THE CANADIAN HEARING SOCIETY
LA SOCIÉTÉ CANADIENNE DE L'OUÏE

The Canadian Hearing Society Position Paper on Alarms and Emergency Notification Systems

The Issue

Alarms, whether activated by heat, smoke, toxic fumes or a break-in into a home, warn of imminent danger by sound. Similarly, emergency notification systems in public places (e.g., airports) rely not only on alarms but also in many cases the ability to convey urgent information over a public address system. Finally, in the midst of an emergency situation, imagine just how critical warnings or instructions shouted by emergency personnel are to survivors or evacuees!

Yet, as life saving as these emergency notification measures and devices are, it is important to remember that, for culturally Deaf, oral deaf, and deafened, as well as many hard of hearing Canadians, they fail completely.

In Canada we are fortunate that some progress has been made nationally around building code legislation to ensure that alarms and emergency notification systems incorporate components such as a high-intensity flash/strobe light that is strong enough to, for example, wake a sleeping person.

Indeed, The Canadian Hearing Society is proud to have contributed to recent reforms of Ontario's Building Code. In Ontario, visual fire alarms and emergency notification systems are now required in public hallways of most buildings, such as arenas, stadiums, hospitals, apartment dwellings, business offices, theatres, and so on; as well as the seating areas of theatres, operas, and entertainment facilities, where people congregate to view the performing arts; and at least 10% of the sleeping quarters of hotels or motels.

However, the current law in Ontario does not address who is responsible for the cost of, or the installation of visual fire alarms and/or notification systems within individual apartment units, new condominium units and or new homes. Furthermore, landlords are not required to provide visual fire alarms for their culturally Deaf, oral deaf, deafened and hard of hearing residents nor are home builders required to install such devices into new homes or condominium units for purchase by culturally Deaf, oral deaf, and deafened and hard of hearing buyers.

The Canadian Hearing Society (CHS) Position on the Issue

Visual fire alarms and visual emergency notification systems are essential to the safety of culturally Deaf, oral deaf, deafened, and hard of hearing Canadians. Accessible emergency notification is an issue quite simply of life and death.

Due to the amount of power required by devices such as a visual smoke detector strobe light, these systems must be hardwired at considerable additional expense when compared to that of a standard smoke detector. In our view it is inequitable that culturally Deaf, oral deaf, deafened or hard of hearing Canadians have to pay this additional cost and just as the purchase of communication aids and devices is eligible for some degree of financial support under, for example the Assistive Devices Program in Ontario, it is our position that the installation of visual fire alarms and visual notification systems should be too.

Further, it is the position of CHS that all builders and landlords should be required to install visual fire alarms in individual buyer's or tenant's units at no cost. However, we also believe

that both builders and landlords should be able to recoup the additional expense from government.

The Prevalence of Hearing Loss
Almost 25% of adult Canadians report having some hearing loss (CHS Awareness Survey 2002), although closer to 10% of people actually identify themselves as culturally Deaf, oral deaf, deafened, or hard of hearing.

The average age in Canada is 39 years; by 2030 it will be 45. In 2030, Canadians 65 years and older will represent 25% of the total population, nearly double the current 13% (Statistics Canada).

Hearing loss is the third most prevalent chronic condition in older adults and the most widespread disability (Fook 2000; Yueh 2003). Its prevalence rises with age. Reports indicate that more than 80% of patients over 85 have a hearing loss (Yueh 2003). Further, 46% of people aged 45-87 have hearing loss (Dalton 2003).

Couple these statistics with the fact that aging is the #1 cause of hearing loss and the conclusion is clear: the incidence of hearing loss is poised to climb dramatically.

Terms Key to Understanding the Issue
Accessibility refers to a barrier-free environment. In particular, it means identifying and removing barriers and creating an environment so that its use and interaction with people is maximized regardless of culture or abilities. Accessibility also includes ensuring policies and services are free of barriers.

CHS agrees with the position of the World Health Organization which states that “much of what disables people from participation is not the disability itself but rather the environment or aspects of the environment, external features of society created by people”.

Accommodation refers to providing the tools or practical measures that create access and is required when barriers have not or cannot be removed.

In keeping with Human Rights principles, accommodation is to be provided in a way that respects the individual’s dignity, which encompasses self-respect and self-worth, and entails such things as privacy, confidentiality, autonomy, and integrity. It recognizes that no two communication barriers are exactly the same and, therefore, each person is entitled to an accommodation that best suits his or her individual needs. Examples of individualized accommodation include ASL-English interpreting, real-time captioning, computerized note-taking and text messaging.

Implementing accessibility in new construction or major renovations would include the installation of such accommodations as visual fire alarms, integrated FM systems, visual announcement system and text-telephones (TTYs).

Visual Notification System (VNS) is a broad term that refers to technology that can make persons who are culturally Deaf, oral deaf, and deafened and hard of hearing aware of the triggering of smoke detectors, carbon monoxide detectors, baby monitors, telephones, doorbells, public announcement systems, text screens and building security systems, typically by incorporating a strong flashing light into the device.

The Rationale for CHS's Position

In addition to clear moral and ethical grounds, existing legislation, significant legal decisions, and independent research reports support CHS's position. In brief, they are as follows[1]:

Ontario Superior Court of Justice's Fusca v. Municipal Property Assessment Corporation and The Corporation of the Town of Markham [2007] The Court ruled that a deaf resident is entitled to the 10% tax exemption pursuant to the seniors and disabled exemption under s.3 (1) 22 of the Assessment Act, beginning the 2006 taxation years since this deaf resident purchased a visual notification system ("VNS") to install in his new home. The VNS is designed to make persons with hearing disabilities aware of typically auditory events in the home, such as doorbell, telephones and fire alarms, by flashing lights in the home.

United Nations Convention on the Rights of Persons with Disabilities [2007] Canada and Eighty other Member States and the European Community signed this landmark new convention at the United Nations in March 2007. Canada ratified this treaty in March 2010. The treaty aims to eradicate discrimination against persons with disabilities in all areas of life including employment, education, health services, transportation and access to justice. The Convention requires States Parties to acknowledge sign language, promote the linguistic identity of the Deaf community, and provide sign language interpreters among other issues relating to people who are Deaf.

The Canadian Charter of Rights and Freedoms [1982]: 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 supercedes 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 Section 14 and 15.1).

Canadian Human Rights Act [1985]: 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."

Ontario Human Rights Code [1990]: The Code protects Ontarians from discrimination based on disability or other characteristic (e.g. race, ancestry, family status, sexual orientation, etc.) and calls for a "climate of understanding and mutual respect for the dignity and worth of each person so that each person feels a part of the community and able to contribute fully to the development and well-being of the community and the Province".

Note that other provinces and territories have legislation, policy and/or guidelines on the duty to accommodate persons with disabilities that embody the principles of the Ontario Human Rights Code. For links to these sites please visit us at http://www.chs.ca.

Ontario Human Rights Commission's Policy and Guidelines on Disability and the Duty to Accommodate [2000]: The Ontario Human Rights Code explicitly states that everyone has the right to be free from discrimination. The Policy and Guidelines outline the details and give

[1] For links to these and other resources on accessibility and the duty to accommodate, please visit our website at http://www.chs.ca

practical measures for workplaces, public transit, health services, restaurants, shops, and housing to provide Ontarians with disabilities equal treatment and barrier-free access.

Accessibility for Ontarians with Disabilities Act [2005]: Passed unanimously in the Ontario Legislature, this Act commits the government of Ontario to create, implement, and enforce standards of accessibility with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises for the 16 per cent of Ontarians with disabilities, including people who are culturally Deaf, oral deaf, deafened, and hard of hearing.

Frequently Asked Questions

- *Where do I go to get up to date information on the building and/or fire codes in my province or territory?*

  The National Building Code of Canada details standards of fire prevention and safety – including for visual fire alarms - for new construction and renovation undertaken in any province or territory. The National Fire Code of Canada details the maintenance of fire prevention and safety standards in any building once occupied. All provincial/territorial building and fire codes comply with the national codes, though not all provinces or territories have their own codes. The National Building Code and Fire Code of Canada are available from the National Research Council at http://www.nationalcodes.ca/ncd_home_e.shtml. For local information and assistance, contact your nearest Fire Department.

- *Who is responsible for financial assistance of alerting systems for culturally Deaf, oral deaf, deafened and hard of hearing individuals?*

  Unless the individual is currently in receipt of Ontario Disability Support Program (ODSP) benefits (or an equivalent benefit in other jurisdictions), the cost must be borne by the individual.

- *I'm a landlord and I'm not sure what I can or should do to accommodate tenants or residents with hearing loss. Where do I turn?*

  We're here to help! The Canadian Hearing Society has a long history of working with businesses to design and implement customized accommodation, visual fire alarm, and visual notification system strategies. We invite readers to download our free guide: Get Connected to Deaf, Deafened and Hard of Hearing People: A Guide for Service Providers and Businesses or to contact us to find out more about our accommodation consultation services.

For more information please contact CHS Information Officer at The Canadian Hearing Society. Phone: 1-877-347-3427, TTY 1-877-347-3429 and e-mail info@chs.ca or visit us on the web at http://www.chs.ca.

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