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BEGIN LOGO:

EPIC

Electromagnetic pollution illnesses Canada foundation

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May 1, 2019

**To:** Standing Senate Committee on Social Affairs, Science and Technology, Email: soci@sen.parl.gc.ca; and via Salma.Ataullahjan@sen.parl.gc.ca

The Honourable Carla Qualtrough, Minister of Public Services and Procurement and Accessibility, Email: Carla.Qualtrough@parl.gc.ca

**Cc:** Accessibility for Ontarians with Disabilities Act Alliance (AODAA); Canadians for Safe Technology (C4ST);

Barrier-Free Canada

**Subject**: **BILL C-81 An Act to ensure a barrier-free Canada**

**- Inclusion of electromagnetic (hyper)sensitivity (EHS) considerations in the legislation;**

**- Amendments**

Honourable Senators and The Honourable Minister Qualtrough,

Thank you for opportunities to provide input in support of modern legislation important for inclusive accessibility in Canada.

As a volunteer-based not-for-profit organization, Electromagnetic Pollution Illnesses Canada Foundation (EPIC) provides support and services to persons affected by electromagnetic pollution, provides information to the public about electromagnetic pollution and its impacts on health and wellbeing, and promotes the creation of healthy environments.

Presently, in Canada, persons who are mildly, moderately, or severely disabled by electromagnetic injury face discrimination, marginalization, and impaired quality of life — very often, one or more of those are severe. Plus, it is not unusual that individuals disabled by electromagnetic (hyper)sensitivities (EHS) are involuntarily subjected to inhumane and/or unsafe degrees of isolation in order to survive day-to-day.

EHS disability is an excellent example of why such legislation as this Bill proposes, along with various individuals’ and organizations’ recommendations and amendments for improving the Bill, is so vital for everyone in Canada, so that barriers to inclusivity and accessibility — including attitudinal barriers — are understood and actively reduced, removed, avoided, and prevented.

1. **In general, Electromagnetic Pollution Illnesses Canada Foundation (EPIC) supports improvements/amendments to the Bill as expressed in submissions by these organizations**:

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* + **Accessibility for Ontarians with Disabilities Alliance (AODAA)**
	+ **Canadians For Safe Technology (C4ST)**
	+ **Barrier-Free Canada**

**insofar as there can always be ways to ongoing appropriately accommodate any persons’ needs (or combination of needs), as well as the need for ongoing awareness, cooperation, insights, and innovations.** We support the many salient points expressed by non-governmental organizations to you for improving/amending the Bill. [Our submission does not at all intend disregard of the contents of other organizations’ submissions.]

# EPIC respectfully encourages you, and everyone else along the path that amendments, legislation, implementation, and enforcement may take, to do whatever it takes such that everyone will observe and respect the intent of the proposed Act: its *full* name is “An Act to ensure a barrier-free Canada.” It is not “An Act to discuss a barrier-free Canada.”

1. **In particular, EPIC agrees with this statement by Canadians for Safe Technology (C4ST) in one of its previous submissions regarding proposed Bill C-81:**

A notable exception is #22 of the AODAA brief: “*To enforceably require that no public money can be used to create or perpetuate barriers against people with disabilities…*” In our view, this is virtually impossible because one person’s required tool for accommodation may be someone else’s barrier. This is particularly true for those with severe electromagnetic hypersensitivities (EHS) who must avoid or greatly reduce their exposure to wireless radiation e.g. from Wi-fi routers. C4ST has members with EHS who have been successfully accommodated in the workforce, including in the federal government. … seemingly mutually exclusive needs can be accommodated.

1. **In particular, EPIC agrees with this “Amendment 6” previously submitted by Accessibility for Ontarians with Disabilities Act Alliance (AODAA) regarding proposed Bill C-81:**

**Amendment 6**

Section 2 definition of “barrier” should be amended to add the words “a law”, so that it will read in material part:

“barrier means anything — including anything physical, architectural, technological or attitudinal, anything that is based on information or communications or anything that is the result of a law, a policy or a practice — that hinders the full and equal participation in society of persons with an impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment or a functional limitation. (obstacle)”

1. **In particular, in regard to contents of Accessibility for Ontarians with Disabilities Act Alliance (AODAA) submissions regarding transportation, EPIC agrees with AODAA’s analysis, observations, and requests.**

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1. **EPIC respectfully requests that wherever in proposed Bill C-81 there may be implication or explicit mention of indoor or outdoor environment conditions, there be amendment(s) made that explicitly clarify that both physical agents (e.g., electromagnetic fields) and chemical agents may be controllable environmental conditions and regardless whether or not the agents are visible.**
2. **EPIC respectfully requests that all Bill C-81 amendments, contents, and attachments neither intentionally nor unintentionally exclude accessibility rights, Rights of Persons with Disabilities, or any other human rights of persons who experience physical disability where invisible artificial electromagnetic fields are present. Today, such persons face physical, attitudinal, and other types of barriers that make places, circumstances, and activities of necessity and daily living partially or fully inaccessible.** We refer you to the attached two-page correspondence [included with recipient’s explicit permission] from The Honourable Minister Carla Qualtrough. These are excerpts from The Honourable Minister’s correspondence:

Thank you for your email of October 26, 2018, in which you shared your experiences about the impact of electromagnetic hypersensitivity.

As Minister of Public Services and Procurement and Accessibility, one of my key priorities is to ensure greater accessibility and opportunities for Canadians with disabilities, including persons with electromagnetic hypersensitivities.

Bill C-81 includes a broad definition of disability, building on the definition used in the United Nations Convention on the Rights of Persons with Disabilities. … Because the list of impairments is not exhaustive, electromagnetic hypersensitivity, though not specifically named, would be covered by the definition.

Thank you for writing. Your submission to the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities has already increased awareness of the issues faced by persons with electromagnetic hypersensitivity.

Thank you for considering much needed progress for Canada and Canadians regarding this issue. We welcome anyone’s questions, ideas, and insights.

Sincerely,

Barbara Payne

President

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**From:** "EDSC.MIN.ACC.MIN.ESDC@hrsdc-rhdcc.gc.ca" <EDSC.MIN.ACC.MIN.ESDC@hrsdc-rhdcc.gc.ca>

**To:** [recipient email address]

**Sent:** Thursday, January 10, 2019, x:xx:xx p.m. EST

**Subject:** RE: electromagnetic hypersensitivity Dear Ms. Chalmers:

Thank you for your email of October 26, 2018, in which you shared your experiences about the impact of electromagnetic hypersensitivity.

As Minister of Public Services and Procurement and Accessibility, one of my key priorities is to ensure greater accessibility and opportunities for Canadians with disabilities, including persons with electromagnetic hypersensitivities.

Working within federal jurisdiction, the purpose of Bill C-81 is to benefit all persons, especially persons with disabilities, through the realization of a Canada without barriers. The proposed Act would achieve this through the proactive identification, removal and prevention of barriers to accessibility in priority areas such as the built environment, employment, the design and delivery of programs and services, communication, information and communication technologies, procurement and transportation.

Bill C-81 includes a broad definition of disability, building on the definition used in the United Nations Convention on the Rights of Persons with Disabilities. The proposed Act defines disability as "any impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment, or a functional limitation, whether permanent, temporary or episodic in nature, or evident or not, that, in interaction with a barrier, hinders a person's full and equal participation in society." Given that the understanding of what constitutes a disability continues to evolve, the Bill's definition lists broad categories of impairment. Because the list of impairments is not exhaustive, electromagnetic hypersensitivity, though not specifically named, would be covered by the definition.

As Bill C-81 moves through Parliament, Canadians will have the opportunity to express their views as part of the parliamentary approval process. During the House of Commons Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities' review of Bill C-81, the Committee heard from academic experts, industry and members of the disability community representing the diversity of disabilities faced by Canadians.

The Senate follows a legislative process that is very similar to that of the House of Commons. There will be an opportunity to participate in the study of Bill C-81 by the Senate committee chosen to review the bill. Individuals or groups interested in the study of a bill can make a request to the committee clerk to appear as a witness. Interested parties can also make written submissions to the committee. Information on how to submit a brief to the Senate committee reviewing Bill C-81 is available on the committee's website, located

at https://sencanada.ca/en/Committees/ or through the committee clerk.

An electronic version of Bill C-81, as well as information on its status and, when the bill reaches that stage, the name of the Senate committee studying the bill, can be found on the Parliament of Canada website

at

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[www.parl.ca/LegisInfo/BillDetails.aspx?Language=en&Mode=1&billId=9990870](http://www.parl.ca/LegisInfo/BillDetails.aspx?Language=en&amp;Mode=1&amp;billId=9990870)<[http://www.](http://www/) parl.ca/LegisInfo/BillDetails.aspx?Language=en&Mode=1&billId=9990870>.

Once passed, Bill C-81 would give the Government of Canada the authority to work with Canadians to create new accessibility standards and regulations that would apply to sectors in the federal jurisdiction, such as banking, telecommunications, transportation industries like air and rail, and the Government of Canada itself. I encourage you to continue to participate as the bill moves through the legislative process and, if the proposed Accessible Canada Act becomes law, to participate in the subsequent development of accessibility standards and regulations.

The Government of Canada will continue to work collaboratively with Canadians with disabilities and other stakeholders to increase the full participation of people with disabilities in their communities and workplaces, and to help change the way society thinks, talks

and acts about disability and accessibility.

Thank you for writing. Your submission to the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities has already increased awareness of the issues faced by persons with electromagnetic hypersensitivity.

Yours sincerely,

The Honourable Carla Qualtrough, P.C., M.P.

Minister of Public Services and Procurement and Accessibility

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