

CDBC.VRS-DWCC Comments to CAV's Answers to CRTC RFI Q19 - Q21

Topic 4: Policies

This document from **CDBC.VRS-DWCC** focuses on Policies: Usage, User Agreement, Privacy and Confidentiality Agreement, Fair Usage Policy, and any other policies.

Methodology

1. Three members of **CDBC.VRS-DWCC** participated in this topic of Policies. The team leaders sent the questions and CAV's responses to the Committee members to provide comments from their experiences and perspectives.
2. Each Committee Member (**CM**) was assigned a number, which is the quote they provide. For example, one member will be labelled and identified as "**CM#9**" The following Committee numbers participating in this Response are **CM#6**, **CM#9**, and **CM#16**.
3. To create a flow between the questions, one Committee member consultant pulled all the answers together and tied up the response for each question, summarizing the answers together for each question in the same numbered Response (R#).

General Comments

4. **CM#9 comments:** The documents were run through the Readable app to evaluate the average reading level of both the User Agreement and User Privacy Policy. What was discovered was the intermediate reading level was between 12.5 and 13.2 of the Flesch-Kincaid level, and very low ease of reading scores. This reading scale level does not fit DDBHH VRS users' readability and understanding.
5. **CM#16 general note:** The readability levels are significant with the Deaf community, and to make the policies open and inclusive with the readability efforts of those with intellectual disabilities and Deaf people with Grade 2-3 literacy skills.
6. Those with language or literacy disabilities have intellectual or developmental disabilities, or those who are language deprived with low literacy skills from any other cause and may include ASL and LSQ users may have a communication disability. It is these people that face daily barriers to accessing information.

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7. Simple language eliminates all unnecessary wording. It provides the essential information in unambiguous terms, using one- and two-syllable words, concise sentences, and concise paragraphs. It encourages the use of graphics instead of words wherever possible. It removes any vagueness and assumptions with the choice of language.
8. It is the recommendation that CAV take steps to create a simple language, rather than plain language, of these policies to make these documents understood by people with low literacy skills.¹
9. **CM#16 comments:** This shows that the validity of these policy documents is weakened if the level of literacy is beyond the consumer's ability, and all the consumers knew was that the only way to get a VRS account was to agree to The terms of these documents.
10. **CM#17 comments:** CAV's website should be the one-stop source for all information for people with links to videos in sign language instead of piecemeal information with some on a locked Facebook account, some buried in a YouTube channel, and some buried in an annual report. The information should be directly on the CAV website, and CAV can then push the lead out via other third-party means such as YouTube, Facebook, or others.
11. In general, the **CDBC.VRS-DWCC** noticed it was a challenge for our writers and analysts for this Category that they could not find current information in both the website and the user agreement file. For a specific example, the new information that is now permitted to empower the VRS consumers not to have the interpreter "announce" the relay call is in one place and not the other.

QUESTION 19

Question 19: What are the CAV's VRS usage policies related to maximum call duration, account suspension, conference calls, number of calls that VRS callers can make during a session, and any others?

¹ *The Communication Lens Guidelines* PowerPoint is taken from the Communicating accessibility – A Project Report on Federal Accessibility Legislation by the Canadian Association of the Deaf – Association des Sourds du Canada (CAD-ASC), 2018, Pavel Chernousov, Project Director, pages 34-36

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Maximum Call Duration / Conference Calls

12. **CM#2 comments:** DWCC participated in some federal government conference call with over 100 people over the phone and saw its conference calls cut shorter and shorter, which is not a functional equivalent calling experience. The conference call did not provide the Deaf participants with an equitable communication experience. In one meeting, our conference calls were cut short from 2 hours to 1.5 hours “for the Deaf participants,” It was embarrassing to be the sole reason for the meetings going forward to be cut short due to CAV’s policy of 90 minutes. This change is not communication equity.
13. **CM#16 comments:** The limit on conference call durations needs to be removed unless there is a similar limit on non-VRS conference calls. In other words:
 - a. If hearing people can book voice conference calls in advance for no longer than 90 minutes, then an equivalent 90-minute maximum on VRS conference calls is acceptable.
 - b. If there is no maximum on voice conference call bookings, then there must be no maximum on VRS conference call bookings.
14. The line of reasoning is what hearing people have limits on, the Deaf people have limitations on; if hearing that use the phone does not have limits, then the same allowance (no limits) goes to DDBHH callers.
15. **CM#17 comments:** Referencing *The Sage Report* excerpt: “When calling certain businesses or government agencies, the hold time before connecting with an agent can exceed 90 minutes. It is suggested that VI's presence should be allowed to continue past 90 minutes in this circumstance. There were two aspects to this participant's suggestion: (1) they believed there is a 90-minute limit on VRS calls, and (2) they said if the hold time exceeds 90 minutes, it is necessary to call back – and if the hold time again exceeds 90 minutes, then they will not be able to get through to the agency they are calling.”²
16. **CM#17 comments:** Important to note that non-deaf people who do voice calls are not warned about limiting their call duration when they are on hold for three hours with TELUS, Rogers, Bell, government calls, Covid test centers, health services, travel agencies and so forth; they do not receive notices from their

² *The Sage Report*, page 19 - [link](#)

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communications provider to limit the time of their phone calls while on hold with essential services. Why do the DDBHH callers have to be told to limit their time when hearing people don't get these notifications? They're getting information from a 30-million-dollar service. It is incorrect; this is not an equitable phone calling experience and is considered discrimination. Also, one wonders if industry reports are generated for people stuck on hold and exceed a 90-minute time frame as another policing method. Will these be used against the consumers?

Number of calls that VRS callers can make during a session

CM#16 comments: It seems reasonable and flexible policy.

Fair Usage Policy

17. CM#16 comments: Fair usage:

- Not make multiple calls, or switch to your other account; if applicable, connect with a different or preferred video interpreter

18. CM#16 comments: I think it is already permissible to request a preferred interpreter; if not, then it should be. The caller could be placed in a special queue for that particular interpreter. I don't understand how making multiple calls would lead to connecting with a preferred interpreter. Unless this means the caller repeatedly calls and hangs up and calls again until connecting with the desired interpreter. If that's the case, **the language in this article needs to be improved to make the point more transparent.**

- Not use the VRS Services for business or employment activities that rely predominantly on phone services. This includes telemarketing, phone-based customer service or other support services, phone sales or repetitive confirmation calling, or other types of heavy or repetitive calling that we may deem excessive in our sole discretion.

19. CM#16 comments: I am questioning, is this fair? If hearing businesspeople are allowed, and maybe encouraged, to do their marketing and promotion by phone, then conversely, any DDBHH businesspeople should be allowed the same right. On the other hand, they certainly would tie up the service.

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20. Since CAV permits separate accounts for personal and business calls, it seems restrictions on business-by-phone are paradoxical. The business accounts and the limitations are something that should be questioned and challenged, if only for the sake of improving clarification:
 - Hire a sign language interpreter or video remote interpreting service for calls lasting longer than 1.5 hours.³
21. **CM16 comments:** Is it even possible to “hire” VRS? The wording here needs to be **carefully reassessed**. Do they mean “book” a VRS call or “hire,” as in paying a fee for service? In the former case, this point is redundant: they have already stated at least twice that it is forbidden to engage in a call lasting longer than 90 minutes. In the latter case, what is CAV doing? From my understanding, the CAV is not supposed to be hiring themselves out for a fee, regardless of the length or purpose of a call. So why does this point exist?

QUESTION 20

CDBC.VRS comments:

CM#16: Privacy policy. Two issues to consider:

22. I am troubled by the lax privacy policies in the USA compared to those in Canada. I realize the only possible avenue to resolve the issue is too severe ties with USA partners, employees, services, etc. and that such a step would have a powerful impact on CAV's services; nevertheless, it should be a goal to do so to protect DHH Canadians. I recall it was a vital element of the Bell Canada feasibility study (pre-CAV) that the provider, whomever it was to be (i.e., CAV now), must establish a “college” to train and fast-track Canadian interpreters and technicians to render the service all-Canadian as quickly as possible. I am unaware if this recommendation has been entered into practice.
23. Perhaps this Privacy Policy is not the right place for it. Still, I wonder about the ongoing barrier of banks, credit cards, online government services, etc., refusing to accept VRS calls because they consider the interpreters “third parties.” I don't see anything specific to this point in the Privacy Policy, not even the section that focuses on “third parties.” Should there be something inserted on this point?

³ CAV User Agreement, Page 5 - [link](#)

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QUESTION 21

Are these policies available to users in ASL and LSQ?

CDBC.VRS-DWCC members analyzed the response to this question below:

24. **CM#5 comments:** I have looked carefully at three aspects of such on the CAV website and YouTube:
User policies: I can't find any information in print English, French, or videos.
User agreements: I can't find information in print English, French, and videos.
User privacy policies: It is available in print English and French yet not in videos.
25. My thoughts on this issue: I don't know how much it should be on the website or in user's agreements. The best bet would be what CRTC's policies mandate this.
26. **CM#16 comments:** There is never any mention of providing this information in an accessible format, i.e., in ASL and LSQ versions. Are such versions available? If so, it should be mentioned somewhere in the policy statement. If not, then these sign language versions should be created and promoted.
27. **CM#17 comments:** CRTC should know that English or French may not be a Deaf person's first language; Sign Language is. There is no privacy policy or user agreement found in sign language. When I search CAV's homepage, there is nothing I can see regarding the binding policies. The written Policies are a likely barrier to understanding due to the known and documented literacy issues in the Deaf community.
28. It is **CDBC.VRS-DWCC's** view, according to the above paragraphs, therefore, **CAV** needs to do its part and take responsibility to make these critical "legal language" user agreements and policy documents accessible in the language of Deaf sign language users - ASL or LSQ. These are the primary sign languages in the *Accessible Canada Act*. Therefore, these videos in ASL or LSQ must be available to VRS users.
29. A suggestion is that each item [of the user agreement] should be produced as a separate video. That way, the team can swap out videos when there is an update to a section or paragraph. When **CAV changes a policy or reminds callers of a policy that existed but was not regularly enforced, CAV should send this information out in ASL and LSQ.**

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30. Additionally, on the user agreement, there need to be words attached with links to ASL and LSQ vocabulary definitions to assist the VRS users in understanding the legal language of the user agreements. It can create a terminology video series defining any technical word the VRS users may be unfamiliar with.

*****END OF DOCUMENT*****