

Canadian Radio-television and  
Telecommunications  
Commission

2021–22

**REPORT ON ACCESSIBILITY**

The Honourable Pablo Rodriguez, P.C., M.P.  
Minister of Canadian Heritage

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## Minister's message

In 2021-22, the organizations in the Canadian Heritage Portfolio, including the Canadian Radio-television and Telecommunications Commission (CRTC), faced the challenges of the health crisis once again, as they fulfilled their mandate. The CRTC continued to address issues related to the accessibility of services to persons with disabilities.



The *Accessible Canada Act* came into force in July 2019 and declared that all persons, regardless of their disabilities, are entitled to full and equal participation in society and that laws, policies, programs, services and structures are to take into account the disabilities of persons. These principles extend to the CRTC and the industries it regulates.

Over the last year, the CRTC took steps to ensure that Canadians with various disabilities were heard and that its regulatory initiatives reflected the goals of the *Accessible Canada Act*. By launching proceedings that examined the accessibility of communications services, the CRTC is analyzing the current measures in place and assessing whether additional regulatory measures are needed. Its goal is to ensure that the communications system is meeting the needs of Canadians with various disabilities.

Furthermore, the CRTC also worked with other federal regulators and tribunals to implement the legislation's No Wrong Door policy. A collaborative effort between the CRTC, the Canadian Human Rights Commission, the Canadian Human Rights Tribunal, the Canadian Transportation Agency and the Federal Public Sector Labour Relations and Employment Board, the policy will result in a coordinated handling of accessibility-related complaints. This collaboration will create a simplified and seamless experience for Canadians who need to file a complaint. The Commission should be proud of the work it is doing to remove barriers for Canadians with various disabilities.

As Minister of Canadian Heritage, I invite you to have a look at the Report on Accessibility 2021-22. You will see that the CRTC has taken tremendous strides to achieve its mission. I would like to thank the Commission for their efforts.

The Honourable Pablo Rodriguez

## Chairperson and Chief Executive Officer's message

I am proud to submit the CRTC's Report on Accessibility for 2021-22. Accessibility has been at the core of our efforts to ensure that Canadians have fair and equal access to a world-class communications system.

Accessibility is vital to creating a more inclusive society by eliminating any barriers that Canadians may face when accessing services in the communications sector. The CRTC has worked hard over the past year to promote accessibility in the industry and in our organization as well.



The report outlines several initiatives from the CRTC that promote inclusion for Canadians with various disabilities and examines how to remove the barriers that these Canadians may face. In particular, the Commission has worked to ensure that the remaining requirements under the *Accessible Canada Act* (ACA) have come into effect.

In March 2021, the Commission initiated a proceeding to review Video Relay Service (VRS). Our proceeding aimed to examine if VRS efficiently addresses the needs of Canadians with hearing or speech disabilities and whether improvements or modifications could be made to the service. The CRTC modified this proceeding to add virtual discussions to ensure that VRS users have a full opportunity to communicate their experiences.

Additionally, the Commission held roundtable discussions with over 200 accessibility stakeholders to better understand their experiences with the CRTC and the communications industry. The discussions were held in an effort to strengthen the relationship, trust and collaboration with these stakeholders and to engage in ongoing dialogue about moving the bar forward in the accessibility community.

Not only has the CRTC taken steps to increase accessibility in communications services, but our organization has also sought to improve the way consultations are conducted. For example, in June 2021, we made additional information available to parties to our accessible wireless services proceedings in American Sign Language (ASL) and in *Langue des signes québécoise* (LSQ). In March 2022, we interpreted our VRS consultation in ASL and in LSQ to ensure that viewers with hearing or speech disabilities who use sign language had all the information regarding procedures. These measures ensure that our processes facilitate the full participation of Canadians with disabilities. This results in feedback that represents a broader spectrum of the public and decisions that will contribute to a barrier-free Canada.

In July 2021, the CRTC finalized its Accessibility Reporting Regulations, which implement the requirements of the *Accessible Canada Act* respecting the accessibility

plans, feedback processes and progress reports of broadcasting and telecommunications entities.

I am proud of what the CRTC has accomplished over the past year to ensure that accessibility is at the forefront of our regulatory commitments. This report highlights our completed initiatives and the progress we have made to reduce the barriers in the communications system.

A handwritten signature in black ink, appearing to read "Ian Scott", with a long horizontal stroke extending to the right.

Ian Scott



## Introduction

The [Accessible Canada Act](#) (ACA) came into force in July 2019 and amended the [CRTC Act](#), requiring the Canadian Radio-television and Telecommunications Commission (CRTC) to report annually on specific accessibility indicators with regard to the industries it regulates.

In 2021-22, the Commission made its Accessibility Reporting Regulations ([Telecom and Broadcasting Regulatory Policy 2021-215](#)). These Regulations require regulated telecommunications and broadcasting entities to create plans to identify, remove and prevent barriers for persons with disabilities in a number of areas, including information and communication technologies.

The CRTC also continues improving the accessibility of its public consultation processes by removing barriers to participation and facilitating the participation of persons with disabilities in the policy-making process.



## Results

### *Broadcasting Act*

Measure	Number of Incidences
(a) Inquiries conducted under subsection 12(1) of the <i>Broadcasting Act</i> [i.e., broadcasting proceedings] in relation to the identification, prevention and removal of barriers	4
(b) Inquiries conducted under that subsection in relation to sections 42 to 44 of the <i>Accessible Canada Act</i>	not applicable <sup>1</sup>
(c) Orders made under subsection 12(2) of the <i>Broadcasting Act</i> [i.e., mandatory orders] in relation to the identification, prevention and removal of barriers	nil
(d) Orders made under that subsection in relation to sections 42 to 44 of the <i>Accessible Canada Act</i>	not applicable

### *Telecommunications Act*

Measure	Number of Incidences
(a) Inspections conducted under section 71 of the <i>Telecommunications Act</i> [i.e., by designated inspectors] in relation to compliance with decisions made under that Act in relation to the identification, prevention and removal of barriers	nil
(b) Inspections conducted under that section in relation to compliance with sections 51 to 53 of the <i>Accessible Canada Act</i>	not applicable
(c) Orders made under section 51 of the <i>Telecommunications Act</i> in relation to the identification, prevention and removal of barriers	nil
(d) Orders made under that section in relation to sections 51 to 53 of the <i>Accessible Canada Act</i>	not applicable
(e) Notices of violation issued under section 72.005 of the <i>Telecommunications Act</i> [i.e., by persons designated under the General AMPs regime] in relation to contraventions of decisions made under that Act in relation to the identification, prevention and removal of barriers	nil
(f) Notices of violation issued under that section in relation to contraventions of any of subsections 51(1) to (4) and (7), 52(1) to (3) and 53(1) to (3) and (6) of the <i>Accessible Canada Act</i>	not applicable

<sup>1</sup> While the Commission made the CRTC Accessibility Reporting Regulations in July 2021, the first obligations under those regulations come into force for regulated entities in June 2022.

(g) Inquiries conducted under subsection 48(1) of the <i>Telecommunications Act</i> [i.e., Telecom proceedings] in relation to the identification, prevention and removal of barriers	6
(h) Inquiries conducted under subsection 48(1.1) of the <i>Telecommunications Act</i>	nil

## Miscellaneous

(a) Inquiries in relation to sections 42 to 44 and 51 to 53 of the <i>Accessible Canada Act</i>	1
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## ***Broadcasting Act and Telecommunications Act***

The Commission conducted one inquiry under both subsection 12(1) of the *Broadcasting Act* and subsection 48(1) of the *Telecommunications Act*:

- Paper bills

In February 2022, the Commission mandated that telecommunications service providers provide paper bills upon request and at no charge to customers who self-identify as people with disabilities for whom e-billing represents a barrier ([Telecom and Broadcasting Decision 2022-28](#)). The Commission considers that a person with disabilities is in a better position than their communications service provider to assess whether e-billing represents a barrier to their full and equal participation in the communications system. Moreover, the Commission stated that no further information, beyond self-identification, is to be required by the provider to determine eligibility.

The Commission expects broadcasting distribution undertakings (BDUs) to adhere to all these same requirements and intends to impose conditions of licence to this effect at the next opportunity (i.e., when those licences are up for renewal). It also intends to revise the exemption order for smaller BDUs accordingly.

## ***Broadcasting Act***

As set out in the first table above, the Commission conducted three other inquiries under subsection 12(1) of the *Broadcasting Act*:

- Exception to described video (DV) requirement for prime-time programming, and monitoring the impact on persons using DV through regular progress reports

The Commission approved, in March 2022, an exception to the condition of licence for CFJC-TV Kamloops, CKPG-TV Prince George and CHAT-TV Medicine Hat ([Broadcasting Decision 2022-66](#)) that requires prime-time programming to be broadcast with DV. The exception allows these stations to broadcast U.S. programming received without DV when it is received less than 24 hours prior to broadcast. This exception was granted because there is not sufficient time for the licensees to produce DV for programming in this short period of time and they may be unable to negotiate the earlier provision of some such programming.

The Commission required the licensees to monitor the impact of the exemption on persons using DV and will review the matter at the next licence renewals. It also encouraged the stations to consult with DV stakeholders and to engage with the Described Video Working Group formed as a result of [Broadcasting Regulatory Policy 2019-392](#) to see how they can contribute and to report on its participation.

## ***Telecommunications Act***

As set out in the second table above, the Commission conducted six other inquiries under subsection 48(1) of the *Telecommunications Act*:

- Review to determine whether mobile wireless service plans meet the needs of Canadians with various disabilities

In June 2020, the Commission initiated a proceeding ([Telecom Notice of Consultation 2020-178](#)) to examine the following:

- how wireless service providers are complying with current requirements and whether differences exist between primary and flanker brands;
- whether the plans currently offered and promoted are sufficient to meet the needs of Canadians with various disabilities; and
- whether additional regulatory measures are required, and if so, the nature of such measures.

In June 2021, the Commission interpreted key elements of the Notice of Consultation into ASL and LSQ and allowed for the filing of comments in ASL and LSQ to address barriers to participation.

The record of the proceeding closed in February 2022. The Commission has not yet rendered a decision on this proceeding.

- Funding for video relay service (VRS)

In December 2021, the Commission amended the proceeding to consider the Canadian Administrator of VRS (CAV), Inc. (CAV)'s 2022 budget application to ensure the application was available in ASL and LSQ and that comments could also be filed in ASL and LSQ ([Telecom Decision 2021-429](#)).

The record of the proceeding closed in March 2022. The Commission provided interim approval of the CAV 2022 budget application in November 2021 ([Telecom Decision 2021-384](#)) to ensure that Canadian VRS is able to continue to operate while the Commission makes its final determination.

The Commission has not yet rendered a decision on this application.

- Review of video relay service (VRS)

In March 2021, the Commission initiated a proceeding ([Telecom Notice of Consultation 2021-102](#)) to examine whether:

- VRS efficiently addresses the needs of Canadians with hearing and speech disabilities;
- there are aspects of the VRS regulatory framework or the service that require modifications or improvements; and
- the CAV's governance structure and funding model and cap remain appropriate.

In March 2022, the Commission modified the proceeding to add virtual discussions to the proceeding to ensure VRS users have a full opportunity to communicate their experience with using the service.

The record of this proceeding is not expected to close until late 2022. .

- Wireless Code compliance reports

As part of the Review of the Wireless Code ([Telecom Regulatory Policy 2017-200](#)), the Commission directed wireless service providers to submit annual compliance reports by 31 March of each year. The Wireless Code includes protections for Canadians with disabilities, such as longer trial periods, and contracts and critical information summaries in accessible alternative formats. [The reports are available on the CRTC website.](#)

- CRTC Sales Practices Review - Secret Shopper Project

First announced in the CRTC's Report on Misleading or Aggressive Communications Retail Sales Practices, the Secret Shopper Project is a multi-year project whose primary research objective is to better understand how consumers, including Canadians with disabilities, experience the sales process when interacting with front-line employees of wireless mobile service providers. The Project allows the CRTC to proactively address potential barriers that it identifies, which may occur through the initiation of further public proceedings. The second year of the Secret Shopper Project was in the field in the summer of 2021. The Report is expected to be published in late 2022.

## Miscellaneous

The Commission conducted inquiries in relation to sections 42 to 44 and 51 to 53 of the ACA. In particular, it held proceedings to determine how best to implement the accessibility reporting requirements under those sections that culminated in the exercise of the Commission's regulation-making powers under sections 45 and 54 of the ACA:

- CRTC Accessibility Reporting Regulations

The Commission announced in July 2021 that it has made the *Canadian Radio-television and Telecommunications Commission Accessibility Reporting Regulations*, SOR 2021-160 ([Telecom and Broadcasting Regulatory Policy 2021-215](#)).

These Regulations require regulated telecommunications and broadcasting entities to create plans to identify, remove and prevent barriers for persons with disabilities in areas including information and communication technologies; the procurement of goods, services and facilities; the design and delivery of programs and services; and communication, insofar as it relates to technologies, procurement, programs and services.

This will assist in the identification and removal of existing barriers for persons with disabilities and help prevent the creation of new barriers.

The proceedings that resulted in the Regulations did not take place under the *Broadcasting Act* or *Telecommunications Act*. However, their purpose was to implement the reporting obligations under sections 42-44 and 51-53 of the ACA, which the Commission will be responsible for administering and enforcing under the relevant provisions of the *Broadcasting Act* and *Telecommunications Act*.

### “No Wrong Door” Policy and Proactive Compliance Working Group

In addition to the specific measures reported above, the CRTC continues to work on its “No Wrong Door” Policy, which responds to the requirement set out in section 122(1) of the ACA. The “No Wrong Door” Policy is a collaboration between the CRTC, the Canadian Human Rights Commission, the Canadian Human Rights Tribunal, the Canadian Transportation Agency, the Federal Public Service Labour Relations and Employment Board, and the Accessibility Commissioner, which will result in the coordinated handling of accessibility-related complaints. The intent of the Policy is to remove barriers to the complaints process by creating a simplified and seamless experience for Canadians who need to file a complaint.

The Proactive Compliance Working Group is a collaboration between the CRTC, the Canadian Human Rights Commission, and the Canadian Transportation Agency, which will result in coordinated compliance activities among the participating organizations.



## Observations

Based on the results of this annual report, the CRTC provides the following observations:

- The CRTC Accessibility Reporting Regulations will require telecommunications and broadcasting entities to actively participate in identifying, removing and preventing barriers for persons with disabilities. They will also make accessibility-related information more transparent and more widely available for Canadians.
- The proceeding to review whether mobile wireless service plans meet the needs of Canadians with disabilities will enable the CRTC to update its policies on accessible wireless plans to help reduce barriers for Canadians with disabilities.
- VRS, a service mandated by the CRTC, is highly valued and enhances the independence of Canadians who are Deaf or who have a speech disability and whose first language is sign language. Periodic reviews, such as the one currently being conducted, will help identify any persistent barriers and enable work to be done to remove them.
- The Commission has eliminated a barrier to persons with disabilities accessing paper bills at no charge where e-billing represents a barrier to their full and equal participation in the communications system.