because the barriers that we're talking about, they can very well be attitudinal barriers, you know, among the staff, or even even among policies within that company. Are companies sort of slower to sort of adapt those than they are in terms of like just buying equipment?



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Trish Kelly 19:10

Well, I think that's why I'm excited about the the way that the BC Accessibility regulations for the public sector have been laid out is because they, it's not going to work if they keep it just in HR. And I think HR is the department in a large organization that has that experience with dealing with accommodation, or back to work programs and those kinds of pieces, like the more medicalized and individualized approach to looking at disability in their organization. But if they give it to HR and HR is told to just go away and do it, they won't, they won't be successful, they won't actually deliver on the requirements for the legislation. So it's this really great opportunity to say, let's talk about the kinds of barriers that might be encountered by you know, we're not just talking about your employees, I think that's another key aspect of what they need to understand that we're talking about how they deliver service, how they develop products, all these customer or public facing pieces to their business as well. And that means that we need the head of it to be understanding what is going on and what accessibility is we need whoever's in charge of facilities, we need all these departments, these operational departments and comms that are outside of HR to be part of a team that will make sure that the accessibility overall is being actually investigated and addressed in the organization. And I think that that will bring in people that are, you know, in some cases have a very different focus than the HR team is used to. And so we can, you know, indoctrinate them right from the beginning about a social model of disability and the different types of barriers. And we can really, frankly, as well highlight the attitudinal barriers that are still, you know, I think some of the most difficult ones to address in an organization because it is, again, it's the individual and what they don't say out loud, that can be really damaging to all the work that you're putting into your plans.

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Lis Malone 21:17

This sort of reminds me of a conversation that we had, when we did the episode about the accessible insulin pumps, and that attitude where they would kind of March the marketing people out to kind of give this messaging and to collect this information about what would what would be accessible, but it was really the design engineers who needed to be in the room to hear about because they were the ones who were like, oh, well, if I just move this to this, and you know, to make something, something usable. So the reason why I'm bringing that up is that it just sort of reminded me of that from what you were saying. What, what sort of tactics are you able to implement so that you can get all of those correct personnel people in the room so that you're able to affect change?

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Trish Kelly 22:11

Well, I think that part of it is, there has to be someone that has already been assigned to look at this at the compliance issue and highlighting to them. What aspects of complying with the legislation is going to require them to go really outside of their area of influence in the organization. And so when I think about, you know, if, if it is assigned to someone in HR, or it's a project coordinator, I think it's pretty easy to start to highlight those those other aspects and also bring forward the, you know, the requirements in the legislation, meaning that unlike in, let's say, Ontario, or federally where you're submitting your finalized Accessibility Plan privately to government, this is it has to be publicly available. Which means you have to tell your Comms team, you can't be HR doing something that's going to be publicly available on your website,

and not have Comms look at it. And if Comms is going to look at it, they need to understand what it means to create an accessible documents to tweet about the report being published in an accessible way. So it starts to draw in, folks that would be really upset if they weren't brought along early in the process. And I think this, then there's also the issue of looking at, there's no requirements in the legislation that they spend any particular amount of money on addressing the barriers. But you know, it won't take long for us to start digging up that whatever their budget processes, they're gonna have to dig in early and make sure that they are including anyone that gets to make decisions on budgets, or has to draft a budget for their department, so that they can be thinking about it for the next budget cycle. So I think there's some practical ways like understanding the rhythm of business and those internal communication, issues that can come up or touchy points for organizations that I guess I understand enough about them that I would highlight those right away if I get someone and get to have a conversation with them. But it's exciting to me because I think that we've seen this with all aspects of diversity and inclusion work that when an organization gets keen on addressing an issue, like accessibility, probably one of the first things they decide they want to do is offer training for all of their staff. They're just going to do some basic, you know, 101 on this topic, but when we approach it with the, the one two punch of legislation, I think that we have to get all of those key decision makers, those people that would be part of a project team in the same room and and give them a briefing on the legislation and give them some education about what is accessibility and what are their responsibilities to, you know, all of their stakeholders. So instead of starting with, let's do something general voluntary for all staff, instead, we say we have to say, let's get those people in the room and help them understand how this is going to, you know, affect their budget process, how it's going to affect what they publicly state on their website, their infrastructure, and all those pieces.

R

Ryan Fleury 25:37

I haven't been following the progress of the Accessible BC Act, I reached out to a colleague about providing some information for a newsletter and putting together some way to hear back from him. But currently, what will an employer have to do? Is there a minimum standard that you're going to have to follow by the deadline? And who's looking after enforcement is their enforcement?

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Trish Kelly 26:04

Yeah, so it's the approach that BC has taken. And I am a policy nerd, so stop me if I'm going too deeply into the nerdery of this. But the Accessible BC Act is enabling legislation. What it basically does is it gives a green light to say we are going to develop more specific standards in these areas, and in these ways. So you'll see in the Accessible BC Act, it names different standards that will come including employment service delivery, I believe education is in their communication, built environment, there's a there's quite a list. And then it says we can do more than that if we want to eventually. So the the enabling legislation is the green light to say, okay, we are giving notice that we are going to start working on either regulations or standards for all of those areas. In addition to that, because the business community, and I think other members of the community said, you better model this well, and don't leave yourself out of it government, some of the first steps that have been taken are from the government itself. So they have already published an Accessibility Plan, they created a Provincial Accessibility Committee. And then they created some requirements for the public

sector. So the public sector is very much attached to the government, so they have more jurisdiction there. And so they said, okay, just like we're doing all of the public sectors, the universities, libraries, municipalities, police boards, a couple other areas, and crown agencies all have to do the same thing. So they need to create a accessibility committee, a plan, and a public feedback mechanism. And that all has to be done for most of them by September 1 of 2023. And then, the Crown agencies and tribunals and public health authorities are all in 2024. So that's a lot of work, when you start to dig into it. When you realize how complex it is. That's a lot of work. But the detail in the legislation is very, very thin. And so the government says they developed it to be flexible. But in terms of employment and actual requirements for employers, those will come under an Employment Standard, which they just announced, who will who is on the committee, that the technical committee that will develop that standard. That announcement just went out at the beginning of December 2022. So I imagine, although they you know, aren't completely specific about the timeline that it will take probably a year to 18 months for them to develop the standard. And then similar to what's happened in other jurisdictions, I imagine it will be they'll start with the public sector, then big private sector employers, and it will kind of roll out until it touches all but the smallest micro business and BC. That's my expectation. So employment and service delivery are the first two were they've already got a technical committee up and running. And those committees should start meeting this this spring, to develop the standards that will eventually touch all employers.

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Ryan Fleury 29:27

Right. So we're still in the development of standards stage.

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Trish Kelly 29:31

Yeah. But I and I'm not sure exactly what that will look like on a legal front. It could be that it's edits to the Employment Standards Act, which would be really exciting. So we'll see where we'll see where that goes.

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Ryan Fleury 29:49

Do you think we're going to run into issues? Interprovincially because Alberta is starting one, Saskatchewan is talking about an Accessible act, Ontario has the AODA, you know, as each province gonna be, you know, doing their own thing coming up with their own regulations, their own standards. And then of course, we've got the Accessible Canada Act. How confusing is this going to be?

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Trish Kelly 30:15

Well, again, my deep love of policy, I feel like, I'm not confused by it. But I think it's important to know that what's happening federally only touches federally regulated employers. So that only touches Airlines, VIA rail, you know, TELUS etc. So that only applies to them. But the good news is they've they're had in terms of developing their standards for employment and built environment and other areas. And the Ontario legislation, it didn't go well, and maybe some of your listeners from Ontario will be laughing when I say that so gently. But there was a lot of

opportunities to learn from their mistakes is what I understand. And so I think that the approach that BC has taken is learned from the mistakes there. They've actually set up an agreement with Accessibility Standards Canada, which is affiliated with the Federal Government, to see if there's a way to harmonize the standards. So can you know, make sure that there isn't any conflict with what is being developed federally. And, yeah, and the other provinces that have work underway, I keep seeing these announcements where it's like, okay, the government of blah, blah province is also going to do the same thing. So that should that should help. Yeah, we'll see. But you I think you had also asked about, like, what's the what are the teeth? Or who's doing enforcement? I think that's the part that I'm most concerned about. I think that's the biggest issue with the BC legislation. It's cool that it'll all be available publicly available, which means that we could roast companies if they don't do well. But that's a huge burden to put on advocates in the Disability Community to continue to have to, you know, read a plan for one of each of the 750 public sector organizations and then give feedback on it, you know, like, it's there isn't a strong stick in terms of the punitive side of the legislation.

R

Ryan Fleury 32:36

Yeah. And there isn't federally either, and the only avenue for complaints people have had is the human rights complaints, and, you know, they are backlogged years. So there needs to be a complaint mechanism in place, there needs to be an enforcement, there needs to be follow up investigations, like there needs to be a whole department just for that.

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Trish Kelly 32:55

Yeah. That would be the better thing to do.

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Ryan Fleury 32:59

I'm a pessimist, can you tell?

R

Rob Mineault 33:00

You know, I have to tell you, we we've been waiting to have a policy nerd on for a long time. This is this is great, because we've needed somebody to step us through some of this stuff. Because as layman, you know, we took a look at the Act when it came out. We took a look at the plan, and it is it seems counterintuitive in places to laymen. Like, you know, the fact that, you know, we have this deadline in place of next September, yet, Enforcement and Compliance doesn't, doesn't start until year four. So it's like, you're, you're telling people that they have to create accessibility committees, but we haven't even released the standards for accessibility yet. So when we look at it, we're confused. It's like, well, this, I don't know, this doesn't make sense. Do you get sort of get the same response from from different companies when you're talking to them about about this and about the legislation?

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Trish Kelly 34:06

That's a really good question. So at this point, the legislation, like the actual Accessibility BC

That's a really good question. So at this point, the legislation, like the actual Accessible BC regulation for the public sector, that only applies to the public sector, and there is nothing in there in terms of fines or enforcement. That section is currently blank. But what I don't understand is exactly how much influence the BC government has over its own public sector. You know, like, those are organizations that are basically part of government. So maybe they don't need a really big stick because when they say do this, that's enough, versus if it was the private sector, where it would need to really highlight fines and repercussions for not delivering on time because I'm surprised I'm surprised by the sense of urgency that I hear from even smaller organizations. Like I've heard from so many libraries that are really worried about this, they really want to do the right thing. They want to do it well. But it's they're not saying we're afraid of being fined. And so that's probably a testament to how awesome libraries are. But I also think that there is part of it having never been part of the public sector that I don't understand about the influence that legislation has over them. versus working with, you know, with businesses where we would have to be really, I think highlighting the reputational risk is, is what I would be highlighting with them. Like, yes, it's true, there isn't like \$150,000 Fine listed for you, if you don't have this by September 1. But if you publish a really weak Accessibility Plan, that's, you know, it's the reputational risk that you're facing is not worth it, let's get this done properly.

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Rob Mineault 35:59

Right. And so it almost goes back to like, presenting it like a business case to two companies, right saying that, listen, it yes, you know, if you, not only is it, you know, legislated and it's the right thing to do. But also, like, look, if you if you go through this, you're looking at, you know, improving your business or improving your reputation or improving your customer base, because you've built you know, you have this accessibility plan that's going to attract a different subset of customers that maybe you've never had before. Does that ever factor into to it when you when you talk to different businesses about accessibility?

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Trish Kelly 36:40

Before the legislation that was one of the main tools that we had. But this is another area of policy. But if I can tell this little story, I used to work in the area of food security, and composting and diverting food waste was a really hot topic. In fact, I was known as the Compost Lady in Metro Vancouver by some people, it was not a very good nickname. But I remember sitting at a table at a conference and I had like somebody from Walmart, their sustainability guy was sitting beside me. And he said, I can only do so much of this work of, you know, trying to reduce our ecological footprint. On my own, when it's voluntary, if you legislate it, if you tell me I have to do this, if this is the, you know, like the baseline for everybody, I have to do it because my competitors have to do it as well. And suddenly, it's not a moral choice for me anymore. It's just, it's just the ceiling, sorry the floor, of how we do business. And that really stuck with me, I think that the opportunity was legislation is that we don't have to rely on a business case. And we can just say you have to, like there's no longer the selling you of course, there's that you want people to be able to find their what's in it for them. And like, how does this resonate? Or how do they personalize it so that they can really care about the work. But I'm really excited about the opportunity to move away from having to make a business case because I it's feedback that I've received from people in the disability community as well is that there, we shouldn't be talking about a business case, because there's no business case for excluding people with disabilities. If you dig into it, and you and you try to unearth what that

assumed business case is for a business owner to exclude 20% of their potential customers, 20% of the talent pool, it, there's nothing there. It's it's all based on inaccurate stereotypes and assumptions. There's no business case, aside from their ignorance. And so I find it really, I really don't want to have to make a business case anymore. I don't want to try to convince people that they're going to have employees that stay longer because they feel limited in their choices. And therefore it's better retention rates for you. I want them to understand that this is where the world is moving now that we are beyond the point where it's okay to exclude someone from applying to your organization or buying your product based on a poor design process on your part like that. We just don't accept that anymore. We're moving on.

R

Rob Mineault 39:27

Yeah, that's a really good point, actually I hadn't thought about it like that. But you're absolutely right. Yeah. So time for carrots are over. It's time for the stick.



But I would love to have a CEO try to explain to me their business case for excluding people with disabilities. Like, walk me through that walk me through how that's actually acceptable. I think as soon as they need to try to say that out loud. Why it's a better business model to exclude people with disabilities? They'll stop talking because it is it is so horrible if they do say it out loud. Like, it's so cool, especially in, you know, all of the reckonings that we've had in Canadian and, and North American society in the past couple of years, the new level of conversation about racial equity, and reconciliation, we are beyond a point where it companies can quietly hold on to discretionary power that allows them to exclude people based on their own preference for wanting to be with people that they think are like they are.

R

Rob Mineault 40:30

Yeah, well, and you know, and we've said on this on the show before, that, you know, there's the you're right, there has been a lot of reckonings in society over the past few years. But I would argue that the disability community, we're still we're still waiting for that big reckoning in a way. As Ryan always says, he's ready to storm the legislature and get some of this, get some of these changes really done. Get some of the social impact around disability justice is, I think the reckoning is still coming.



Yeah, I agree. There's a big gap. A glaring omission in all of the equity, diversity, inclusion work that has been happening in the past couple of years in the corporate world, there is still such a neglect of understanding and appreciating how much ableism is getting in the way of organizations and justice. Yep.

R

Ryan Fleury 41:35

Do we need to burn them all down?

DO WE NEED TO BURN THEM ALL DOWN.

T

Trish Kelly 41:39

I don't know. I mean, you know, I think a lot about systems change work, like I volunteer with the Vancouver Foundation, and, you know, review grant applications, from organizations that are looking to come up with an initiative that is going to create, you know, a cataclysmic, can I say that word properly, change in our society, and what, what breaks open an issue and really causes change? There's so many approaches to raising awareness, like I think we do with disability inclusion and trying to go with the rights based approach with legislation. But there's this other piece, which is, attitudes can shift on a dime, like something significant happens. And there's a giant shift. And so I think that I'm just always on the lookout for what is that going to be around accessibility? I think we have to be working on all fronts. We need to be doing all of those things simultaneously. But I think you know about the murder of George Floyd and how many black people in the US and Canada and how many people of color and indigenous people have been murdered by police across North America. And yet it was that particular moment that created such a shift. Yeah. So what what is that going to be? And it's not that there hasn't been a great degree of harm and injustice and violence against the disability community. So I'm not sure what it's going to be?

R

Ryan Fleury 43:12

Yeah, fine, I'll do it. I'll rally the troops, no one else is stepping up. You know, this disability group is the largest minority group in the world. And yet, we all are willing to just kind of sit back. And I'm not saying we're all sitting back, because there's a lot of people doing really great work and really influential work. But you're right, if there needs to be some sort of revolt revolution, community gathering. We just somehow need to get on the same page with the same voice a singular voice, and just shout from the rooftops "I will not be excluded anymore".

T

Trish Kelly 43:54

That makes me think God, as an ally, I am a member of the LGBTQ2S+ community. I'm a queer woman. And I came of age at a time when it was the the little weeds of gay and lesbian community. It was two letters a G and an L. And, and the two did not mix. And there was no visibility for trans people, like gay men wouldn't hang out with me because I was a woman and they said, women are gross, or girls are gross. And you know, like, I remember the first time I had a friend who was a gay man and was like, wow, this guy is so cool. And he lives on the east side of Vancouver, not in the West End like that. The bridges are forming in my lifetime because I'm in my mid 40s. Now, like I have seen the growth of that community. There's there always was allyship and there always was at least some interest in in joining together to support each other and resist the oppression that we are facing. But it's just at a different degree. Now in terms of, as you're saying, like, being organized, being intentional about examining internal conflict and examining the, the biases that we had against each other, you know. So I think I hope that for the disability community that there's some, you know, with without having to sound as one voice in a way that excludes some of the members of the community that there can be stronger alliances, and stronger advocacy together, just for mutual support, as well as hopefully from an advocacy perspective.

R Ryan Fleury 45:45  
Agreed.

R Rob Mineault 45:46  
Yeah, I mean, it is, I think that there's, there's probably at the end of the day, there's probably a multitude of different reasons behind this. But yeah, you know, it's just, it's, it's waiting for that spark.

L Lis Malone 45:59  
It's gonna take money. I always say that it takes it's gonna take money. And as a member, obviously, of the disability community, I'm, I'm a part of this group, and I want to see big change happen. But I'm also very realistic that, you know, this is a this type of change that we need, that we deserve, comes at a price to organizations, to the government, etc, you know, potentially to consumers. And while, on the other hand, presenting an enormous opportunity. But where are you talking about other social changes? It's much more a change of policy, a change of mindset, change of attitudes, whereas there isn't the same cost factor with those other movements. And that's what's always going to differentiate us in my opinion.

R Rob Mineault 46:59  
I mean, part of this really is just humans are dumb. It makes no sense. Because you're, you know, you mentioned at the beginning, none of us, the disability community is the only community that anybody can enter into, at any point in their life. We're all headed, there, we're gonna lose vision, or we're gonna lose our hearing, or, or whatever. Yet, you know, as able bodied people like we just we want to just bury our heads in the sand and not think about it. And I don't know if that's because for some people, it scares them the idea of I can I can lose my vision at some point, I just don't even want to think about it. But it seems so ridiculous to me that this is the one area that we we don't address that we don't fix that we don't, because we're all we're all probably going to be in that community eventually. So what the heck?

T Trish Kelly 48:02  
yeah, there's a lot of parallels to how humanity is dealing with fossil fuels and our climate crisis, right, humans, our downfall is our desire for shortcuts, and our willingness to value what's immediately in front of us and ignore the costs that we're we're paying. But I think, just like the exclusion of people with disabilities, we all you know, there's a lot of similarities to the way that we're we're deciding that it's less expensive to exclude people and not design our systems and our our society in a way that includes everyone. But that is a really that's a really harsh choice that is costing us as well, we're just the costs are not as visible, I think. And so it's very similar to what we're paying for now with climate change in terms of the decades and decades of fossil fuel consumption. It cost something it does, and and we are paying for the exclusion of a large chunk of our population and the the gifts and, and the contributions that they could be making.



And, and no one's quantified that but when you think about it on the environmental side, we're now hearing about the environmental services that you know, I live next to the Squamish estuary. Someone's trying to put a price on all the value of services that the estuary offers to sequestering carbon and all these other pieces like We're still putting trying to put it into a capitalist framework to say it's valuable to not ruin that beautiful piece of land. And I think it's hard that's where the business case comes back to me for the business case for it to civility inclusion in our society or accessibility is that again, we're trying to keep it in a capitalist framing to say like, it's it's worth it to take the extra effort, but we, we built shortcuts and exclusion into the way that we design our society. That's the problem.

**R** Ryan Fleury 50:24  
Yeah, we are dumb.

**T** Trish Kelly 50:29  
Just makes me want to walk my dogs.

**R** Rob Mineault 50:34  
I'm telling you guys, let's put chat GPT in charge, like, that's he, it would fix all of this problem overnight.

**T** Trish Kelly 50:48  
With with all of the AI is that it was designed by humans. And so I wouldn't be surprised that ChatGPT has been given pronoun gender.

**R** Rob Mineault 50:58  
Oh, my gosh, I can't believe I did that. Wow, you're right.

**R** Ryan Fleury 51:01  
I'm working on a pronoun show coming up, hopefully for February.

**T** Trish Kelly 51:04  
So, but that's why I'm, I'm hesitant, like, aside from really liking the matrix movies, which makes me shy about AI. I think the other piece is that I know that, you know, whenever companies start using AI based programs for let's say, sorting through resumes, it harms all of us who are not fitting into their, you know, the biased criteria. Yeah, and the bias criteria of the people that develop the software. So I wouldn't make it through most of those AI based resume

review software programs either, because I have an unconventional background and theater arts diploma from Douglas College doesn't really qualify me to do this work. So I'd get turfed in the first round of review. So yeah, I'm, I'm careful about AI.

**R** Rob Mineault 51:54

I hadn't even thought of that.

**R** Ryan Fleury 51:56

Yeah, so I'm done with ChatGPT.

**R** Rob Mineault 52:00

I have an English degree, I wouldn't get through the first round either.

**R** Ryan Fleury 52:04

Wow, lots of food for thought.

**R** Rob Mineault 52:07

No kidding.

**T** Trish Kelly 52:09

Can I just share, I wear a Fitbit. And it tells me when I go into cardio, and it just congratulated me for 30 minutes of exercise. So I guess I've been kind of wound up in this. Thing about my advocacy work,

**R** Ryan Fleury 52:25

You talk with your hands a lot, do you?

**T** Trish Kelly 52:30

I did learn ASL when my mom lost her hearing. So I have kind of a hand accent where I gesture a lot. Yeah. It's funny.

**R** Rob Mineault 52:39

Listen, my blood pressure is up too I think. We thank you so much for coming on and talking with us. This has been really enlightening. And I love that you were kind of able to frame some of the Accessible BC Act for us because we honestly like we have been looking to have somebody on that can do that for us. So I really appreciate that.

**T** Trish Kelly 53:03

It's a really great part of not working for government that I can talk to you about a. Yeah, I'm also working with Disability Alliance of BC, who received some funding to help the public sector reach compliance. And I've been I just today sent a final draft of a guide to writing your first Accessibility Plan to my proofreaders. And that will be coming out in February through Disability Alliance of BC. So it's not quite as frank as what I have said to you today, because I had to put a lot of you might consider or perhaps you might think, if you would like to you could because legislation is so thin on details that there is a lot of room for interpretation, but but that will be available and it should be interesting for anyone to read.

**R** Rob Mineault 53:58

I love it. Actually, just before we let you go, though, I just I just want one hot take, because I'm curious to know what your what your opinion on this is because I have my own -- but what do you think of in the Province's Accessibility Plan, them not releasing any sort of timelines?

**T** Trish Kelly 54:18

Yeah, I was referencing their plan, looking for somewhere to reference it in the guide as I was writing it, and I noticed that there are no, there are no timelines. It's not the strongest modeling to the rest of the organizations that have to comply with that Legislation. I mean, they have to update the plan every three years. But yeah, that's not a SMART goal.

**R** Rob Mineault 54:44

Yeah, thank you. I totally agree. I mean, I you know, and I feel like part of them looked at at Ontario and because let's, let's be honest, Ontario has no hope of of meeting that their 2025 accessibility goal. Like no chance. So I don't know if they looked at that went, well, let's not paint ourselves into a corner and let's just not have timelines. I don't know. But I agree like, I don't I don't understand what the point of having this big plan and then you're not, you're not actually placing any sort of goals on it. Makes no sense to me.

**T** Trish Kelly 55:20

That's one of my first takeaways from writing policy for companies was that when you get them to put a timeline and make a firm commitment, and then it has to be publicly available, that gives you the tension to get the work done. It's so yeah, I mean, even if the government is just so convinced that, you know, they need to model this, and therefore, they know that they're gonna get through all of these actions. It's, you know, they're so confident of their ability to

deliver that they don't need to put a timeline and it just makes the document, snappier. If they don't, it's not, it's not modeling that for the 750 organizations that don't have their depth of knowledge around accessibility, that are, you know, not able to use their plan as a as a proper template to create their own. So it's definitely something I'll be recommending, because you need the positive tension and you need, you can't work it into your internal planning processes as an organization unless you have a timeline and someone who's responsible for delivering as well. So yeah, well, we'll be suggesting SMART goals, or even better.

R

Rob Mineault 56:34

BC, Canada's most accessible province ... at some point. Trish, it's been an absolute delight. Thank you so much again, before we let you go, where can people learn more about untapped accessibility? And feel free to plug anything else. How can people contact you? Yeah, socials, anything.

T

Trish Kelly 57:00

I spend too much time on LinkedIn. So if you look for me on LinkedIn, I try to stay on top of all of the new reports and any, you know, promising practices that are coming out around accessibility, or disability inclusion, so feel free to follow me there. I don't spend much time on other social media channels. So sorry, I know, that's the most boring one. You could also go to our website, [untappedaccessibility.ca](http://untappedaccessibility.ca). And we have a subscribe to Untapped Accessibility newsletter. If you'd like to get you know, a monthly something from us with some updates on what's going on in the world of accessibility. Our website is of course, accessible. And yeah, we have untapped accessibility also has a Twitter account. It'd be really nice if someone followed us there. Or please don't follow us on Instagram. I haven't done anything with that generally.

R

Rob Mineault 58:03

Sound like a long like us?

T

Trish Kelly 58:08

There's only so many hours in the day. Yeah, but I so our website is [untappedaccessibility.ca](http://untappedaccessibility.ca). And me on LinkedIn, if you care about that sort of thing.

R

Rob Mineault 58:19

Wonderful. Okay, Trish. Thanks again. And we'll, we'll talk to you soon. And yeah, maybe we'll have you on again, if we if we if we want to dive in with something about the Act. We'd love to be able to have you on and talk intelligently about it.

R

Ryan Fleury 58:35

We'll bring you back in September when this deadline is supposed to be.

**T** Trish Kelly 58:39

Yeah, make sure you get me before the end of September, because I imagine I'm going to be really tired for accessibility plans in two weeks for creating an accessibility committee for them in 14 days or less or something.

**R** Rob Mineault 58:58

Wow. Yeah, no kidding.

**T** Trish Kelly 58:59

Yeah. I did think about, like, could we create an accessibility committee and charge it as a service where like, companies pay for consultants that we have people with different types of disability and different types of understanding of accessibility all together, and it's kind of like a committee for hire. Someone did that in Ontario. I saw it on their website.

**R** Rob Mineault 59:23

Yeah. That's a great idea.

**T** Trish Kelly 59:31

We will bring a group together for two hours and you can ask them whatever you want, and they'll tell you about their opinions about organizations like yours, and we'll pay them lots of money.

**R** Rob Mineault 59:44

I love it. Yeah. We'll even bring doughnuts for the meeting.

**T** Trish Kelly 59:50

Well, yeah, that we charge that back to the client though.

**R** Rob Mineault 1:00:00

Yeah, we'll be board members, right? Yeah. Yeah, sure. Absolutely. 100% Super. Alright. Have a good night.

L Lis Malone 1:00:11  
Good to meet you too. Bye. You guys just want the doughnuts.

R Ryan Fleury 1:00:16  
Truly. Yeah.

R Rob Mineault 1:00:18  
Dough and the donuts. So it's so transparent. Where? You know, you got to do it. You got to do it tough. Can't pay for my donuts.

L Lis Malone 1:00:30  
You're not gonna pay for your own previously frozen donuts.

R Rob Mineault 1:00:34  
That's right. Here we go. You're like, yeah, yeah, no, I will call on the donut rant.

R Ryan Fleury 1:00:40  
She's got a memory like a steel trap.

R Rob Mineault 1:00:43  
She really does. That was amazing. I love I loved hearing her aid be able to break down the the the act and some of her like real opinions about it.

L Lis Malone 1:00:55  
She is so passionate, and just so well spoken and really frames, all of those points so beautifully. So kudos to her. I mean, I think that what she's doing is fantastic. No, but I was just gonna say but as beautifully as she is able to articulate the issues and the policies and whatnot. Got it. Canada is still a mess. I mean, I know, she knows she knows it inside and out. But from someone from the outside, not a non Canadian. I'm like, Oh my God, there's the federal one. There's the Canadian, alleged Canadian one, the BC One and whatever else they're gonna do in Saskatchewan. I mean, it's just to me, I'm like, Oh, my God, it made my head spin a little bit.



R

Rob Mineault 1:01:41

Well, and Ryan's, then that's why Ryan brought up that point, which I thought was was valid. Because to laymen, it is very confusing, and I'm sure to a lot of business owners. It's it's going to be intimidating is going to be confusing. To know, you know, where where one ends, and the other one begins. But I mean, I'm sure doesn't it work similar down there, though, Lis? Because I mean, you you have federal legislation, but then doesn't each state have its own accessibility?

L

Lis Malone 1:02:17

Nope it's all ADA and ADA applies to everyone, not just public. Organizations.

R

Rob Mineault 1:02:26

Yeah. Well, I mean, we'll see we'll see if we fare any better with that. Because I don't know, maybe that is the way to go. Maybe that's why we did it differently. Because we thought maybe the ADA had some shortcomings that or maybe we just like doing things more complicated. I don't know.

R

Ryan Fleury 1:02:41

Well, I think the saving grace, as Trish said, it sounds like, you know, the provinces are talking to each other. And it sounds like there will be some symmetry or consistency, once the standards are developed, because it makes no sense for someone from BC, who may move to another province, or even just just traveling, you're not going to know what the accessible Alberta Act says, or what your rights are.

L

Lis Malone 1:03:04

Right, and might also drive businesses to certain areas, if certain regulations are strict in one place, and not as strict as another or what if you're doing business in multiple provinces? I mean, what yeah, how does how is that managed? It's just, uh, you know, and I know, it's like, putting the cart before the horse, because I mean, it's better to have something than nothing. But I think that it long term, it could have some strategic complications,

R

Rob Mineault 1:03:37

Where I'm a little bit pessimistic is when it comes down to enforcement, versus where I think we're going to drop the ball. And without, without proper enforcement, none of this really can really move the needle very far, I think because, yeah, you mean, you're always gonna have businesses that that wants to do the right thing, or, you know, being being in that space is sort of on brand for them. But there's also going to be a lot of companies that are just being like, well, there's no enforcement, if I don't have to do this, I don't have to worry about getting fined or whatever, then whatever.

L Lis Malone 1:04:13

Or if the fines are too small, then it might be less expensive for them to pay the fines and it is to make the changes.

R Rob Mineault 1:04:19

Yes, right. Exactly. Right. And that's my fear. Is that that our enforcement mechanism just isn't gonna, isn't gonna cut it. So hopefully, that's, you know, I'm wrong about that.

R Ryan Fleury 1:04:30

Well, I you know, that's what gets me all wrangled up when I watch the news at night. You know, you'll hear about, I don't know even just some drunk driver who crashes his car into a pole or, you know, hits another vehicle and kills somebody. You know, the ramifications for that are his insurance premiums went up. Like if you want to set precedence, you take his car, you impound it, you crush it. Boom, you're done. You're now about your \$60,000 vehicle, right? You have penalties. And our society is so soft. Like you said, enforcement has to be tough. And it has to be it has to be there.

R Rob Mineault 1:05:13

Yeah, it really does. I mean, we'll see. But I mean, again, you know, we have to wait till year four of the great piece of accessibility time. Before we know even what that's going to look like, see that?

R Ryan Fleury 1:05:24

Well, the unfortunate part too. Is that what happens if a new government comes in?

R Rob Mineault 1:05:30

Wow. Yeah, that's a very good point, too.

R Ryan Fleury 1:05:32

You know, like, we have elections every four years, like most people, and a new government comes in, and they don't like the wording or they want to change something like, it's just so frustrating.

L Lis Malone 1:05:43

What do you think that four year window that they built into the plan is sort of to punt it to the



next administration?

**R** Rob Mineault 1:05:52  
Maybe?

**R** Ryan Fleury 1:05:57  
We don't know, we'll have to wait and see and monitor its progress. You know, hopefully, they've learned from the Ontario Disability Act. And, you know, hopefully, you know, the conversation will keep blooming, as it has over the last couple of years, you know, the pandemic really brought accessibility and inclusion forward. For the disability community, there are so many people who can now work from home because their employer said they couldn't do that before. It just wasn't possible. And, you know, now they're doing it. So, you know, a lot of eyes were opened, when COVID hit, and I think they're staying open to conversations are being had.

**R** Rob Mineault 1:06:35  
Yeah. Yeah. I mean, I do feel a little bit optimistic, especially, you know, Trish saying you're telling us about, you know, how, you know, even just a few months old, you know, they're, they've already seen, you know, many clients and a real uptick in in people who are interested in accessibility. So that at least is heartening. I think. Hey, Lis.

**L** Lis Malone 1:09:12  
Hey, Rob.

**R** Rob Mineault 1:09:12  
Where can people find us?

**L** Lis Malone 1:09:14  
People can find us online at [www.atbanter.com](http://www.atbanter.com)

**R** Rob Mineault 1:09:53  
They can also drop us an email if they so desire at [cowbell@atbanter.com](mailto:cowbell@atbanter.com). Hey, you know what? I didn't even think of people using AI to sift through resumes. That's really scary.



R

Ryan Fleury 1:10:09

Well, that's been happening for years. Really? I'm sure. I'm sure there's places that have just been using AI to scan resumes. You can't tell me there's HR people looking at each individual resume.

R

Rob Mineault 1:10:19

You're probably right. I'm gonna have to change my stance on AI now. Yeah, they're evil.

R

Ryan Fleury 1:12:24

They can also find us on Facebook and Twitter.

R

Rob Mineault 1:12:37

Man, what a day. I guess then that is going to do it for us for this week. Of course, big thanks to Trish for joining us. And we will see everybody next week.