



The Rights Stuff

What you need to know about your rights

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The purpose of this booklet is to give you information about the rights you have.

It provides an explanation of what your rights are as a citizen, a list of your individual rights, an overview of provincial legislation to protect individuals with a disability and a list of resources that you may find useful.

This booklet also gives a list of important definitions as well as information on the Accessibility

Act of Manitoba and the Vulnerable Persons Living With a Mental Disability Act.

We would like to gratefully acknowledge the many contributions of people supported by Epic Opportunities and our staff members in the production of this booklet.

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— *Epic Opportunities*



- **Accessible:** Easy to approach, reach, enter, speak with someone or use something.
- **Advisor:** A person who gives you advice.
- **Barrier:** Something such as an obstacle or attitude that limits you in achieving your goal or task.
- **Commissioner:** A person who works for the Government of Manitoba and makes decisions around Substitute Decision Making (SDM) as part of the Vulnerable Persons Act (VPA).
- **Community Service Worker (CSW):** A worker hired by Manitoba Family Services who assists people to get the support they need.
- **Discrimination:** When a person is treated unfairly because of things such as their race, sex or the way they look.
- **EIA:** The Employment and Income Assistance (EIA) program provides basic financial and medical benefits to Manitobans who need assistance.
- **Equality:** When people are treated the same regardless of race, religion, disability, age, or gender.
- **Freedom:** Being able to live your own life as you choose to.
- **Harassment:** Repeated actions towards another person which are threatening or disturbing.
- **Lawyer:** A person whose job is to give you legal advice.
- **Legislation:** Laws and rules made by the government.
- **Prejudice:** Hateful feelings, opinions, or attitudes towards a specific group of people because of who they are or the choices they have made.



- **Racism:** Hateful thoughts or discrimination of other people because of their race.
- **Registered Retirement Savings Plan (RRSP):** A financial plan that allows you and a spouse or partner to save for retirement.
- **Religion:** The practice of spiritual beliefs or faith.
- **Responsibility:** A duty to take care of something or someone.
- **Self-determination:** The power and ability to make a decision for yourself.
- **Stereotyping:** Thoughts about someone or something based on wrong information. Judging a person because of the actions of other people who are like them. Stereotyping can be directed at people because of their race, age or where they live.
- **Substitute Decision Maker (SDM):** A person who is given the legal right to make decisions for a vulnerable person regarding personal care and/or property.
- **Support network:** One or more persons who provide advice, support or assistance to an individual.
- **Vulnerable Person:** An adult with an intellectual disability who needs assistance with activities of daily living such as cooking, banking and attending medical appointments.



LIFE

The right to life means:

- You can choose to have children or not.
- You can choose how you want to live your life.
- You can choose the medical treatments or help you need.
- You can make a will that states what will happen when you die.

Questions:

- Do you know who your doctor is?
- Do you know what your medications are for?
- Do you pick who goes to doctor appointments with you?



FREEDOM

The right to freedom means:

- You can say what you want to say.
- You can choose where you live and with who.
- You can choose who your friends are.
- You can choose who you want to have a romantic relationship with.
- You can choose to go to church or not.
- You can choose how and where you want to travel.

Questions:

- When you go into buildings do they have ramps for people who use wheelchairs?
- Do you live with the people you want to live with?
- Do you feel that people listen to you?

MY BODY

The right to control what happens to your body means:

- You can get information about the medication you take.
- You can choose what you want to eat or drink.
- You can choose the clothes you want to wear.
- You can choose to have a sexual relationship with another person or say no.

Questions:

- When you go to the doctor, does the doctor explain everything to you?
- Do you know what medications you take and what they are for?
- Do you pick your own clothes or haircut?



EQUAL PROTECTION

The right to equal protection and equal benefit of the law means:

- You must follow the law and are protected by the law the same as everyone else.
- You can talk to a lawyer (see the legal rights section if you want more information about this).
- You can call the police if you are in danger.

Questions:

- Do you know who you can talk to about your legal rights?
- Who can you tell if you are being hurt or if you don't like how you are being treated?
- Do you have access to a phone?
- Do you know how to use the phone?
- Do you have phone numbers for people who can help you?

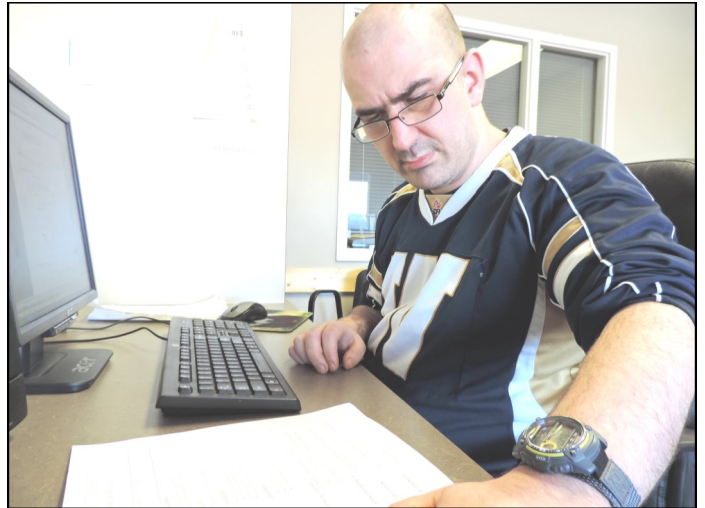
CHOICE

The right to choice means:

- You can decide who you live with.
- You can choose your friends and the people you have in your life.
- You can choose where you go for services.
- You can make a decision, even if it turns out to be a mistake.
- You can decide who helps you make choices.

Questions:

- Do you see family and friends as often as you want to?
- Are you happy with what you do everyday?
- Do you feel your choices are respected by family, friends and other people around you?



INFORMED CONSENT

The right to informed consent means:

- You understand what something means before you agree to it.
- People respect your choice when you say no.
- Your doctor tells you what they are going to do before they do it and asks if it is okay.
- People ask what you want to do with your money, and they listen to you.

Questions:

- How do you make decisions?
- Who do you talk to when you make a decision?
- Do people ask for your permission when they look at your information?

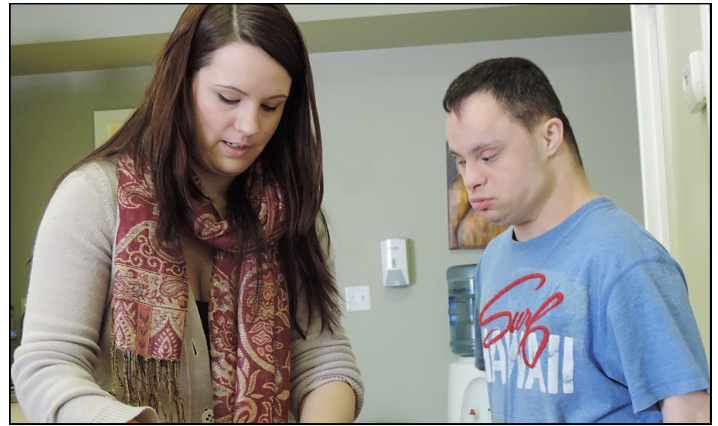
EXPLANATIONS

The right to an explanation means:

- People check to see that you understand and that they understand you.
- People share information in a way that you understand.
- People give you time to think about what they are saying.

Questions:

- Do you usually understand what people are talking about?
- Do you ask someone to explain if you don't understand what they are talking about?
- Do people give you enough time to understand what they mean?



BEING HEARD

The right to being heard means:

- People listen to what you are saying and show you they understand.
- People ask you what you are thinking or feeling.
- People respect your choices.

Questions:

- Do people listen to what you want to do each day?
- Do people ask you to make decisions about the food you eat, how you spend your money or where you want to live and work?
- Do people respect your choices about who you want to spend time with each day?

LEGAL ADVICE

The right to see a lawyer or legal advisor means:

- You can seek legal advice.
- You can learn about how a lawyer can help you.
- You can get support to see a lawyer.

Questions:

- Do you know when a lawyer can give you advice?
- Do you know where else you can go for legal help?
- Do you know how much it costs to see a lawyer?
- Do you know what to do when you can't afford a lawyer?



FINANCIAL

The right to have enough money to buy food, have a place to live, and buy other things you need means:

- You have money to buy the food you need.
- You have a home that is safe.
- If you have a job, your employer pays you minimum wage or more.
- You have the right to save money for your future.

Questions:

- Do you choose how to spend or save your money?
- Do you choose which bank you use?
- Do you know where to go for help with your money?

MEDICAL CARE

The right to access proper medical care means

- Your nurse or doctor listens to what you have to say and answers your questions.
- You get all the information you need about your medical condition.
- A friend or family member can assist you with receiving medical care or advice.

Questions:

- Do you have a doctor you are comfortable with?
- Do you know your medical history?
- Do you know what medical benefits are offered by the government?
- Do you know when a Substitute Decision Maker can be put in place?



PROTECTION

The right to being protected from someone hurting you or taking something of yours means:

- You can call the police if a crime is committed or someone has hurt you.
- You can learn more about your legal rights.
- You can tell a friend, family member or someone you trust if someone is hurting you.

Questions:

- Do you know how and when to contact the police or emergency services?
- Do you know what it means to be a victim of abuse, neglect or crime?
- Do you know a person you trust who you can talk to when you feel unsafe?

EDUCATION

The right to an education means:

- You are given the support you need to learn and grow.
- You can get information about different types of education and can choose the one that's right for you.
- You can go to college or university if you choose to.

Questions:

- Do you know that education can include courses of interest offered in the community?
- Do you know where to go to find the education you want?
- Do you know how to register for college or university if you choose to do so?



EMPLOYMENT

The right to work means:

- You can apply for any job you want.
- You should be treated the same as any other employee.
- You should get the same wages and benefits as other people doing the same job as you.

Questions:

- What types of work do you like to do?
- Do you know you can get a job doing something you enjoy?
- Do you get paid the same as the other people doing the same job as you?
- Does your employer treat you the same as everyone else at work?
- Do you know someone who can help you look for a job?

SAFETY

The right to personal safety in the community means:

- Your home and place of work should be safe.
- You feel safe in your neighbourhood and community.
- You can find out how to keep yourself safe and what you need to do to make that happen.

Questions:

- Do you know what makes you feel safe?
- Do you feel afraid or unsafe when you are at work, at home or in the community?
- Do you have friends and neighbours you can talk to and ask for help if you feel unsafe?



What Do I Do If I Have A Complaint?

If you have a complaint and want to tell someone you can:

- Tell a **friend** or **family member** or another person you trust and feel comfortable with.
- Tell a person in **management** at any organizations you are involved with.
- You can call **People First** at (204) 784-7362.
- You can call the **Manitoba Human Rights Commission** at (204) 945-3007.
- If your complaint is with your landlord you can call the **Residential Tenancies Branch** at (204) 945-2476.
- If your complaint is with your boss you can call **Employment Standards** at (204) 945-3352.
- If your complaint is with your doctor you can call the **College of Physicians and Surgeons of Manitoba** at (204) 774-4344.
- If you are a senior and concerned about your safety you can call the **Seniors and Healthy Aging Secretariat** at 1-888-896-7183.

Act to Guide Accessibility Standards

The Accessibility Act for Manitobans, legislation that will remove barriers and improve accessibility for all Manitobans, became law on Dec. 5, 2013.

Jennifer Howard, Finance Minister and Minister responsible for Persons with Disabilities at the time said, “Nearly one in six Manitobans has a disability and this number is expected to increase, due in part to an aging population.”

This new law will make living, learning, working and playing easier for people with disabilities.

Purpose

The reason for this law is to achieve accessibility by preventing and removing barriers that limit people with respect to:

- employment
- accommodation
- the built environment
- facilities, buildings, structures and premises
- public transportation and transportation infrastructure
- the delivery and receipt of goods, services and information
- a prescribed activity or undertaking

Principles

To be accessible we need to think of the following:

- **Access:** People should be able to go to places and events that are available in the community with out barriers.
- **Equality:** People can get or use the things they need in order to have the same opportunity and outcome.
- **Universal design:** Access should be given in a way that does not make a persons differences stand out.
- **Systemic responsibility:** Its up to the company or the person who created the barrier to remove the barrier.

What is a barrier?

For a person who has a physical, mental, intellectual or sensory disability, a barrier is anything that interacts with that disability in a way that may hinder the person’s full and effective participation in society on an equal basis.

Examples of barriers

The following are examples of barriers:

- a physical barrier
- an architectural barrier
- an information or communications barrier
- an attitudinal barrier
- technological barrier

The following agencies offer information about your individual rights:

- **Manitoba Human Rights Commission:**

The Manitoba Human Rights Commission is the agency responsible for carrying out the provisions of The Human Rights Code. Anyone can file a complaint with the commission if they feel a practice or policy unreasonably discriminates against them.

Contact:

(204) 945-3007 (phone)

www.manitobahumanrights.ca

- **Manitoba Disability Issues Office:**

The Disabilities Issues Office was created to encourage the participation of persons with disabilities as full citizens in all aspects of society and promote inclusive policies and programs.

Contact:

(204) 945-7613 (phone)

www.gov.mb.ca/dio

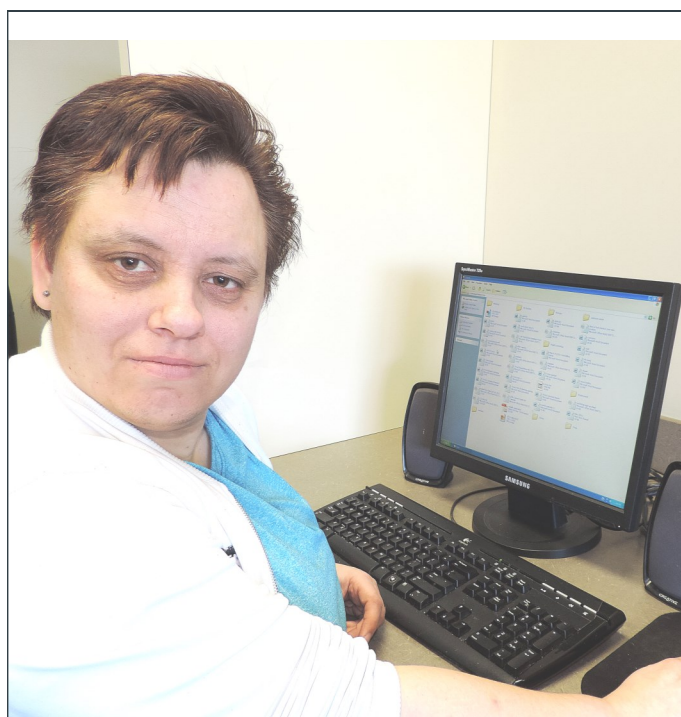
- **Canadian Charter of Rights and Freedoms:**

The Canadian Charter of Rights and Freedoms is part of the Constitution Act and was created in 1982. It protects the rights of Canadians in a number of key areas including freedom of expression, the right to life and liberty and equal rights.

Contact:

1-866-599-4999 (phone)

www.parl.gc.ca (website)



- **Office of the Vulnerable Persons' Commissioner:**

The purpose of the Office of the Vulnerable Persons' Commissioner is to protect vulnerable persons through policies, procedures and legislation.

Contact:

(204) 945-5039 (phone)

www.gov.mb.ca/fs/vpco

- **People First of Canada:**

People First of Canada is a national non-profit organization that represents people with intellectual disabilities and advocates for human rights and full inclusion in the community.

Contact:

(204) 784-7362 (phone)

www.peoplefirstofcanada.ca

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Epic Opportunities offers holistic, person-centred supports to empower people to live, learn, work and enjoy life in the community.

Each of our locations offers a wide range of supports based on a person's interests, needs, goals and dreams.

As a non-profit, charitable organization, Epic Opportunities operates under the direction of a volunteer board of directors. The board meets monthly and is made up of committees that provide input for policies, governance and operations.

Board members are elected in June.

Vulnerable Persons Living with a Mental Disability Act

On Oct. 4, 1996, a law came into force in Manitoba called The Vulnerable Persons Living with a Mental Disability Act.

This Act was developed to promote and protect the rights of adults living with a mental disability who need assistance to meet their basic needs. The legislation recognizes these Manitobans as vulnerable persons.

Guiding Principles

The Act is based on the following guiding principles:

- Vulnerable persons are presumed to have the capacity to make decisions affecting themselves, unless demonstrated otherwise.
- Vulnerable persons should be encouraged to make their own decisions.
- The vulnerable person's support network should be encouraged to assist the vulnerable person in making decisions so as to enhance his or her independence and self-determination.
- Assistance with decision making should be provided in



a manner which respects the privacy and dignity of the person and should be the least restrictive and least intrusive form of assistance that is appropriate in the circumstances.

- Substitute decision making should be invoked only as a last resort when a vulnerable person needs a decision to be made and is unable to make these decisions by himself or herself or with the involvement of members of his or her support network.

— Government of Manitoba