

A GUIDE TO ASSISTIVE LISTENING:  
UNDERSTANDING  
CANADIAN  
LEGISLATIVE  
COMPLIANCE



# HEARING LOSS: THE INVISIBLE DISABILITY



It is easy for most people to recognize and explain the purpose of wheelchair ramps, wheelchair signage, or signs that have been translated into braille. Less visible and well-known are the effects of the “invisible disability,” also known as hearing loss.

The causes of hearing loss vary, including, but not limited to: congenital illness, injury, or progressive loss due to excessive or prolonged exposure to noise.

Many people with hearing loss isolate themselves from social activities, like: the theatre, concerts, museum tours, sports events, and attending worship services, because listening and understanding in these environments is too frustrating and difficult, even with hearing aids, because hearing aids are not enough for this audience in venues .

## Barrier Free Accessibility in Canada

### Canadian Compliance

The requirements for assistive listening compliance in Canada are prepared under the direction of the Canadian Commission on Building and Fire Codes and outlined in the National Building Code. While they're prepared centrally under the federal government, enforcement and adoption of the requirements for assistive listening are the responsibility of the provincial and territorial authorities having jurisdiction. In other words, some Canadian Provinces and Territories adopt the federally suggested requirements for assistive listening systems and others have their own. Below you will find the requirements for each Province and Territory.

### The National Building Code of Canada

The following Provinces and Territories use the National Building Code to define their requirements for assistive listening systems: **Manitoba, New Brunswick, Newfoundland & Labrador, the Northwest Territories, Nova Scotia, Nunavut, Prince Edward Island, Saskatchewan, and Yukon.**



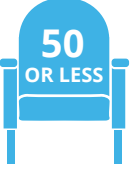


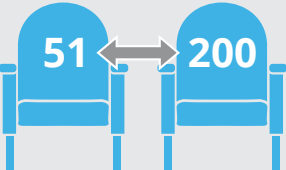


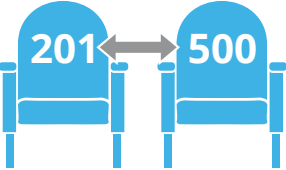


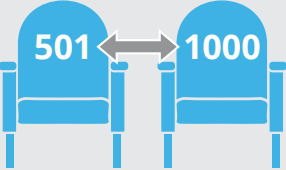


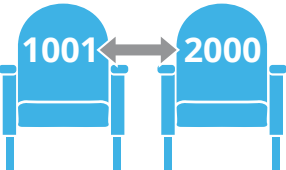





Under the National Building Code of Canada, the requirements for assistive listening are outlined in Article 3.8.3.7., which states:

- 1 Except as permitted by Sentence (2), in a *building of assembly occupancy\**, all classrooms, auditoriums, meeting rooms, and theatres with an area of more than 100 m<sup>2</sup> shall be equipped with an assistive listening system encompassing the entire seating area.
- 2 If the assistive listening system required by Sentence (1) is an induction loop system, only half the seating area in the room need be encompassed.

\*The Public Works and Government Services department of Canada defines an assembly occupancy area as occupancy used by a gathering of persons for civic, political, travel, religious, social, education, recreational or like purposes, or for the consumption of food or drink.

Table 3.8.3.7



SEATING CAPACITY	MINIMUM NUMBER OF REQUIRED RECEIVERS	MINIMUM NUMBER OF REQUIRED RECEIVERS TO BE HEARING-AID COMPATIBLE
		
	 <p data-bbox="621 720 841 846">Plus 1 additional for each 25 seats, or portion of 25 seats over 50 seats</p>	
	 <p data-bbox="621 930 841 1056">Plus 1 additional for each 25 seats, or portion of 25 seats over 50 seats</p>	 <p data-bbox="1125 940 1336 1003">1 of every 4, or any portion of 4</p>
	 <p data-bbox="621 1140 841 1266">Plus 1 additional for each 33 seats, or portion of 33 seats over 500 seats</p>	 <p data-bbox="1125 1150 1336 1213">1 of every 4, or any portion of 4</p>
	 <p data-bbox="621 1350 841 1476">Plus 1 additional for each 50 seats, or portion of 50 seats over 1000 seats</p>	 <p data-bbox="1125 1360 1336 1423">1 of every 4, or any portion of 4</p>
	 <p data-bbox="621 1560 841 1686">Plus 1 additional for each 100 seats, or portion of 100 seats over 2000 seats</p>	 <p data-bbox="1125 1570 1336 1633">1 of every 4, or any portion of 4</p>

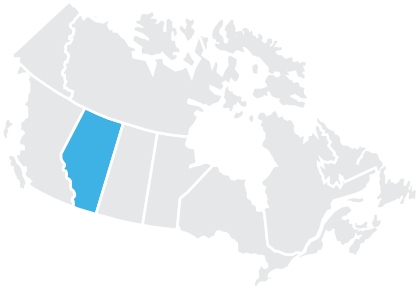
For sales information contact [sales@datavisual.ca](mailto:sales@datavisual.ca).

Receivers must be compatible with Hearing Aids and Cochlear implants equipped with telecoils

# Provinces with their own Building Codes



The Provinces of Alberta, Ontario, and Quebec use their own building codes to define their requirements for assistive listening systems. Below, you will find these requirements listed under the individual provinces.



## ALBERTA

The Province of Alberta relies on the Alberta Building Code to define their requirements for assistive listening systems.

### ASSISTIVE LISTENING REQUIREMENTS

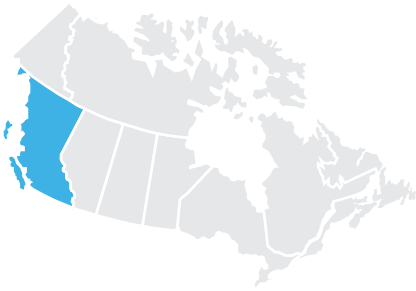
Article 3.8.3.7. of the Alberta Building Code states:

- 1 Except as permitted by Sentence (2), in a building of assembly occupancy, all assembly areas with an area of more than 100 m<sup>2</sup> shall be equipped with an assistive listening system comprising the entire seating area.
- 2 If the assistive listening system required by Sentence (1) is an induction loop (hearing loop) system, only half the seating area in the room need be encompassed.

### SIGNAGE REQUIREMENTS

Article 3.8.3.1. of the Alberta Building Code states:

- 3 Facilities and services for persons with a specific disability shall be identified using nationally recognized symbols.



## BRITISH COLUMBIA

The Province of British Columbia uses the British Columbia Building Code to define their requirements for assistive listening. These requirements are outlined in the Building Access Handbook, 2014.

### ASSISTIVE LISTENING REQUIREMENTS

Article 3.8.2.4. of the British Columbia Building Access Handbook states:

- 1 In assembly occupancies, all auditoria and theaters with an area of more than 100 m<sup>2</sup> shall have an assistive listening system conforming to Article 3.8.3.20.

Article 3.8.3.20. of the British Columbia Access Handbooks states:

- 1 Where assistive listening systems are required they shall be provided throughout the entire seating area except that with an induction loop system only half the seating area need be encompassed.



## ONTARIO

The Province of Ontario has passed a law that defines requirements for assistive listening. The Accessibility for Ontarians with Disabilities Act (AODA) was passed in 2005. In Ontario, assistive listening systems are required or will be required in the public sector and non-profit organizations when persons with a hearing disability request them.

The AODA has a goal to make Ontario accessible for people with disabilities by 2025. As such, they have mandated the following compliance dates for different types of organizations:

AFFECTED ORGANIZATIONS	COMPLIANCE DATES
Government of Ontario and Legislative Assembly	1 January 2014
Designated public sector organizations with 50+ employees	1 January 2015
Designated public sector organizations with 1 – 49 employees	1 January 2016
Private and not-for-profit organizations with 50+ employees	1 January 2016
Private and not-for-profit organizations with 1 – 49 employees	1 January 2017

### ASSISTIVE LISTENING REQUIREMENTS

Article 3.8.3.7. of the Ontario Building Code, 2012 states:

- 1 In buildings of assembly occupancy, all classrooms, auditoria, meeting rooms, and theatres with an area of more than 100 m<sup>2</sup> and an occupant load of more than 75 shall be equipped with assistive listening systems encompassing the entire seating area.

### OTHER CONSIDERATIONS:

- 1 Except as otherwise provided, every organization shall upon request provide or arrange for the provision of accessible formats and communication supports for persons with disabilities, in a timely manner that takes into account the persons accessibility needs due to disability: and at a cost that is no more than the regular cost charge to other persons.
- 2 The obligated organization shall consult that person making the request in the determining the suitability of an accessible format or communication support.
- 3 Every obligated organization shall notify the public about the availability of accessible formats and communications supports.

### INCENTIVES & AGREEMENTS

In Ontario there are Incentives and Agreements associated with providing assistive listening listed under the AODA. Part IX of the Incentive Agreements of the AODA, states:

#### AGREEMENTS

33. (1) If the Minister believes it is in the public interest to do so, the Minister may enter into agreements under this section with any person or organization required under this Act to comply with an accessibility standard, in order to encourage and provide incentives for such persons or organizations to exceed one or more of the requirements of the accessibility standards. 2005, c. 11, s. 33 (1).

### CONTENT OF AGREEMENTS

(2) A person or organization who enters into an agreement with the Minister under this section shall undertake to exceed one or more of the requirements of an accessibility standard applicable to that person or organization and to meet such additional requirements as may be specified in the agreement, within the time period specified in the agreement, in relation to accessibility with respect to,  
(a) goods, services and facilities provided by the person or organization;  
(b) accommodation provided by the person or organization;  
(c) employment provided by the person or organization; and  
(d) buildings, structures or premises owned or occupied by the person or organization. 2005, c. 11, s. 33 (2).



## QUEBEC

The Province of Quebec relies on the Code de construction du Quebec to define their requirements for assistive listening systems. Below you will find the requirements in English and French.

### ASSISTIVE LISTENING REQUIREMENTS

Article 3.8.3.7. in the Code de construction du Quebec states:

- 1 Except as permitted by Paragraph (2), in a building of assembly occupancy, all assembly areas with an area of more than 100 m<sup>2</sup> shall be equipped with an assistive listening system comprising the entire seating area.
- 2 If the assistive listening system required by Paragraph (1), is an induction loop (hearing loop) system, only half the seating area in the room need be encompassed.

The Province of Quebec has unique signage requirements in regards to whether French or English appears first. In all cases, from greetings to institutional signature, memos and business cards, the order of language is as follows:

**French appears first or to the left for an office or facility located in Quebec**

### *Appareils d'aide à l'audition*

- 1 Sous réserve du paragraphe 2), à l'intérieur d'un établissement de réunion, les salles de classe, les auditoriums, les salles de réunion et les salles de spectacle qui ont plus de 100 m<sup>2</sup> de surface doivent être équipés d'appareils d'aide à l'audition desservant tout l'espace occupé par des sièges.
- 2 Si les appareils d'aide à l'audition exigés au paragraphe 1) ont un système à boucle à induction, celui-ci peut ne desservir que la moitié de l'espace occupé par les sièges.

## Different Types of Assistive Listening



There are three types of assistive listening technology: radio frequency (RF), infrared (IR), and induction loop, also known as hearing loop. Each of these technologies uses different technology to transmit sound wirelessly to a personal receiver or directly to a compatible hearing aid. Assistive listening systems deliver the desired sound directly to the individuals ear without ambient background noise



### Infrared Systems

An IR assistive listening system uses infrared light to transmit audio, much like a television remote control. An IR system is made up of a radiator, transmitter, and receiver.

- IR is line-of-sight technology and is therefore very secure for confidential transmission of the audio signal within a room
- To achieve maximum range and coverage of an IR system, emitter/radiators need to cover the listening area, which may require multiple emitter/radiators—the height of the emitter/radiator is a critical consideration, as well
- For users with hearing aids that have telecoil capabilities, a personal neck loop can be used with the personal IR receivers



## Radio Frequency Systems

RF works by signals being transmitted over radio frequencies (specifically the Industry Canada mandated 72 and 216 MHz bands) to a personal receiver. The system is made up of a transmitter, antenna, and receiver.

- RF technology is advantageous in that there are no line-of-sight issues
- This technology covers wide areas, both indoors and outdoors
- RF technology transmits with an antenna, so antenna placement is critical to the performance and range of an RF system. Ideally, the antenna should be in the general vicinity of the receivers. The transmitter can be installed anywhere in a space, however the antenna should be high up and in the area of where the RF receivers will be used.
- An RF assistive listening system is typically the least expensive system to purchase and install
- For users with a hearing aid that have telecoil (T-coil) capabilities, a personal neck loop can be used with the personal RF receivers.



## Induction Loop Systems

In an induction loop (hearing loop) assistive listening system, an integral wire connected to a loop driver is installed around the venue room in a variety of ways creating an induction field that can be picked up by hearing aids with telecoils. An induction loop is made up of a loop driver, copper wire, and a user's hearing aid or cochlear implant (the hearing aid or cochlear implant works as the receiver).

- Many venues and users alike enjoy this type of assistive listening system, because it gives users the opportunity for a more discreet experience—they use their own hearing aids or cochlear implants to receive the audio signal
- There is no need to ask for a receiver or to wear something that draws attention to a user's hearing loss
- Loop receivers can be added to an induction loop system to accommodate those that do not have hearing aids equipped with telecoils or for people who don't wear hearing aids



## Hearing Aid Compatible Receivers

To make a hearing aid or cochlear implant compatible with the installed assistive listening system, the aid uses the "telecoil" which is in the hearing aid or cochlear implant. 70% of hearing aids are equipped with this technology and 100% of cochlear implants use this technology. Most aids have a "switch" on them to activate the telecoil mode.



An important component of barrier free accessibility is signage that identifies the availability of an assistive listening system, like these signs. The sign to the left indicates that a venue has an induction loop (hearing loop) installed as shown by the “T” for telecoil. The sign to the right indicates that an RF or IR assistive listening system is available.



As a bilingual country, Canada has requirements for signage in dual languages. Below you will find the requirements listed.

Your office or facility must provide services in both official languages and is designated bilingual if it meets one of the following conditions.

- 1** It is a head or central office.
- 2** It is located in the National Capital Region.
- 3** Your institution reports directly to Parliament.
- 4** There is significant demand for services and communications in both official languages (the Regulations define “significant demand” based on the size and proportion of the official-language minority community).
- 5** The nature of your office justifies that both official languages be used in communications and services.
- 6** Your office provides services to the travelling public, where there is significant demand. Some facilities – because of their nature or location – must always offer services in both official languages. Some examples are embassies or consulates. Signs related to health, safety and security must always be bilingual.

If your office is designated bilingual, contracted third parties working on your behalf or concessionaires who serve the travelling public must also provide bilingual services. In March 2010, there were approximately 11,700 offices and facilities providing services to and communicating with the public. Of these, approximately one-third were required to provide bilingual services.

In all cases, from greetings to institutional signature, memos and business cards, the order of language is as follows:

- French appears first or to the left for an office or facility located in Quebec
- English appears first or to the left for an office or facility located in the other provinces and the territories





## Legal Obligation

Assistive listening system requirements are outlined in the National Building Code of Canada, but these requirements are subject to provincial and territorial authorities having jurisdiction.

## Advantages of Compliance

Canadians with disabilities make up a significant percentage of the population. Barrier free accessibility not only gives people of all abilities the opportunity to participate in the activities they love, but it's also great for business.

- Within 27 years, the population age of 65+ years will increase over 60% and 1 in 5 adults will be age 65 or older
- Hearing loss is on the rise in young people ages 7 — 14
- The aging population and people with disabilities will represent around 40% of the total income in Canada
- Disabled and aging Canadians have billions of dollars in discretionary spending power
- Barrier free accessibility helps businesses meet the needs of a growing population of Canadians while simultaneously attracting their spending power
- Businesses that make accessibility improvements experience at least a 12% increase in business
- Businesses that comply with barrier free accessibility laws may benefit from tax incentives in certain Provinces and Territories (see Ontario section for more information)

## The Right Thing to Do

Many people in Canada have hearing loss; it is the largest single disability group in North America. Providing access to assistive listening systems is simply the right thing to do. It helps people feel more connected to their communities and live fuller, richer lives.

For more information on assistive listening systems and compliance, please visit <http://www.listentech.com>

You should always obtain legal advice that is specific to you and your situation. Below is general information only, and is NOT to be a substitute for legal advice or legal opinions which you should obtain from your own attorney. Among other things, this information may not reflect current legal developments or other issues that may apply to your specific circumstances and situation.

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