

Honourable Kevin O'Brien
Minister of Government Services
Second Floor, West Block
Confederation Building
St. John's, NL A1B 4J6

Dear Minister O'Brien:

Re: 2008-09 Annual Activity Report
Buildings Accessibility Advisory Board

In compliance with the Accountability Framework for Boards and Agencies, I am pleased to provide you with the 2008-09 Annual Activity Report for the Buildings Accessibility Advisory Board.

Yours truly,



Kimberley Gillard
Chairperson
Buildings Accessibility Advisory Board



Government Services

Buildings Accessibility Advisory Board

**Annual Activity Report
2008-09**

FOR MORE INFORMATION:

ONLINE

Website: www.gs.gov.nl.ca

PAPER

Department of Government Services
P. O. Box 8700, Confederation Building
St. John's, NL A1B 4J6
Telephone: 709.729.4834 Fax: 709.729.4754
E-mail: gsinfo@gov.nl.ca

REFERENCE PERIOD

This report covers the period April 1, 2008 through March 31, 2009,
the fiscal year of the Buildings Accessibility Advisory Board.

Contents

Chairperson's Message.....	1
Government Entity Overview	2
Mandate	2
Vision	2
Values	2
Mission	2
Primary Clients.....	3
Revenues and Expenditures.....	3
Highlights and Accomplishments.....	3
Outcomes of Objectives	4
Opportunities and Challenges Ahead	5

Chairperson's Message

As Chair of the Buildings Accessibility Advisory Board of Newfoundland and Labrador, I am pleased to submit this annual report for the activities of the Board for 2008-09. This plan is prepared in compliance with the *Transparency and Accountability Act*, which both categorizes the Board as a Category 3 government entity and requires the Board to prepare an annual report. The Board is accountable for the preparation of this plan and for the results reported. In developing this plan, the Board has considered the strategic direction of the Minister of Government Services.

The Board's function is to report to and advise the Minister of the Department of Government Services on the application of the *Buildings Accessibility Act* and regulations, and on all other matters related to the *Act* and regulations that may be assigned to the Board by the Minister.

This year saw the Board become reactivated, and we look forward to becoming increasingly active in the future.

Sincerely,

A handwritten signature in black ink that reads "Kimberley Gillard". The signature is written in a cursive style with a large initial 'K'.

Kimberley Gillard
Chairperson

Government Entity Overview

Mandate

The Board is established under Section 18 of the *Buildings Accessibility Act*. Its mandate is to report to and advise the Minister of the Department of Government Services on the application of the *Buildings Accessibility Act* and regulations, and on all other matters related to the Act and regulations that may be assigned to the Board by the Minister. The Board is appointed by the Lieutenant-Governor in Council and consists of a chairperson, representatives of persons with disabilities, one representative of the department, other than the director appointed to administer the legislation, and those other members that the Lieutenant-Governor in Council may appoint. The members of the Board are appointed for a period of 2 years, and are eligible for reappointment.

Vision

The vision of the Department of Government Services is “Newfoundlanders and Labradorians living and working in a healthy and safe environment with access to an open, fair, and responsive regulatory system.”

The Buildings Accessibility Advisory Board supports the Department’s vision by working to ensure the fair and equitable application of its mandate as outlined in the legislation, i.e., providing advice to the Minister.

Values

The work environment of the Buildings Accessibility Advisory Board is focused on improving accessibility to public buildings for all citizens in the province, particularly those with physical disabilities. The Board shares the values articulated by the Department of Government Services:

Accountability: Each person accepts responsibility for their actions and follows through on requests and commitments.

Integrity: Each person engages in ethical behavior exercising proper use of authority and responsibility.

Respect: Each person accepts differences and exercises courtesy in their encounters with others.

Mission

By 2011, the Department of Government Services will have improved citizen protection in the areas of public health and safety, worker health and safety and consumer interests. *For more information, see the Department’s Strategic Plan for 2008-09-2011, at <http://www.gs.gov.nl.ca/consultation>.*

The Buildings Accessibility Advisory Board contributes to the Department’s mission by working to support accessibility in public buildings pursuant to its mandate.

Primary Clients

The Board's only direct client is the Minister of Government Services, to whom the Board provides advice. More broadly, however, clients are the general public, particularly those with physical disabilities, and those representing their interests, who avail of any improvements brought about due to the board's advice.

Revenues and Expenditures

In the fiscal year of 2008-09, the Buildings Accessibility Advisory Board had no revenues. Its expenditures totaled \$2,520, including \$1,070 for remuneration of Board members and \$1450 for Board members' travel. These expenditures are funded through the Departmental operating budget. The Buildings Accessibility Advisory Board is not required to submit audited financial statements.

Highlights and Accomplishments

The Buildings Accessibility Advisory Board was reactivated this year, and activities have mainly focused on reviewing the outstanding issues arising from the work of the previous Board.

In particular, the Board had discussions concerning six items from the detailed legislative review by the Board in 2004, which had been referred back by Government for further consultation. It was the consensus of the Board that these could be boiled down to three key items: the 50% rule¹ for an existing building to remain exempt from the legislation; whether to increase the minimum number of accessible units in apartment-type buildings and hotels; and whether to increase the minimum number of accessible units in bed and breakfast accommodations. The Board has not yet finalized a consultation plan on these issues.

The Board received presentations on several other issues directly related to its mandate.

The Board also had conducted some preliminary work on an accessibility awareness campaign. Departmental staff produced draft posters and checklists, on which the Board has provided feedback.

¹ Section 9(1) of the Buildings Accessibility Regulations states: "The Act and these regulations shall apply to the reconstruction of an existing building where the cost of reconstruction of the building is equal to or exceeds 50% of the cost of erecting a new building of the same character and dimensions, that cost being calculated without including the cost of reconstructing basements, cellars or chimneys or the cost of site alterations."

Outcomes of Objectives

The following objective represents the focus of the Buildings Accessibility Advisory Board in each of the years of its Plan, and includes performance measurement information (i.e., measures and indicators) to assist the entity and the public in monitoring and evaluating success.

While activities such as meeting and advising the Minister reflect the mandate of the Board, educational activities will benefit Board members immensely, as it has recently become active and is actively building a knowledge base.

Objective

By **March 31, 2009, 2010 and 2011**, the Board will have fulfilled all the requirements under the Act by addressing matters pertaining to buildings accessibility, as per its mandate.

Measure: Requirements of the Act fulfilled, as per its mandate.

Indicators (as per yearly priorities):

- Educational activities undertaken;
- Meetings held;
- Recommendations delivered to Minister;
- Other activities undertaken as assigned by the Minister

The Board received two presentations geared toward educating its members:

- Shelley Di-Nur, B.Sc. (O.T.), of Eastern Health gave a presentation on Universal Design, entitled "Housing for all People"; and
- the Department's Registrar of Motor Vehicles, Carolyn Burggraaf, met with the Board to discuss parking permits for people with disabilities ('Blue Zone' parking).

The Buildings Accessibility Advisory Board met three times this year: June 6th and November 19th, 2008, and January 22nd, 2009.

Due partly to the newness of the Board, no activities were assigned to it by the Minister, and no recommendations were delivered to the Minister this year. This will likely change as the Board becomes more familiar with its mandate, and as the Minister requires activity from the Board.

Opportunities and Challenges Ahead

The concept of "universal access" is an exciting one for the Board. Universal access goes beyond traditional accessibility, and it would be worthwhile for the board to continue to explore the whole concept.

An ongoing challenge is striking a balance between an "ideal" of accessibility versus the "reality" of any given situation. "Ideally", all buildings throughout the province would be accessible, but the reality is accessibility (particularly through retrofitting) can be prohibitively expensive for many older buildings. This is not a new challenge, nor is it limited to this Board. However, the Board has an important role to play in investigating where it can make a contribution to working toward improving accessibility in the province.

Finally, while the Board was reactivated just this year, the terms of its members are coming to an end. Filling the Board and passing on the knowledge accumulated this year will be vital to its ongoing success.