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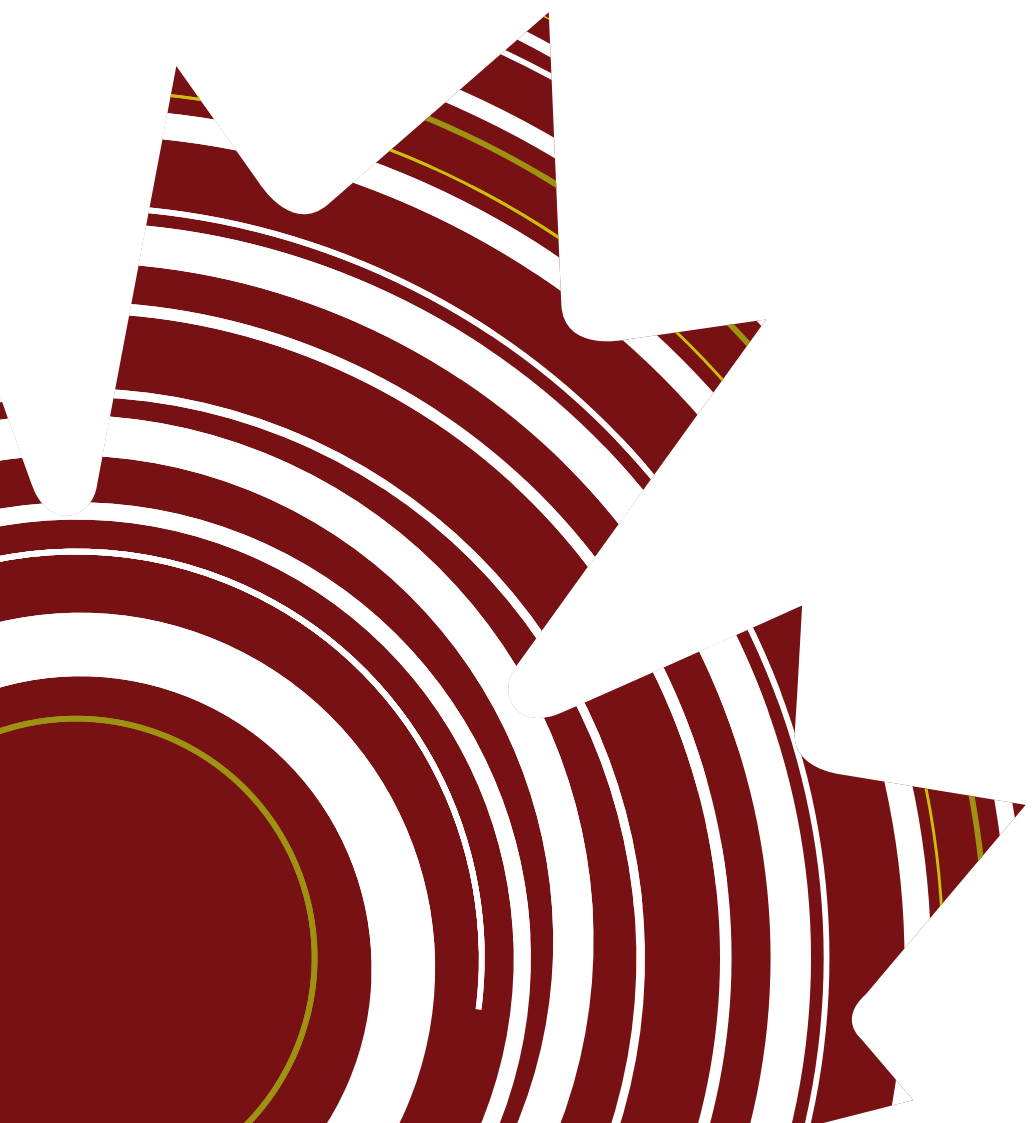
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# Halifax

Le 29 juin 2018 / June 29, 2018

## Séance de l'après midi/Afternoon Session

Scott Streiner: 00:01:53 Good evening folks. I'm Scott Streiner, Chair and CEO of the Canadian Transportation Agency. I'm accompanied today by Liz Barker, the CTA's Vice Chair. We're very pleased that you've come to join us to discuss the important question of what should be in the new air passenger protection regulations. So that you know, we have translation services available today, and you're welcome to make your comments in English, French, or ASL. [inaudible 00:02:23] disposant des services traduction et vous êtes invités à faire vos commentaires dans la langue officielle de votre choix. Air travel is integral to modern life. Canadians get on planes to see family and friends, to visit new places, to access medical treatment, to do business. Most of the time our flights go smoothly, but when they don't the experience can be frustrating. Partly, that's because we often feel that we have little control over the situation.

Scott Streiner: 00:02:55 Partly, it's because we may get little information on the events, on the reasons for the flight disruption. We may not be sure what our rights are, or we may not know who we can turn to for explanations or for recourse. The new air passenger protection regulations will help to address these issues. The regulations will require that airlines communicate with passengers on their rights and the recourse available to them in clear and concise language. The regulations will establish the minimum standards of treatment if your flight is delayed or canceled, if you're denied boarding, if your bags are lost or damaged, if your plane sits on the tarmac for more than three hours, or if you're traveling with children who need to be sat near you. The regulations will also prescribe minimum levels of compensation for a flight delay or cancellation, or denied boarding that are within the control of the airline, and for lost or damaged baggage.

Scott Streiner: 00:03:55 Finally, the regulations will require airlines to have specific terms and conditions for the transportation of musical instruments. This will be the first time that Canada will have a single set of standard minimum obligations that every airline flying to, from, or within Canada must follow. Parliament has given the CTA the job of making these regulations. We're Canada's longest standing independent expert tribunal and regulator. We've been around since 1904 and we take this new responsibility very seriously. We know that Canadians rely on air travel. We know that Canadians want

have their say on the content of these new regulations. And, we know that they want the new rules to be in place without unnecessary delay. C'est la premiere fois que le Canada se dotera de l'ensemble unique d'obligation minimum qui devront se respecter toutes les compagnies aeriennes volant au Canada. We're seeking Canadians' input from coast, to coast, to coast. That's why we're here in Halifax today, and it's why we're holding similar public consultation sessions in another seven cities. This is in fact the seventh of the eight public consultation sessions that we're holding.

Scott Streiner: 00:05:16 We're also organizing a call in session on July the 5th for people who want to offer their comments verbally, but weren't able to attend one of our in person sessions. We're conducting airport surveys across the country, and meeting with key stakeholders. And, we've set up a consultation website, [airpassengarprotection.ca](http://airpassengarprotection.ca). That contains a discussion paper, a plane language questionnaire, and a link for sending in written submissions. Now, we're off to a great start. 13,000 Canadians have already visited our consultation website, and almost 3,000 have completed questionnaires and surveys since we launched this process on May the 28th. We are of course encouraged by this high level of engagement, and we look forward to hearing from everybody whose come to meet with us directly. Once the consultations conclude, and that'll be at the end of August, we'll consider all the feedback we've received and we'll draft the regulations which will then require the approval of both the CTA and the federal cabinet. Now, just before we begin, a couple of points on process.

Scott Streiner: 00:06:23 The Vice Chair and I are here mainly to listen to your presentations, your views, and your advice. Each participant can take up to 10 minutes to make their presentation, after which Liz and I may pose some questions. We'd ask that when making your presentations, for those of you who are doing so verbally, that you do so using the microphone at the podium. And, we will provide some interpreter with a microphone so that our translation services can continue to translate for those who are interested. You're free of course to offer any information and suggestions that you wish, but we would make two requests. First, we'd ask that you keep in mind that we're making the regulations within authorities given to us by parliament. Now, those authorities cover a lot of subjects. I spoke [inaudible 00:07:12] to go about many of them. But, there still may be issued that you'd like to see dealt with by regulations where we simply haven't been given the power to do so. Second, we would of course ask that you maintain appropriate decorum. We don't want these consultation sessions to be too formal, but we do want them to be appropriately respectful so that people feel comfortable bringing forward their ideas and engaging in a meaningful conversation.

Scott Streiner: 00:07:37 Finally, I'd like to remind the media and others present in the room that no recording is permitted once I complete these opening remarks, and that

actually means right now. I've just completed my opening remarks. So, without further adieu we'll invite the first presenter forward. And, then we will, as I noted a moment ago, pose some questions before moving to the next. Just so people know, the order of the first couple of presenters is Woodrow, followed by Daniel, and then followed by Elliott Richmond. And, we have a total of eight or nine people who will be presenting today. So, Mr. French. The floor is yours.

Woodrow: 00:08:18 Thank you very much Mr. Chairman. And, welcome to eastern Canada. First of all, I wanna ... I have a statement. Hopefully it won't come under my 10 minutes. And, that's on the disappointment that the committee is not coming to Newfoundland to make a presentation. A province that has some of the most volatile weather conditions in Canada. Comparable to the north, compared to anywhere. As a matter of fact, last week it was snowing. So, you know? I did a radio show in ST. John's, and a lot of displeasure was brought forward with regard to the committee not meeting in Newfoundland. And, it cost me \$1,000 to come today, to present to the committee. So, that shows my commitment I think. Take it in on a positive note. In 2006, as mayor of the town of Conception Bay South in Newfoundland, I was contacted by a family member who was returning to Canada to celebrate Christmas. Very important time right across Canada. Anyhow, the weather in Atlantic Canada certainly did it's job. The flight was terminated here in Halifax, and the person, the passenger was left basically on her own. And, the air carrier told her that the earliest time that they could get her out of Nova Scotia was in the new year.

Woodrow: 00:09:37 As you said, a very, very difficult time on people. And, at that time being the mayor of Conception Bay South and being a member of the Federation of Canadian Municipalities, I felt I had a platform to [inaudible 00:09:50] some of these issues forward. Because, it wasn't just Newfoundland. It's been right across Canada as you've stated in your opening remarks. And, so I took it to the Federation of Canadian Municipalities. I presented it to the committee, transport committee. They lobbied the federal government on behalf of me, and the residents of Land-Labrador and indeed all the residents of Canada. Following that, I presented to a house of commons committee. The interesting thing about that was the number of lawyers that were there, lobbyists, representing the airlines. And, out of that, because of the pressure of the Federation of Canadian Municipalities and the residents of Canada, we got this famous thing called Fright Rights Canada. And, that wasn't worked. The paper was written, and Canadians still experienced the same problems that they have. And, I'm not gonna go into the problem, because I'm sure you heard them. If anybody watched TV, listened to a radio, they've heard complaints about the airlines in Canada.

Woodrow: 00:10:55 One of the things that, I guess important now, is the fact that the federal government which has the responsibility in Canada to regulate airlines ... You know, we've come a long way, and yet we haven't. In the beginning, they talked about the safety of the airplane. Forget about the passengers. They were sort of on their own, and they got there ... If the aircraft got there without crashing. So, that was the first thing. As the industry grew and people started to travel in Canada, then people started to be concerned when they were bumped off aircraft, when they were delayed for different reasons. So, I know one time, and this was quite rampant back in the day, where, I was terminated in Halifax more than once. And, phoned my wife and said, "I can't make it in tonight." And, she said, "Well, why not? The weather's fantastic here." But, it was because there was a storm coming in. The airline didn't want the airplane stuck in St. John's. And, they couldn't turn it around in the morning, so boom. We were terminated here. Lucky if you got a hotel room. And, again lucky if you got out next day.

Woodrow: 00:11:59 So, it's quite a concern. The bigger aircraft are a lot better. But, still the airlines, if there's cancellations they'll still fly in the same regular small aircraft. And, everybody knows that a Embraer 119, if it's got a full load of passengers, can't take all the baggage. And, that's a fact. But, now with the bigger aircraft more people are traveling. And, as a result of that we're getting more attention that's being paid to that. When baggage don't arrive people are starting to demand compensation. And, in a lot of cases the claim is denied, or as you've seen form some other people that have championed airline passengers' bill of rights or rights, they've had to go to court to recover their money. And, this is totally unacceptable in 2018. So, sadly, you know, Canada's lacking behind with demanding that airline meet their obligations in treating their passengers with dignity and compensating them for unwarranted delays.

Woodrow: 00:13:06 We all know, and the airlines have said many times, "We have no control over the weather." And, I don't think that there's a Canadian around that would deny that the weather is a factor. And, they have sympathy. Nob ... You know? And, but, when the weather is used as an excuse that's a totally different kettle of fish. So, we need ... One of the things that concerns me is the, you know, air passengers regulation, protection regulations. The minister's come out and said that, "Canada, Canadians, will get the best bill of rights for airline passengers." So, I have a little concern. And, because of what's gone on previously about regulations versus rights. Two different things. And, the thing is that we had Fright Rights Canada, which went absolutely nowhere as I said. So, I'm really concerned about that. And, I hope that the minister through your agency will indeed give us the best protection in the world. We gotta get it right. This is the only chance that we got.

Woodrow: 00:14:16 So, the new airline bill of rights should have certain things. It must include things. The ability to assure that everyone who purchases an airline ticket in Canada is treated with respect and transported to their destination in a timely manner. And, that includes people with disabilities. I had one gentleman phone who had a wheelchair. And, he told me that in a a lot of cases he has difficulty, a lot of difficulty getting on aircraft. And, he thinks that that should be considered as well. So, I told him I'd bring it forward. The ability to assure that airline passengers are fully compensated for lost or damaged baggage promptly, directly by the airline. And, I say directly by the airline because I had an experience. I was in Chicago. My bags didn't make it with me. I've got two hearing aids in. And, I'm talking to somebody in some other part of the world. He had an accent. I'm deaf. And, I couldn't hear what he was telling me. And, I thought about it. My wife hadn't been with me to get on the phone and explain what's going on, it woulda been a useless call.

Woodrow: 00:15:29 So, I think the airlines have to take more responsibility in that area. I have to disagree with the three hours on a tarmac. And, I would suggest that it would be reduced to one point five hours. And, the reason for that being smaller aircraft with toilet facilities. Don't have holding tanks that are able to hold human waste for three hours. And, we've had examples in Ottawa where the two air transit flights were diverted from Montreal, and people were walking through waste. And, that's totally unacceptable. So, we really need to ensure that. And, I think probably [inaudible 00:16:10] reducing that three hours is gonna make a big difference. We have to have the ability to ensure, if they are held on the aircraft, that sufficient food and water are supplied. And, I believe that's a consideration in the new legislation. And, this should be free of charge to the passengers. Ability to ensure the passengers are adequately compensated as a result of being bumped off their scheduled flight. And, reschedule a next flight free of charge. The ability to ensure that passengers' health is not affected by animals or insects in cabins of airplanes.

Woodrow: 00:16:45 And, now we see in the United States where service animals are permitted onboard aircraft, same as air in Canada, it's gotten outta hand altogether. There's people bringing in exotic animals and everything else onboard aircraft. So, I think that that needs to be specified for people such as myself, that suffer from allergies, and are stuck on an airplane. So, I would urge the CTA to carefully review the European airline passengers' bill of rights. And, where they are good adopt. And, where they are lacking improve them. And, then we will have the best bill of rights in the world. For far too long we've had the horror stories to prove this. And, certainly the example that I gave you of the air transit incident certainly brought it to national attention. In my [inaudible 00:17:39], I purchased a ticket from an airline or travel. I enter into a contract with the carrier to get me from point "a" to point "b"

in a timely fashion, and with my luggage. When this contract is broken I expect compensation. For too long, airlines in Canada have virtually self regulated when it comes to transporting passengers. The time has come to correct this.

Woodrow: 00:18:02 And, airlines like everyone else have to be held accountable when the contract has been broken. Airlines have argued that passengers' bill of rights would put on due requirements under companies, and indeed force some out of business. In all of the years that I've been advocating for passenger rights I've never heard of an airline that went out of business by regulation requiring that they provide good services and treat their customers with respect, and compensate them when they broke a contract. And, you only gotta look at the European airline passengers' bill of rights. I haven't heard of any companies have gone out of business as a result of the requirements under their legislation. And, businesses have indeed grown as a result of that. All the airlines have to do is hold up to what their requirements are and to be held accountable if they don't do that. Thank you very much.

Scott Streiner: 00:18:58 Thank you Mayor French. Thank you. Very, very comprehensive presentation. Lots of ideas. So, got a few questions for you. Let me first start by saying in terms of Newfoundlanders I wanna reiterate that we will be having a phone in session-

Woodrow: 00:19:15 Yes.

Scott Streiner: 00:19:15 ... on July the 5th. So, anybody from Newfoundland or anywhere else in the country who'd like to share their views with us verbally is invited to do so then. We'll take as much time as required to hear from folks. And, we do have also the website where people can submit both written submissions and answer the questionnaire. We do wanna hear from folks across the country. So, a lot of really good points. I'm gonna offer a few, bit of context in a few places. And, then I and Liz may as well may wanna pose some questions. I'm weather ... I'm just gonna go through them in the order that you raised them. Weather, and the variability and the unpredictability of weather, sort of, in the east. So, one of the questions that we raised through these consultations is, "Should there be any flexibility, adaptation of any of the requirements in these new regulations in light of some of the unique realities of travel in certain parts of the country, airlines that are smaller, aircraft that are smaller, or should the same rules apply across the board?" There will be rules for all passengers, I wanna be clear.

Scott Streiner: 00:20:16 But, the question is, "Should there be any adaption or flexibility based on, for example, aircraft size and some of the situations you described?" What do you think?



Woodrow: 00:20:26 A good point, actually. I don't know if I'll be allowed back on [inaudible 00:20:29], because I never said Newfoundland and Labrador, which is the official name of the province.

Scott Streiner: 00:20:33 Yeah, I know about that. We can offer you asylum in Ottawa if there's a, if there's [inaudible 00:20:36] about that.

Woodrow: 00:20:37 No thanks.

Scott Streiner: 00:20:40 No thanks he says. You see how fast that came out. No way.

Woodrow: 00:20:42 But, you're absolutely correct. And, I thought about that. I've traveled in Labrador, and Labrador is no different than any other northern parts of Canada. It's unique to say the least. You got off a Boeing 737 Max 9 which is the latest aircraft on the go, you know? And, you get onboard a twin Otter.

Scott Streiner: 00:21:03 Yeah.

Woodrow: 00:21:04 One of the things I learned quickly as a business person doing business in Labrador, is when you get to Goose Bay and you get on the smaller aircraft ask if your bag is going with you. Important point. I was teaching a course in Nain, and got in Nain with a group of people waiting for me to get up and do my thing. And, no bag. In my bag was my projector, and all the other stuff I needed to deliver the course. The people in Labrador, and as in the rest of Canada, are so used to weather, so used to being, having absolutely no rights at all. That, they sort of accept that now. And, I think it's totally unacceptable. But, having said that, I think yes. You've got to ... You got to bear in mind, you know, when you get off a modern jet and you go on to a Beech 1900, or you get onboard a twin Otter, it's a different aircraft. And, some of the things that you're gonna mandate, I guess, are gonna be very, very difficult to implement on some of these smaller, really smaller aircraft that we're using in Canada.

Woodrow: 00:22:07 From my understanding, some airlines are using even a smaller aircraft than a Beech 1900.

Scott Streiner: 00:22:14 Yeah.

Woodrow: 00:22:14 And, for the people that are here that don't understand aircraft ... I'm ex Air Force. So, I know a lot of the numbers I should say.

Scott Streiner: 00:22:21 Right.

Woodrow: 00:22:21 So, you might have to translate that to some people. But, it is a concern. And, yeah. It's gonna be the agency's challenge to make sure that people

live in, that live in remote areas are adequately accommodated. Put it that way.

Scott Streiner: 00:22:36 Okay. I got one more for you then. I'll see if Liz has any. The ... So, here's a bit of context. The framework that parliament established says that when it comes to flight delays, cancellations, and denied boarding, ... Basically there are three categories. You may be aware of this. But, the first category is a situation fully within the control of the airline, like overbooking.

Woodrow: 00:22:54 Yeah.

Scott Streiner: 00:22:55 The second category is a situation fully within the control of the airline, but necessary for safety reasons. And, then the law says, "For example, a mechanical malfunction." And, the third category is a situation entirely out of the control of the airline. Volcanoes in Iceland. And, what parliament has said is, "We can set minimum standards of treatment. Food, water, a combination. Things like that for the first category and minimum levels of compensation. For the second category where it said, "Within the control of the airline, but due to safety reasons we can set minimum standards of treatment, but there's no compensation." And, for the third category, the obligation of the airline is to help the passenger complete their journey. And, parliament has said, "That's the limit of that obligation." So, that's kind of the framework that we're working within. One of the questions that we've asked is, "Where it's an overbooking situation," 'cause you talked about that a little bit, ...

Scott Streiner: 00:23:46 So, somebody's got a confirmed reservation. They show up at the airport, but the airline has sold more reservations than there are seats on the plane. Counting on some no shows, but this day there aren't any no shows. "Should the minimum level of compensation be higher than it is in other situations, as a way of kinda creating an incentive for the airline to look for volunteers to switch to a later flight rather than just informing somebody that they've been moved without any discussion?" So, the two questions for you, "Do you think that a higher level of compensation is justified in that circumstance, and if so ballparking any sense of what it should be?"

Woodrow: 00:24:20 I think it is. Now, again, the Canadian Transportation Agency are gonna have to employ [inaudible 00:24:26] in my opinion. So, I'm reading a ... Otter's to audit this program. 'Cause, of course with rights come responsibilities. And, to ensure responsibilities you have to have ... The easiest way to do it would be to have to audit it. And, it's gonna be really difficult. And, the airlines have to step up to the plate, and they have to accept their responsibility as well. And, not use this mechanical deficiency as a defense. You know what I mean? If it's something that's well within their rights ... Certainly, one of the aircraft that fly regularly in and out of St. John's is the Embraer. And, they're

known for malfunctions with regards to electronics. And, if you ... You know, if the technician in St. John's is not, you know, if it's ... I don't know how to put this where [inaudible 00:25:14]. They don't know their job. But, you know what I mean? If it's something that's beyond their level of competence then they have to be on a phone, and they have to contact Air Canada. And, so, and, so, like, ...

Woodrow: 00:25:24 So, that type of thing, yes. People should be compensated for that, because that should be anticipated by the airline. And, you know, I think again we don't have to reinvent the wheel there, because the Americans have it. They have something in their legislation along those lines, and certainly the Europeans have it all covered. And, they've been at this for a long time. So, I guess some of the questions that are being brought up, you know, are certainly answered with regard to their experience. And, then I would go back to, you know, the statement that I made. You know, where slacking, improve it. Where it's overboard, reduce it.

Scott Streiner: 00:26:02 Right.

Woodrow: 00:26:02 But, again you still got the same level of protection for the airline passengers.

Scott Streiner: 00:26:06 Yeah. Yeah. And, we are, just to reassure you, we are looking at the European and American experiences 'cause the Americans have some regulations in this area as well. And, very much as you said, we're trying to learn from their successes. And, also learn from the areas where things maybe haven't gone exactly as planned, as we start to kinda construct some made in Canada regulations.

Woodrow: 00:26:23 Yeah. And, I'll sorta close mine off by saying that, you know, we ... I started this in 2006.

Scott Streiner: 00:26:30 Mm-hmm (affirmative).

Woodrow: 00:26:31 And, this is 2018. And, I mean, it's long, long, long overdue. And, I wish you and your committee or your agency, you know, all the best in sorting it out. There are some things that can help you, and there's certain things that you're just gonna have to come up with on your own.

Scott Streiner: 00:26:48 Grapple with. We're gonna have to grapple with.

Woodrow: 00:26:49 Hopefully, from the people that are presenting today.

Scott Streiner: 00:26:50 Well, we certainly understand how eager Canadians are to see the new rules enforced. That's why we launched these consultations just five days

after we got the authority from parliament, and are going to make getting the regulations done-

Woodrow: 00:27:01 Yeah.

Scott Streiner: 00:27:01 ... a key priority. Liz, any questions for Mayor French?

Liz Barker: 00:27:04 I just have, ... I was supposed to have one question. Oh, sorry. We heard in Yellow Knife about the northern air experience, and it seems to me that there are probably some parallels with the experience in Newfoundland and Labrador with, you know, remote locations, small aircraft, small airports. And, we heard there that tarmac delays weren't an issue in the north. If a flight winds up being delayed passengers are disembarked right away. And, there's, you know, more flexibility I think than in the bigger airports sometimes to do that. What's your experience in Newfoundland and Labrador? Do you see tarmac delays?

Woodrow: 00:27:42 Basically the same.

Liz Barker: 00:27:43 Okay.

Woodrow: 00:27:44 When the pilot and co pilot gotta get out and load and unload the airplane, they move fast when it's cold. They don't wanna be cold either. And, yeah. It ... Tarmac delays ... I've flown in out of Nain. I've flown out of north coast of Labrador, and in and out of Goose. And, with the twin Otter's you're right. They're probably slower in Goose Bay when they got people loading and unloading the aircraft for them than they are when they got [inaudible 00:28:13]. So, that ... Yeah. You'll find that. And, the other thing is you won't get to reporting that you would get in Montreal, Toronto, Ottawa, or St. John's because of the fact that, as I said earlier, the people have accepted the fact that they get there when they can.

Liz Barker: 00:28:31 Right.

Woodrow: 00:28:31 And, they get home when they can. And, that's life.

Liz Barker: 00:28:36 Thank you.

Woodrow: 00:28:37 And, by the way thank you very much for the hearing assist. I didn't need it because there was no background noise. Had there been background noise I would've had the headset on. So, thank you very, very much.

Scott Streiner: 00:28:47 [inaudible 00:28:47].

Woodrow: 00:28:47 You're employees have been really, really, good with me with regard to accommodating me for that. And, I commend you for that and thank you for it.

Scott Streiner: 00:28:57 Thank you for that Mayor French.

Woodrow: 00:28:58 Thank you very much.

Scott Streiner: 00:28:58 One of our key mandates is accessibility in addition to consumer protection for air travelers. So, we of course try to make sure all of our hearings are accessible.

Woodrow: 00:29:05 Appreciate it.

Scott Streiner: 00:29:06 Thank you.

Woodrow: 00:29:07 Thank you so much.

Scott Streiner: 00:29:07 Daniel is our second presenter. Welcome.

Daniel: 00:29:14 Bonjour. Good afternoon. That was a very interesting presentation of his lordship. My name is Daniel. Thank you for hearing me today. I'm a resident of Victoria, British Columbia. And, in order to get here I had to take three buses to get to the airport in Victoria, and four flights to get here to Nova Scotia where a friend picked me up from the airport for another hours drive. And, although all my layovers were very short it still made for a very long trip. It was over 20 hours. And, that's not an unusual experience in Canada. I did not even leave the country. And, this is why I call upon you, the CTA, to calculate the [inaudible 00:29:55] times, hat was a question in the paper, for all flights combined in a passenger's itinerary. It doesn't matter if I sit in one place for five hours or in five places for one hour. It's five hours of my life, and all the stresses you have with it. The tiredness, the stress, the bored or hungry children. The thirst. All these things accumulate over time. And, imagine if the carrier had been allowed to hold me for three hours on the tarmac on each of my four flights.

Daniel: 00:30:26 And, that's 12 hours of extra travel. And, I can assure you I probably would've needed medical attention at somewhere along the way, which, would have been probably very expensive for the airline and maybe for me or my insurance. You know? And, then there's also the food. Only the third of my four flights had any substantial food to offer. And, that was breakfast time, which, everything was with eggs which I can't eat. And, two of my three airport layovers were so short that I couldn't get anything to eat at the airport. There was just not enough time unless I missed my flight. And, I'm

afraid at often the regulation looks at a flight as a single event. It's not. It's very often a chain of events.

Daniel: 00:31:03 I travel quite a few times to work a year. And, it's rare that I have less than three flights to go anywhere. So, the three hours must be calculated per trip in one direction. If that makes it also possible for other passengers who just got on the board to disembark, well okay. So be it. But, we should not sacrifice the health of individual travelers for that. In a related vein I think all carriers should be required to regularly provide free portable water to everyone on board. Whether there's a delay or not I think that is an important health issue. And, some people are too timid or have communication issues to ask for some things. So, it should just be offered. Just portable water. Not talking about anything else. The second point I would like to raise today is, I'm afraid I'm not very impressed by the public consultation process. I think things like questionnaires at the airport or public hearings like this would've been a good idea before the act was amended. And, maybe CTA could have then provided more input to the lawmakers in the first place.

Daniel: 00:32:10 More importantly, I have heard that certain parties were allowed to consult the CTA before these public hearings. That means out of the public eye, hidden from the press, and not on the public record. And, I take offense in that as a citizen, that special treatment for lobby organizations. I'm not saying there are improprieties in whatever you talked about, but I think it's the impression that there may have been which undermines all the regulatory decisions that will follow. And, that's, I think that's sad and should have not gone that way. The third one I would like to focus on is the issue regarding delays to mechanical malfunctions. I think everyone here will agree that for reasons of safety mechanical malfunctions should be reduced to an absolute minimum. ...

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Daniel: 00:33:00 ... reasons of safety, mechanical malfunction should be reduced to an absolute minimum. So it's very sad that the act does not allow for compensation in these cases, because I think that would've been the very best way to get airlines to be very stringent on their maintenance, because maintenance costs money and some airlines then slack there. You, the CTA, have revoked several carrier certificates not too long ago because they weren't following all the safety rules. And I know it was an airline that flew to where I live in Victoria that's not flying anymore.

Daniel: 00:33:31 So it should cost them money when they do not do early and stringent maintenance and then have a mechanical malfunction. That is in their control. One way for that would be that passengers would be allowed to ask

to be flown with a different aircraft or maybe a different airline, even if, say, after two hours, that plane is available, because for some people who are afraid of flying, it's super stressful. They know this plane just had a problem and couldn't fly, and now I have to sit in it for several hours. So for some people, that's super stressful, so they should have a way. And yes, that will cost the airline more money. But that's part of the point.

Daniel: 00:34:05 Of course, there can be malfunctions that are not under the carrier's control, and in such cases, the carrier should bear the burden of proof that this is the case, I don't know, that the fuel truck had a problem and destroyed our fueling system, something like that. They can prove that. Or if it's the supplier's fault, we just put new tires on yesterday and today they blow up, then maybe they can get recourse from that provider. And I think other reasons for delay under the control of the carrier, they don't have enough crew or they don't have enough aircraft, that's a nuisance to passengers and that costs us money as passengers, but it's not a danger. The slacking on maintenance is a nuisance and a danger. So I think that should be more a care provided for passengers than with other delays.

Daniel: 00:34:52 The fourth, I would like to talk to points 11 and 12 of your discussion paper. Those were tariffs and air services pricing. And currently, they do not include loyalty reward programs, and I think that's generally okay. However, carriers must not be allowed to change the loyalty rewards for a ticket after the ticket has been sold. It's part of the deal. So whether that is in regards to a loyalty program operated by the ticket issuer, by the carrier, or by a part in the company, that shouldn't matter. They all have contracts, they have agreements.

Daniel: 00:35:28 Here's a personal experience. Earlier this year, I paid hundreds of dollars to Air Canada to change an international trip to a higher booking class. Still economy, but a higher booking class, because I wanted to earn more status miles for the certain star alliance loyalty program. And I followed the rules and [inaudible 00:35:44] that day, and even the day I flew, but a couple days before my flight, Air Canada decided to just give a quarter of the status miles than when I paid the extra money. And the operator of the rewards program said, well, we're sorry, but we can only credit you what Air Canada gives us. And they changed that on their end.

Daniel: 00:36:02 So I countered with Air Canada May 16. They said we'll back to you within 30 business days. Well, I'm still waiting. There's no response, and they can do that because apparently they didn't break any CTA rules. And I think that's not okay. They're free to structure their loyalty programs and their partnerships in any way they want, but once they sell a ticket, they should not change the rule for this itinerary. Any further tickets, they can change it. I don't have a problem with that, because the existence of these loyalty

programs shows that they influence purchase decisions by passengers. So they're part of the deal.

- Daniel: 00:36:39 And coming towards the end, I would ... Just a few short topics I would touch. One was in the case when rebookings are necessary, carriers should absolutely be required to rebook passengers on other carriers as well, even if that airline is not a partner airline. I had an experience, I had to go to the US, and the airline didn't bring the plane in because they wanted to use it somewhere else, and they also refused to rebook me on Air Canada. They said there are no seats available. I said, well, there are. There's all those first class seats. Well, you don't have a first class ticket. Well, I don't care, put someone else in the first class.
- Daniel: 00:37:18 I said, what about WestJet? Well, WestJet, they don't have anything available, and in any case, they're not a partner airline. I picked up the phone, booked with WestJet. An hour and a half later, I was on the flight. It cost me a shit load of money, but there were seats available. American Airlines was just too cheap to do it.
- Daniel: 00:37:33 They also refused to book me on others of their flights because they said, oh, one of the segments is first class only. I said, I don't care. You have a seat. Give me any. Or they said, oh, you cannot change ... I found an itinerary where they had seats available that went through Indianapolis. And they said, it's not one of our hubs. You cannot change planes there.
- Daniel: 00:37:52 So this is just stupid bureaucracy. Then you have question eight. When there are several entities involved in a ticket's itinerary, for example, co-chairs, I think passengers should be allowed to hold any and all of the involved parties liable on the CTA regulations, especially if there are several issues. Passengers should not have to deal with several companies. But they should pick one, whether that's the one with the language they speak or whatever the reason is, and then these people, these companies, work together in providing the service, then they can haggle it out internally, which airline has to compensate what other airline. But the passenger should just use one and run with that. I think that would make things a lot easier. And probably also easier for you, because if I had to deal with two people, then maybe I have to open two proceedings with the CTA instead of one. So that's inefficient.
- Daniel: 00:38:51 And finally, there was question number nine, a simple one. I totally think international airlines should be required to file tariffs with the CTA if they want to fly to, from, or within Canada. Thank you for your attention.
- Scott Streiner: 00:39:07 Great, thank you, Daniel. A couple of questions. Actually, first just a quick response to something you raised, because you raised a concern. So you



raised a concern about ... You said, I'm paraphrasing, don't want to put words in your mouth. But if the CTA had held confidential, behind closed doors, discussions on the content of these regulations before public hearings, before the public conversation process, you would find that very concerning. So, we didn't. That's the simple answer.

Scott Streiner: 00:39:35 As a regulator, we believe it's important to be engaged with a range of stakeholders, so we meet regularly with industry and with consumer protection associations, railway companies, shippers, to keep our ear to the ground and find out what's happening out there. But conversations on the content of these regulations, as opposed to the potential consultation process, begin when the public consultation process was initiated on May 20. So, just to reassure you on that.

Scott Streiner: 00:40:02 I want to come to mechanical malfunctions. So I'll make a point which I know you'll understand, but of course, we have to operate. When we make these regulations, as I said in my opening comments, we have to operate within the framework Parliament's given us. So Parliament chose, after much debate, to establish those three categories around flight delays and cancellations and denied boarding, and category two is non-compensatory but includes standards of treatment. And there's a reference there to mechanical malfunctions.

Scott Streiner: 00:40:28 So one of the questions that we're grappling with is, should there be further criteria in the regulations to distinguish between situations that should appropriately lead to flights or events being classified in category two, safety related, versus category one. Do you have any thoughts on that, additional criteria we might use to triage?

Daniel: 00:40:51 I'm not ...

Scott Streiner: 00:40:52 Want me to make it more concrete?

Daniel: 00:40:53 Please, sure, please.

Scott Streiner: 00:40:54 So to make it more concrete, it's the part around the mechanical malfunctions issue. I'll quote a participant in a different hearing. In another hearing a participant said ... And it's a bit like what you said ... Well, if the coffee machine is malfunctioning on the plane, is that going to count as a mechanical malfunction that will then make a delay non-compensatory and move it into category two, as opposed to being in category one? And the person then went on to say something along the lines of ... Which is, of course, different if there was an unforeseeable problem with an engine. So they were giving us the two ends of the spectrum. We know that triaging events between category one and two is going to be critical, because one

involves compensation, one doesn't. And if we can create criteria that are reasonable within the regulations that will help us do that, it probably reduces confusion and ambiguity for everybody, and there'll be less disputes, frankly, between passengers and airlines about individual events and which category do they go into. So we're thinking about whether we can add some additional criteria to help us separate those that belong here and those that belong ... I don't know if you have any thoughts on that.

- Daniel: 00:42:03 I do. The first thing I think is transparency. So the airline just goes, oh, we have a mechanical malfunction. No, they should go ... Maybe they don't have to say at the airport, but it has to be a public record, what exactly was the mechanical malfunction? Cable #406B, I don't know, there was a mouse and it bit it off. I don't know, whatever. We couldn't close the luggage hold door. I had that once.
- Daniel: 00:42:28 So it should be specific. I think that is transparency first. Second, that section of the new act speaks of safety, and mentions also amongst that mechanical malfunctions.
- Scott Streiner: 00:42:41 As an example, yeah.
- Daniel: 00:42:41 So there are safety issues which are not mechanical malfunctions. I don't know, if there is someone running around the airfield. We don't know if they have weapons. We have too many passengers, there's a passenger missing. There are safety issues like that which are not a mechanical malfunction, but they're relatively easy to triage if there is transparency.
- Daniel: 00:43:02 As to the mechanical malfunction, then, when we get there ... yes, I think one should be for ... The safety of aviation should be under that. Any other mechanical malfunctions, such as the coffee machine, should be in the first category, where there is compensation, or they just decide, we're not serving coffee. I can live with that.
- Daniel: 00:43:27 There are different situations. Say, lavatory. If you don't have enough lavatories, especially for a long flight ... My flight here to Halifax, we only had one lavatory that was working. It was a fully booked aircraft. Thankfully I didn't have to use it. But that is a bit, more and more difficult. But I think the way I understand the act and what the lawmakers thought about it, it was really safety for aviation, and not for comfort or ... non-safety related mechanical. That was my understanding, and I think the triage should go that way. Si that helpful?
- Scott Streiner: 00:44:12 Yeah, that is helpful, and your notion of real-time transparency or something close to it, I think, is worth considering. Obviously we have to take into account in making these regulations the operational realities of

airlines, but it's an interesting notion, because it might help us at least understand if there is a debate between passengers and an airline on what happened, having real-time information could be very helpful in terms of resolving that quickly.

Daniel: 00:44:38 But maybe sometimes they don't know what the problem is yet, but it should be done afterwards when they find out. They have to keep logs of what ... That should be public information.

Scott Streiner: 00:44:46 Yeah, I think that's a very interesting idea. One more question for you from me. You talked about rebookings and having the airline turn to whatever airline is available to get you home. Would you have that requirement kick in after a certain period of time? In other words, just to take a hypothetical scenario, the airline you're supposed to fly with says in three hours, we've got a flight and you can fly home with that. But one of our competitors has a flight that's leaving in 45 minutes. So at what point do you think the airline should be obligated to move you onto a competitor's flight, as opposed to simply flying you on one of theirs?

Daniel: 00:45:22 I think since the law makes it ... took these three hours for [inaudible 00:45:25] holds, I think that is apparently some time frame they find acceptable. I probably disagree with that, on the [inaudible 00:45:35]. But they find that acceptable, so I think that would be stringent, to take that here as well.

Scott Streiner: 00:45:42 Good, thanks a lot, Daniel. Liz, any questions for Daniel?

Liz Barker: 00:45:44 No questions from me.

Scott Streiner: 00:45:45 Thank you very much.

Daniel: 00:45:46 Thank you very much.

Scott Streiner: 00:45:46 Appreciate your presentation. Next up, we have Elliott. Elliott? Welcome, Elliot.

Elliott: 00:46:10 Good afternoon, everyone. I'm Elliot Richman, and I'm with Deafness Advocacy Association of Nova Scotia. My talk will be under CTA's purview, since one of its mandates is to protect the fundamental right of persons with disabilities to accessible transportation services. Without further ado, allow me to dive into our recommendations on making air travel both safe and accessible for deaf, deaf-blind, late-deafened, and hard of hearing Canadians.

- Elliott: 00:46:57 All public announcements must be delivered in both oral and visual written formats. Air passengers are bombarded with public announcements from the time they arrive at the departure terminal to the time they leave the arrival terminal. For example, one, calls for pre-boarding. Okay. Calls for pre-boarding, boarding for Zone A, Zone B, and Zone C. Two, gate change. Three, flight delays, deicing issues, flight crew shuffles, mechanical issues. Four, tarmac delays. Requests for passengers to voluntarily give up their tickets, especially when flight is overbooked. And flight safety demonstrations/videos.
- Elliott: 00:48:15 Making such oral public announcements visual does not have to be expensive, highly technical or onerously complicated. For example, one, closed caption all safety videos. Two, have all safety videos interpreted into ASL/LSQ. The signers must be big enough to be visible. Having the interpreter in a small bubble to the corner is not sufficient, especially when the TV screens are so small. Three, some airlines now text and email passengers in the airline departure areas about flight delays. All airlines flying in and out of Canada must now extend this very same technology to announce the following. A, pre-boarding, boarding Zones ABC. B, flight delay and reason for flight delay. C, overbooked flights and incentives for resolving the situation. Four, TV screens announcing arrivals in departure must be updated in real time. And five, flight attendants use laminated tablets with icons to indicate flight changes, flight delays. And six, as a last resort, flight attendants use pen and paper to relay messages from the cockpit. I hope I haven't gone too quickly. Great. So as always, I invite the CTA to contact us at the Deafness Advocacy Association of Nova Scotia and other interested parties to discuss detailed plans to make air travel both safe and accessible for deaf, deaf-blind, late-deafened, and deaf and hard of hearing individuals. Thank you so much, and thank you for your time.
- Scott Streiner: 00:50:44 Thank you, Elliott. And thank you for those very clear and practical suggestions. I want to just talk a little more about the way that you think passengers can be updated when a situation is unfolding in real time. And just to provide a little bit of background, in addition to working on these air passenger protection regulations, these consumer rights regulations, we're also developing a set of accessible transportation regulations. We have an accessibility advisory committee with which we've been consulting on these new regulations, and we're actually fairly well advance in the process. But there's still time to adjust and make sure we get them right.
- Scott Streiner: 00:51:32 So first of all, I offer to you and to others in the room who may have an interest, if you'd like more information on our accessible transportation mandate and regulations, we're happy to provide it. The specific issues that you've raised have come up in some of our other public sessions, and we've been thinking about how we deal, as I said a moment ago, with real-time

situations that are unfolding. It seems to us that when it comes to general information, like the safety announcements, it's more straightforward. It's easier to provide that information in ASL, QSL, a variety of formats, because it's the same information every time.

Scott Streiner: 00:52:13 But when a situation is unfolding, like a flight delay or other changes, it can get trickier. So you suggested that one option is texting in airports, if there's passengers in an airport and there's a delay. Do you have any other ideas as to how deaf, hard of hearing, deaf-blind passengers could be informed if they're in the airport and there are flight disruptions?

Elliott: 00:52:40 Okay. As I mentioned previously, a text sent out ... It's a very simple process. It's straightforward. And if it's something short, then it's feasible. Hey, we're not taking off because the flight's delayed due to blah. That could be sent through a text.

Elliott: 00:53:21 But in regards to pre-boarding, all you would have to do is set up a screen. Just have it there, have pre-boarding in English and French. You could have the screen split in half and have both interpreters in English and French there, and that wouldn't be too expensive. You would probably ... Well, there are many different ways to make that happen. Some are cheaper than others, and some will require a lot of technology, but some will require less. But the more variety of accessible options, the better.

Elliott: 00:54:12 And I can't get into all of it today, time limits and such-

Scott Streiner: 00:54:18 One question on the specific technology, just for our information. Voice to text technology. So I'm thinking about pilot announcements on the plane. The things, again, that are non-standard, that are happening in real-time. Is voice to text technology sufficiently advanced that it could potentially pose one means of ensuring the accessibility of those announcements to the deaf and the blind-deaf?

Elliott: 00:54:48 Well, to be honest with you, I have no idea. I've never experienced voice to text before. So I really have no idea exactly how that would be, or how it would work. But if it is 100% accurate, well, then, absolutely go for it.

Scott Streiner: 00:55:13 I think that's something we'll have to explore. I'm not sure, from what I understand, that we're that close to 100% accuracy, which for anybody who has a spell correct on their phone, might suggest that we may not be there yet.

Elliott: 00:55:30 Fair enough.

Scott Streiner: 00:55:31 All right. Liz, any questions?

Liz Barker: 00:55:33 No questions.

Elliott: 00:55:39 That's it.

Scott Streiner: 00:55:39 Thank you very much, Elliott. That's it for now, we may have more for you. Thank you very much.

Elliott: 00:55:46 Wonderful, thank you.

Scott Streiner: 00:55:48 Our next presenter is [Katerina 00:55:51]. Welcome, Katerina.

Katerina: 00:56:01 Thank you very much. This is an amazing opportunity that you've put forward. I'm very impressed with the prior speakers. I actually came to tell a story that I haven't had resolution to. And much like our other colleagues, I flew in from Victoria. I was at meetings, but I actually live in St. Johns, and I attended the Fatigue Forum in Montreal. So it was timely.

Katerina: 00:56:25 I've been dealing with this issue for a year, and it was suggested by Minister Garneau's office to go to the CTA. Ultimately, I am very concerned about a practice of bullying, intimidation, being threatened, and lied to by some of our operators. And my story will pertain to the issue of mechanical problems, communication, and less on compensation.

Katerina: 00:56:52 As I said, I live in St. John's, and work there, and practice there. So I, much like Mr. French, know bad weather. And you get accustomed to it, you make strategies around it, especially if you're a practicing physician. And last year, I was on a flight in Antigua, which made the news. It was AC 961 on June 3. But unlike all the other passengers on that flight, I got a special little extra, because I'm also a loyal member.

Katerina: 00:57:24 In Antigua, there was some rain. It was actually less than this today. And again, used to bad weather. Didn't see it as a problem. Our inbound was an hour late. I don't care. We got on board, there was an issue with the bathroom, mechanical issue. I didn't really care, but that, of course, added to delays. And then when we were to take off, we went to go into the taxiway and didn't move. And then there was a U-turn. I've never experienced a U-turn in 20 years of flying from St. John's and flying millions of miles.

Katerina: 00:58:02 And we were told, oh, there was a shower coming through and it wasn't safe to take off. In the news story that followed, it was apparently traffic control that said not to take off, but that was not the case. Anyways, that was fine. Then we were third for takeoff. And then we were ready for takeoff, and in my many years of travel, I have never experienced a rejected takeoff, nor had any of the passengers there.

Katerina: 00:58:26 So we were at 150 kilometers per hour, which is considered V1 and low speed, when the brakes slammed. And it truly felt like we belly-flopped down the runway. I was seated in row 12, and it was like ... When you watch RTOs on YouTube, they're very calm from the cockpit. They just calmly put the thing down and it's just smooth. I don't think they put those in the simulator. It really was quite horrible.

Katerina: 00:58:52 And afterwards, the captain came on and said, "Oh, sorry, folks. We put the wrong numbers in the computer and we had to reject the takeoff. So we're going to have to wait for the brakes to cool off before we try again," to which we were then put into a penalty box in the tarmac area to cool brakes. And then I found out there's a little top-up of fuel.

Katerina: 00:59:17 And the door opened. It had stopped raining at that point, and everyone was trying to get off, trying to get to customer care. But no one could get to customer care. But having loyalty, I took out the fancy 1-800 number and called the concierge in Toronto, as did my husband. And this is all tape recorded, screaming, get me off the plane. I have no faith in this pilot. Just get me off the plane now. I've flown 20 years, I've never experienced this in anything. This makes no sense. Just get me off now.

Katerina: 00:59:49 To which the person, the concierge, when she spoke to my husband, said, "Well, I'm new here. I don't know if you can get off, I'll have to check." To which, then, we waited and didn't hear further. And at that point, the gate agent who checked us in, whom ... The operator, in this case, Air Canada, outsources the care. This was their representative ... came on the plane, and she went to my husband and me, and she pointed her finger at us, and she said, "You, you, you. Come, come, come." Just like that. Sorry, [inaudible 01:00:24].

Katerina: 01:00:24 And she said, "You're going to go talk to the captain right now. You be quiet. You go talk to the captain." I was like, "But we don't want to talk to the captain. We'd just like to get off the plane, please." And I said, "Can we get off?" "No, no, you leave your things. Just take your boarding pass. You're going to go talk to the captain."

Katerina: 01:00:40 And so this was a 319. We're sitting there, where are you going to go talk? So she came on the air stairs. It stopped raining. And so five of us met in the small space of the air stairs. My husband, myself, the flight director, and this woman, who I thought was Julietta. And then the captain came out. And I would not say that he was at his best. He had obviously had a hard time. And he came out, and to quote, "I don't need this. It's a bad day. It started with the rocket launch. We were so close. We just needed to be 84 knots or 72 knots," and he was just so preoccupied with the numbers. "How did I miss this?"

Katerina: 01:01:22 And all I could say was, "I think you can work on your messaging. You basically could've said something else to all of us." So while they tell us to say the truth, this is what they're trained, obviously this man ... His filters were not right there. And this was the second part of ... They do a back and forth.

Katerina: 01:01:45 Anyway, we were not allowed off the plane. Julietta said, "What, you expect me to find hotels for 150 people? This is Antigua, you know. Do you know how expensive that is?" And we said, "We'll stay at the airport, please." "No, no, there are no flights for seven days, nothing." And she lied to us, because there was American Airlines the next day. And basically ... And then she took our bag tags to pretend she was going to take our bags off. And she said, "Well, this is going to take time," and then the captain chimed in and said, "Yes, yes, but we're all good to go. We're going beyond 15, but 16's our hard stop. 14 hours, duty hours, but we're all agreed, we're good to go." To which I said, "This sounds like the Challenger rocket shuttle with the groupthink on it." "No, no, we don't want to die." Like, okay.

Katerina: 01:02:22 Before we went back to our seats ... Because we had no choice. We were not allowed off the plane. No one was. We found out later that this woman Julietta lied to Air Canada and said everyone was allowed off the plane. No one was allowed off. We sat in our seats, but before going back, the captain said to my husband, because he asked ... "So you're telling us the plane is safe." "Yes, the plane is safe, there's nothing wrong with the plane," to our face. Sat down, door closed. Not 10 minutes later, over the PA, he says, "Oh, that's odd. All the fuel's on one side of the plane. Oh, we'll have to see if we can fix that. Oh, we'll call Montreal to see if we can move the fuel."

Katerina: 01:02:58 We did not want to be on that plane. But nonetheless, move the fuel. We're good to go. And I'd say half an hour later, oh, sorry, folks, over the PA. Fuel's not getting to one of the engines, so we're going to have an emergency landing in San Juan, Puerto Rico. To which, of course, there was chaos. There was no customs. We landed safely, thank god, on a full tank. And 30 people didn't have their luggage because the luggage was removed because the plane was too heavy and Julietta, she bullied the crew to dump bags because they could get them back in two days on WestJet. But passengers would be left.

Katerina: 01:03:39 Anyways, baggage stolen, credit cards [happed 01:03:43], put in a hotel next to a strip club. Great fun. Next day, they wanted the same crew to fly us back, and everyone screamed and they changed the crew.

Katerina: 01:03:51 It's been a year to find out what happened on that plane, because all I wanted was an explanation to understand what happened. I didn't seek compensation. And about a month later, because I had three hours tape



recorded of screaming on the concierge line, the director of customer care reached out to me. And I called her back and I said, "Well, it's months, so just wondering what's happening." To which she said, "No, no. No, no. The file's closed. No, no. You're a doctor. You know about keeping these things private. No, no, we're done with you." And I said, "But when the news story came out, everybody got \$500. We didn't get ..." "Oh, oh, that's a glitch. Oh, here. Here's your code." I didn't want ... I still haven't used the \$500. I wanted answers. Time is out, but I have since spent the year, and I have received answers. There's been congruence from Transport Canada. Eventually in September I received a report from Transport Canada that said the fuelers put too much fuel too fast into the plane and it broke a little part, but it's okay, because at all times, we were following minimum equipment lists.

Katerina: 01:04:55 I don't agree. I felt very unsafe. I then went to one of my politicians, who wrote to Minister Garneau. I got a lovely apology back from Minister Garneau in January, who apologized for the regrettable flight by Air Canada. But it's okay, because we were always safe, because minimum equipment lists were followed.

Katerina: 01:05:14 I forwarded that to someone in Air Canada safety. I received a meeting with them. And the part that was broken on the plane is not what Transport Canada thought happened, and it had nothing to do with fueling, and there was an incongruence in stories. And with respect to the pilot's behavior, those are soft signs. Those are soft problems that we can't really fix. But he met twice to discuss communication.

Katerina: 01:05:40 So I think that just, in the interest of time, that kind of summarizes it. Didn't appreciate ... Oh yes, and the fact that we were yelled at and lied to by this Julietta person, bullied, intimidated into staying on the plane ... No. There's nothing. Truly the operators couldn't care less. They truly-

PART 2 OF 5 ENDS [01:06:04]

Katerina: 01:06:01 Truly the operators couldn't care less. Truly they have to my face said, "No, no. We're done with you." This is at the level of the VP of loyalty. Not that I expect anything. All I wanted was to understand what happened. In a very long winded fashion I sort of understand, but not completely. If that can be translated into, please don't make passengers go on a plane if they're frightened of the captain, making mistakes, and if it really felt like the plane was broken we were given no recourse, nothing. That fits in with the mechanical issues. I do worry if there's no compensation for mechanical issues. This was a situation of group think where they really did think, "We can do this." The part had broken.

- Katerina: 01:06:47 We found out from Air Canada that broke some point after the first refueling because it wasn't broken with the first refuel. It had nothing to do with the fuelers in Antigua, because they did everything right. Actually Transport Canada's response for collective action was, "Yes, it was all the fault of the fuelers." The corrective action was that Air Canada told the fuelers in Antigua not to use that fuel truck on Air Canada flights until the pressure gage was fixed. That was our corrective action that was on record, which isn't correct, because it wasn't the problem.
- Katerina: 01:07:26 Nonetheless, I in the year have not received a satisfactory response. I'm just hoping that the new rules will put in that you can't do that to passengers, and make them feel so abysmally. I hear many things in many situations. The fact that they can dump bags and not tell passengers. Yes, we heard a lot about bags. I think if people dump bags the passengers should be asked ahead of time or asked for volunteers, their bags don't need to come. They were too heavy. We heard earlier about someone having camera stuff in their bags. They need to have those bags. Me, if I'm going home, I might not need my bag. Many things I learned from that experience.
- Scott Streiner: 01:08:11 Wow. Thank you, [Katerina 01:08:13]. That sounds like an exceptionally difficult travel experience. You said you've been traveling for 20 years. I think the reality is, as I said in my introductory remarks, most of the time we're lucky, things go well, service is good. When it doesn't, when somebody has an experience like the one you've had, it sticks with you. I got a couple of questions. I don't want to talk about the specific events, because those could ultimately come before the CTA, so I don't want to speak about the specific events so much and probe further into that. You've clearly looked into it. I want to see what lessons we can draw from them for the purposes of the regulations. I'm also reminded, I'm making a bit of a connection between what Daniel suggested around transparency on events, and then the points that you've made around getting information.
- Scott Streiner: 01:09:06 I should start by just offering context. Transport Canada, as you've learned, regulates for safety. We regulate for customer protection and accessibility. Anything safety related would go to Transport Canada. My question for you is, we do have the authority through this new law to set up rules around airline communication with passengers on their rights and on the recourse available to them. What do you think those rules should say? What do you think the minimum communications obligations of airlines should be vis a vis a passenger when events such as the ones that you experienced are unfolding?
- Katerina: 01:09:41 They should use nonthreatening language. I think they've been told to say, "There's a mechanical issue and we're looking into it."

- Scott Streiner: 01:09:56 I want to be careful about talking about this specific incident too much. You were concerned that there was too much information on the specifics of what exactly had gone wrong. What do you think passengers should be told? If there's some type of issue, and it's real time, folks are in the airport or they're on the plane, how much do you think the airline should be obligated to share, at what frequency? What do you think would be good in terms of both giving passengers the information to which they're entitled, which they should be entitled, and also just managing people's stress levels that go along with these sorts of events? What sorts of information and at what frequency?
- Katerina: 01:10:35 That's a soft skill. That happened in an arguably lower resource place. I had a friend where an RTO happened in Montreal, and immediately, "Nope, flap could've broken. We have to go back to the gate. We're going to get another plane." As a passenger that's what I learned about here over there. No, you're on your own. Safety is a bit different. I'll tell you. I think that we should not have flown. Safety is not in the purview here, but I don't think that that captain had any insight or could make decisions. I think under any other circumstances that plane was broken and needed to stay in that place. That would've been the message, that there is too much mechanical problems here. They said the MLEs were followed. I wrote that your SOPs, your minimum equipment lists, are just too low of a threshold. I think I'd like to be safer. That's the bottom line.
- Katerina: 01:11:39 As this is exceptional, I'd like to think that most people don't have to be put through something like this, and this will not be a generalization. General comments about there's a technical issue, there's a fueling issue. That's been coming up quite often. I had another fueling issue in October in St. John's. They said, "We put the fuel in the wrong side of the plane." I of course got scared, because all I knew was, oh my god, the fuel's all on one side of the plane. Called for help. I had my email from Transport Canada saying that the fuelers broke the plane. It got sent to the pilot. The flight attendant came back and said, "No, it's not like that." This happens.
- Katerina: 01:12:24 Balancing some phrases, say that there's a mechanical issue, but the reflex is, "Okay, we are a developed country." Coffee is broken, that's one thing. When there is an engine problem and fuel is not moving, don't fly. I don't know how you could communicate that. If people are scared, that they are given an opportunity where there is an obvious error, and the pilot clearly made an error and it falls into sleep deprivation or whatever else, "I'm not comfortable on this plane. I would like to de-plane." The obligation is, "Okay." It's not three, you're out. It's one you're out. With a significant error passengers should be allowed the right to say, "I'm not comfortable here." We don't need a German suicide thing is pilots aren't thinking clearly. If an

obvious error happened passengers should be allowed to de-plane. That's the bottom line.

Scott Streiner: 01:13:26 Just want to shift gears to one other issue that you touched on briefly towards the end. Baggage. You said a bunch of bags didn't arrive, and then when they did there was some damage. Things were missing. There was some damage. The legislation gives us the authority to set minimum levels of compensation for lost or damaged baggage. We're thinking about what those minimum levels should be. Do you have any advice on that? Is it related to the value of the bag? Should it just be a fixed number?

Katerina: 01:13:55 Living in Deer Lake and stuff, we know bags don't get to us. In that case, bags were withheld. The usual practice of the airlines is you get to your destination. Your agents say, "Mr. Smith, please come to the luggage area for an announcement. Your bag didn't come." I think where they know it's not going to come they preemptively seek volunteers. If it doesn't get to the destination because the airline couldn't get it there due to weight issues or other issues, I don't know, 250 just for the trouble. Of course in our case people who had their bags withheld didn't know when we landed in San Juan, so had no luggage.

Katerina: 01:14:32 For my husband and me, the checked luggage stuff was stolen by the next day. The value was limited at 15 hundred dollars, according to the tariff. I think it should meet the value of what actually is stolen, not capped at that. As I said, they're a little bit laissez faire with luggage with airlines. It's an opportunity for them to come clean and get volunteers.

Scott Streiner: 01:14:57 Okay. Liz, any questions?

Liz Barker: 01:14:59 No questions.

Scott Streiner: 01:15:00 Okay. Thank you, Katerina. Our next presenter is Kevin. Kevin. How you doing, Kevin? We'll figure out the mic. Kevin, I don't know if you were here during my opening remarks. You have about 10 minutes to make the presentation, and then Liz Barker, the vice chair, and I may pose some questions. Thanks. Is that working?

Kevin: 01:16:08 I think so, if everyone can hear me.

Scott Streiner: 01:16:09 That's great.

Kevin: 01:16:10 Beautiful.

John: 01:16:10 I'm taking this off so it doesn't swing around. Here you go.

Kevin: 01:16:20 Thank you so much.

Scott Streiner: 01:16:22 Thanks, John.

Kevin: 01:16:23 Thank you so much for giving me the opportunity to speak today.

Scott Streiner: 01:16:25 My pleasure.

Kevin: 01:16:26 I'll just give you a little background about myself. My name is Kevin. I've been a wheelchair user for over 25 years. My main goal to talk today is about my experience on airlines, obviously. I've traveled quite a bit. I've probably done over 200 flights in the 25, 26 years as a person with a disability. I've seen a lot and I've experienced a lot. Because of the time, there's really just two issues that I wanted to bring to the forefront. There's probably lots of issues that were discussed.

Kevin: 01:16:56 The first one of one of my main experiences, it's typically with Air Canada, one of our major carriers. My chair, as you guys can see, is very large. There are certain aircraft that can't accommodate the height level of my chair. Mainly it's the door entry level. Commonly it's one of the [inaudible 01:17:19] jets. You've probably heard this story before. My big concern is I spend a lot of time pre planning my trips to ensure when I'm going to a destination, whether it's for work or pleasure, that the type of airplane I book at the time of air booking may be an Airbus 320 or a 767, so I won't run into these problems. The concern that I have is these airlines changing the type of plane at the last minute.

Kevin: 01:17:46 I'll give you an example that's happened to me several times, probably at least five times, typically going through the city of Montreal, where I might have a connecting flight coming from the United States, or going to other parts of Canada. On my ticket it will say there's an Airbus 320. I will show up at the gate, and I will be approached saying, "I'm sorry. We've had to change the plane," typically due to the fact, not engine failures, typically due because of the bookings and the other plane is not full. Then I'm told, I'm sitting at the airport there waiting to go onto my destination, that we cannot take your chair. Obviously my chair is very important to me. It's my level of independence. It's caused huge, huge confusions, huge inconvenience.

Kevin: 01:18:31 You can imagine someone in my situation who always has someone traveling with me. It's not just easy to hop up and go into a hotel for a night. You're not expecting for that. I've been offered compensation. That's not what I'm looking for. That's not the purpose of me going on an airplane, is to get compensation. It's to know I can get from A to B safely and in a fair manner, given the ticket that I bought when I booked. Luckily there's always

been ways to work out. For example, the one solution that they've done is they'll send me on the plane without my chair after going through a lot of rigamarole, because you're not supposed to travel without your luggage. That's worked, however, when I arrive in Halifax I don't have my chair. I won't elaborate. That's one of their common solutions to the challenge, which I've always barked at obviously, and said this is not fair.

Kevin: 01:19:28 Then their second solution is for me to stay and wait for another Airbus 320 or a plane that accommodate my chair, and I can travel with that. That could be the next day, the day after. I have staff with me sometimes that are paid that travel with me. You can sense my frustration when it comes to travel, and I love to travel. I think it allows me to give me the independence where I want to go. Especially within Canada I think I should have that right. Just to go on there, I don't want to call out airlines, because I've had great experiences with Air Canada and West Jet over many of my flights. Typically they go very well, but this is a sticking point, which is more of a policy issue, I think, or a mandate issue. Me showing up at the airport and saying, "This is not right," is not going anywhere.

Kevin: 01:20:18 I've been made a choice to fly West Jet for the main reason that West Jet's airplanes are all the same, pretty much. They can all accommodate me wherever I want to go. It's unfortunate, because it limits my travel options when I want to go places, and sometimes on cost. I've made that personal choice. I would say West Jet has moved forward more when it comes to accessibility and accommodating their passengers and being a little more understanding. With this situation I spoke of, they don't have those issues because of the planes that they use and the brands that they use. They can always seem to accommodate my chair without any fiasco. That's the first issue I want to talk about. I think I still have a little bit of time, do I? I'm good. Okay.

Kevin: 01:21:07 Now the second issue I want to talk about is accommodating someone in my situation. I think over my experience and traveling and being a very good advocate for myself, I've learned by trial and error the best ways to make these things happen, however, you still run into barriers. I really think it's down to attitude. I still find that sometimes it's challenging when I go to an airport or get on an airplane and they look at me and they see me first, and make judgments. "I don't know if you can fly. We're not sure if we can do that." You can imagine those situations. As anybody else, I sometimes fringe when I go to the airport and check in. "Is it going to be a good agent? Is it going to be a bad agent? Do I bring candy to sweet talk them?" I know that's exaggeration, but I had those feelings and that anxiety and angst. I really think that the training that those staff are provided, and knowing that they're not doing a nice thing allowing me to fly. It's my right to travel, and

it's right to take my specialized equipment that I require to travel wherever I want to go, especially within Canada.

Kevin: 01:22:28 I take a lift with me when I travel. I've had questions sometimes, "We might charge you extra for that." I'm like, "No, it's medical equipment." "But you already have other medical equipment." These types of things. There's been various things. Just consistency amongst agents and airports and staff so that they're all on the same page, and open to listening and communicating, and listening to the passenger. I had the experience. I know what's not worked and what has worked. Sometimes I feel like the lady that spoke before, you're not seen as a person, or at the point your whole independence is taking away from you, and people are just making judgments, and they don't care about the ramifications. That's more of a cultural thing, and other thing I wanted to bring up was the more systemic thing, I guess, or something policy related.

Kevin: 01:23:19 Just one shout out, I still hope that there will be a day that I will be able to go on an airplane in my electric wheelchair, and strap down properly, [inaudible 01:23:30]. On high speed trains in the world, buses, all sorts of transportations, I really can't see in 2018 why there can't be a way where seats can be removed. I've done a lot of research on this, and I know it's a lot to do with safety, however there's dignity as well. There's also being able to travel comfortably, and have that ability to travel, because some people, that's a barrier for them when they cannot travel in their chair. They cannot travel on an airplane seat and be comfortable for any period of time. If they had the ability to stay in their own customized wheelchair where they're comfortable, that they would have the ability to travel and explore and live their life to the fullest. That's my presentation.

Scott Streiner: 01:24:14 Thank you, Kevin. Powerful presentation. Little bit of background and then a couple of questions on both issues that you raised. As I stated earlier, one of the CTA's three core mandates is making transportation accessible. In fact, we've let out a vision as a national agency of making Canada's transportation system the most accessible in the world, echoing some of what you said. Then in a country which is committed to the dignity and independence of all of its citizens, committed to inclusiveness and equality, there's no reason why we shouldn't be world leading when it comes to accessibility, and recognize that short of undue hardship, persons with disabilities, whatever those disabilities are, should have equal access to transportation services to get all the benefits that you described out of them. That is a key area of focus for us.

Scott Streiner: 01:25:04 We are in the middle of drafting accessible transportation regulations. Some of what you raised, I'm going to come back to those, because some of what you raised is relevant in that context. You'll also be interested, I think, in

knowing that on June the 12th and 13th we organized a national forum specifically on the transportation of mobility devices on aircraft. We did so because in the work that we did, on the consultations that we held on the accessible transportation regulations, it became clear that this is becoming a more and more challenging issue. I'm telling you stuff that you know, but wheelchairs are getting larger. They're getting heavier. They're becoming more customized. They're becoming more technologically sophisticated. This is all great news for people who use them, but what it means is that challenges associated with safely transporting them on trains are just getting larger.

Scott Streiner: 01:25:55 We decided to bring together community organizations representing persons who use mobility devices, airlines, aircraft manufacturers, we had Bombardier, Airbus, and Boeing there, wheelchair manufacturers, international organizations, and regulators around the table to start talking about this. That's going to lead actually to an ongoing working group that's going to work towards practical solutions.

Kevin: 01:26:20 This happened just a couple weeks ago.

Scott Streiner: 01:26:21 This happened just two weeks ago.

Kevin: 01:26:23 That's great news.

Scott Streiner: 01:26:24 Very happy. It was our initiative, and we've retained a facilitator from the States who's an international expert in this. What we're trying to do is to see if we can arrive at some solutions through practical dialogue among the pairs. Really at the end of the day, nobody can disagree with the principle that a wheelchair should be transported safely on an aircraft. It's figuring out when they're so technologically complex and so heavy, how do you get them on and off safely.

Kevin: 01:26:50 I could've brought a video today, because I've taken video of how they've got my chair off after strict instructions of telling them what and what not to do.

Scott Streiner: 01:26:58 We've had presenters at other of these public sessions who have done the same. We had one woman presenter to us in Winnipeg to us say that she sat on the plane watching as wheelchair fell off the belt as it was moving.

Kevin: 01:27:12 Great feeling, yeah.

Scott Streiner: 01:27:13 Now having said that, of course the ground handlers aren't doing any of this on purpose. Airline staff aren't doing it on purpose. We really do think that we need to have a conversation, but we need to be focused. We need to



drive toward practical solutions. That work is underway, and happy to both inform you about it, but also take your input on it.

Kevin: 01:27:29 That'd be great.

Scott Streiner: 01:27:31 Now to zero in on one issue that you raised, which is the change of aircraft and how that affects you. I'm raising an issue, Kevin, and I'm not actually sure whether or not there's a regulatory solution, but do you think that there should be constraints on airlines around swapping out aircraft where it's within their control. It's because of load factors, number of people on the plane, not for mechanical issues or other reasons. Do you think there should be constraints on their doing so where they know that they've got wheelchairs to transport, if it's going to make it impossible to transport those wheelchairs?

Kevin: 01:28:04 I think that's the thing. I don't think the communication gets trickled down like so. For example, even 24 hours notice that they were going to change the plane. I've been to an airport where the Airbus was waiting at the gate, and I saw the Airbus pull out, and then the [inaudible 01:28:23] came in. This is after during the wait. Then I can see, and I know, because I fly a lot. I know with these airplanes. I could hear, and sure enough they come over. They're aware that it's not possible, but they still do it.

Kevin: 01:28:37 Based on your question, I think without undue hardship, I know we don't want planes flying around with more load passengers or less even, it doesn't make sense. But in those situations be a little bit more understanding, and be aware if there are passengers with mobility issues, specifically mobility devices that they require when they're at their end destination, that that should be taken into consideration at that time, because what are the other options?

Scott Streiner: 01:29:07 We'll have to think some more about that.

Kevin: 01:29:09 I don't know the answer either.

Scott Streiner: 01:29:11 It's a very good question. I think you've raised a really good issue that we need think about.

Kevin: 01:29:17 Just one more thing, maybe when it comes to purchasing aircraft, there should be more regulatory about the size of the openings for doors so that chairs can come in. We see it with the [inaudible 01:29:30] with trains, buying train cars that are not accessible, and then having to retro fit them or whatnot. These planes should have a little bit more ability to do that. I even hear from the baggage guys, they're coming up and they're like, "Man, we hate these planes because we have to sit down as we're loading

luggage." I can image how hard it is on them to lift something that's 400 pounds into an airplane. Yeah, they're doing it a lot manually. I think that's one of the bigger issues. There should be a better way to get the chairs onto the plane.

- Scott Streiner: 01:29:58 There's a question of whether or not there are some lifts that could be designed to do this.
- Kevin: 01:30:01 There are many options out there. It's just a matter of making this happen sooner rather than later, because I don't want to have to take a step backwards on this whole thing when it comes to flexibility.
- Scott Streiner: 01:30:12 That's why we had the aircraft manufacturers as part of this forum that we held. I want to come to the training issue in a moment, but you raised this issue of people staying in their wheelchairs on the plane. Two comments. You referenced Via Rail. You may be aware that we've actually rendered some decisions around the accessibility of Via Rail trains, and train cars, and the tie down of mobility devices. Again, you may be interested in knowing that Via Rail has announced that in the renewal of their fleet, which is now being initiated, that accessibility is going to be a central focus. Again, if you have an interest we're happy to connect you with the folks working on that.
- Kevin: 01:30:47 Thank you, Via Rail. I appreciate it. It's so kind of them.
- Scott Streiner: 01:30:51 Observing simply that that's a focus of what they're doing. The other thing is in terms of the tie downs in the planes, I don't know if you're aware, but there's an initiative underway led out of the UK to explore that option. Our assessment is that the option of tying down wheelchairs within the aircraft, removing seats and tying it down, if that's going to be a solution, and many, many persons with disabilities hope it will, it's a longer term solution, which is why we think it's still important to talk about storage.
- Scott Streiner: 01:31:19 On the training front, we've certainly observed through the cases that we adjudicate that effective training of airline rail personnel around mobility devices is crucial. There are sometimes gaps that we've identified in that regard. Any specific suggestions on training requirements we should include in the regulations, whether it's frequency or type of training?
- Kevin: 01:31:45 I work in government, so I deal with a lot of training and facilitators come in. My experience is to have people with disabilities who experience this come in and be involved with the training so a human face can be put and stories can be told. That's so powerful when you can hear the real story, as opposed to an incident on paper or a file that you're reading, having people, how this really affects them. Maybe some airlines do that. You can certainly tell the corporate culture makes a huge difference as well. It's from the top

down. It has to have a buy in from the top down so that feeling, whether it's diversity or acceptance, or anything, with regards to accessibility, like you said, the knowledge is there so that these people understand we're not asking for anything special. We're just trying to travel like you and I might.

- Kevin: 01:32:40 We all have the same goals to get from destination A and B safely. I think that's what the Canadian Transportation Agency is, to get passengers moved safely.
- Scott Streiner: 01:32:50 And with dignity.
- Kevin: 01:32:55 There are people out there who have a lot of firsthand experience, and probably a lot of people who would do it for free. Not have to pay a facilitator or some consultant to come in and look at that, because we live it. We can give the experience. We're in these chairs. It's like how to safely transport them, some of the things to look for.
- Kevin: 01:33:15 I want to do say one thing. I think some people have to take onus for their own property too. For example, damage has not been a big problem for my chair. I've had incidents, I understand that. But I know my chair. I know what to peripherals to take off before it goes so the major things can't be damaged. I take those precautions, and I'd love to share that with other people as suggestions of what you can do. I even did as much as did a pamphlet for a project of the do's and don't's of traveling with a mobility device, and things you're allowed to ask. I did research. Things you're not allowed to ask. For example, there's a rule that apparently if I was traveling with someone they have the right to go down and watch my chair get put in the airplane. I've never found this in writing, but I've told this a couple times that to help with the transfer of the chair onto the airplane, that someone can be there to advise people if something's wrong. Obviously if you're watching from an airplane you can yell as loud as you want, they're not going to hear you.
- Scott Streiner: 01:34:16 The windows are thick.
- Kevin: 01:34:17 Yeah, they're pretty thick.
- Scott Streiner: 01:34:18 Those windows are thick.
- Kevin: 01:34:21 That would be one of my bigger suggestions, is maybe just utilize people who have the experience. I don't know how that happens.
- Scott Streiner: 01:34:30 Liz, any questions?
- Liz Barker: 01:34:31 I have no questions.

Speaker 3: 01:34:33 Have you ever been rebooked on another airline when they change the aircraft?

Scott Streiner: 01:34:37 I'm just going to restate the question so it gets caught. Daniel from [inaudible 01:34:42] said, "Have you ever been rebooked on another aircraft," when?

Speaker 3: 01:34:44 On another airline.

Scott Streiner: 01:34:46 Have they ever moved you to another airline.

Kevin: 01:34:47 To be honest, I'm a pretty persistent guy. I usually get my way if I can. I'm a pretty good advocate for myself. I will ask for anything. Is there a West Jet flight going out? You know what I mean? I would ask, is there another way you can get there, because usually I want to get home, or want to get there, the whole idea of doing that. Yes, I have been transferred before without a charge. I was surprised once. I was going to Fort Lauderdale once, and the flight was not suitable for my chair, and they paid full, I ended up going on a West Jet flight. I don't know how that happens. I don't know if they have inter agreements to help people out in the tightness of events. I'd much rather that than be stuck or have to leave my mobility device behind and hope that it arrives safely the next day like they say it's going to.

Scott Streiner: 01:35:44 Right. Kevin, thank you for coming out and sharing.

Kevin: 01:35:46 Thank you so much. I appreciate the time.

Scott Streiner: 01:35:48 We appreciate you coming out. Folks, we're through about half of the speakers. We're through five of eight or nine. We'll take a five minute break so people can stretch their legs, get some water, use the facilities if they need to. We'll reconvene at about 10 to.

#### PART 3 OF 5 ENDS [01:39:04]

Scott Streiner: 01:48:52 Welcome back. Sorry that took us a few minutes extra. Next in line is Jim [McDermott 01:48:57]. Jim, welcome.

Jim: 01:49:13 Hello, and thank you for inviting me here today. Thank you for allowing me to present. Thank you for providing interpreting services as well. My name is Jim. I'm a deaf individual. I love to travel. I travel quite frequently. I'm a faculty member at the [NSCC 01:49:44], a deaf studies program at the [Iveny 01:49:47] campus here in Halifax. I'm also president of Nova Scotia Deaf Culture Society. I'm a strong advocate for art and culture movie awareness, for deaf individuals within our community. I know many deaf individuals who travel. We love to travel, and, travel for different reasons. For vacation

purposes, conferences, workshops, events, festivals. Deaf individuals also tend to travel, of course, with friends and families, but also, on their own. I travel on my own quite frequently. I guess, I'm trying to impress upon the point that deaf people do love to travel like anyone.

Jim: 01:50:55 We have positive and negative experiences like anyone. We have communication issues, at times, like Elliot had spoken to earlier. Sometimes, it's a little bit hard for us to find individuals in order to find out what's happening within the airport, if it isn't, sort of, sent out to us in some sort of visual capacity. We tend to know what traveling looks like. We arrive at the airport, we'll get our ticket, we'll go through the boarding process like anyone else. We tend to know what's expected of us at that point, and what's going to happen, sort of, when we first arrive at the airport.

Jim: 01:51:32 Once we're actually in the waiting area, that tends to be more of when confusion can happen, because, of the communication piece isn't there. Whether a flight is leaving on time, or being delayed, or whether we are switched gates, or haven't switched gates. I think a lot of times, when we go into the airport and they have the digital screening ... the screens, that can be very helpful. When it pops up in red, and, we know that a flight's been delayed, that can be very, very helpful. If a flight's late, sometimes, that isn't always as clear to us with the visual cues, within the airport.

Jim: 01:52:12 A lot of times when we're in the waiting area, when we've already gone through the putting in the bags and things like that, a lot of times the boarding process can be an issue. We don't always know when we're boarding. If we had some sort of visual cue saying, "It's time to board now. It's been delayed, or we're boarding early," and have that on a visual, sort of, digital screen, have that cue and, maybe, have it flashing, or, have it read. We don't always need to know why the flight has been delayed, or anything like that. We just need to know that it has been delayed, or, if it's leaving on time, or if it's leaving early. Just those, sort of, visual cues when we're sitting in the waiting area, waiting to actually get onto a plane. A lot of times, if we're in a waiting area and we're all boarding together, that's not an issue. Sometimes, when it's been changed, the area's been changed, and, we haven't been told if it's going to be delayed, and we haven't been told. So, sort of, just those updates when I know everyone else in the area is, maybe, getting it through an auditory source, just to have that, sort of, in a visual cue for deaf individuals. Even if it's just something to do with weather, or deicing.

Jim: 01:53:26 A lot of times, I find that deaf individuals have that added work of trying to find a staff member to ask, you know, what's happening, why haven't we already boarded, or where's everybody going, and have we switched areas? So, having those, sort of, cues would be very helpful. Some of the airports

do provide some texting services. So, on a smart phone, they will text you that a flight's been delayed. At one airport, I did have an experience where I showed up, and, I was supposed to be leaving at 3:30. I got a text on my phone saying that we weren't going to be leaving til 4:00. So, having that surface would be perfect. Whether it be a digital screen in the airport, or whether it be via text message.

Jim: 01:54:14 That would be great for delays. A lot of times, when I arrive at the airport, I'll let them know that I am deaf, then hopefully, if there's any sort of delay, or it's time to board, somebody will come up to me and notify me directly. But, a lot of times the staff forget. I understand that. I mean, there's a lot of people who will be boarding. There are a lot of responsibilities, and that kind of thing, but, if the staff members could remember, if they're told that the deaf person is there, just to go up and say, "It's time for you to board," or " Sorry, we're delayed," or "We need you to move to a different gate." Like I say, I do always tell the staff that I am deaf when I arrive, but, they don't always remember to tell me if there's any sort of change.

Jim: 01:55:18 Another thing I wanted to speak to, related to assigned seating near the emergency doors, there's just some confusion in the deaf community to the rule of thumb for that. Within the deaf community, we have experienced in the past and, sort of, is common knowledge for us, that we tend not to be allowed to sit by the emergency exit. If we are booked there, we tend to be asked to move to another seat, which feels appropriate. If you're in an emergency situation, it's good to have someone there who can communicate quickly and readily, but, I did have a friend, recently, who was on a flight, and was by the emergency door. They spoke to the flight attendant and said, "You know, I think I'm supposed to be moved." The flight attendant was like, "No, no. You're fine there. It's actually okay. You can stay by the emergency exit." Then, the gentleman was like, "Uh, I don't think that that's right. I'm a deaf individual, and there are, sort of, rules and if it's an emergency situation, I don't think I'm supposed to be here." So, it was something that we thought was common knowledge. Now, since my deaf friend's experience, of being allowed to stay since the emergency exit, it seems like that's not the rule anymore. I'm not sure if you can, sort of, clarify that for me.

Jim: 01:56:33 I've traveled recently, with a friend, from Edmonton to Montreal. Then from Montreal, we were planning to head to Halifax. Something happened. I'm still not sure, exactly, what it was that had happened. There was some sort of warning of some sort, that there would be late landing, somebody was trying to communicate with me. It's like, "Oh, okay. We're going to land late. All right." Then, we actually ended up landing in Monkton. It's like, "We're in Monkton. I thought we were just landing late, and, I thought we were supposed to be landing in Halifax." So, the stewardess knew that we were

deaf individuals. We were diverted, obviously, to Monkton, but, nobody told us. Then, we were like, "Why are we here? What took place? We heard that we're going to be delayed."

Jim: 01:57:40 So, it ended up being another passenger had written a note to me and just said, "The Halifax airport has been closed." I was like, "Oh my heavens. Why has it been closed? Is everything okay?" Then they, sort of, weren't really willing, or able, to expand on that. Then, of course, we started to worry about, maybe, September 11 sort of issues, and maybe, it was something like that that happened in Halifax. I had family in Halifax that had been picking me up at the airport, and you know, are they safe? Is everything okay? How long are we going to be in Monkton. Then, it wasn't that we were the only flight that landed in Monkton. There was other flights landing in Monkton as well. So, I was like, "What's going on?"

Jim: 01:58:19 Then, I text to a friend who was in Halifax at the time, I said, "What's going on at the Halifax airport? We've been diverted to Monkton." Then my friend ended up googling on the computer to see if they had ... if something was happening in Halifax at the airport. They weren't able to find out anything, so we were quite, of course, panicked about the whole situation. Didn't know how long we would be there, or, why we were there. Then, it ended up being that it had been just weather issues. It was just something that was so simple, and, if it had just been, sort of, communicated to us that we were going to be in Monkton for a little bit of time, that there was a weather issue, instead, I'm texting a friend, "We're in Monkton. We don't know for how long." Of course, that was all, sort of, very distressing for us at that time, and, just worried for the Halifax airport, and what could possibly have been happening. It could have been so easily resolved.

Jim: 01:59:17 Of course, there's always issues with weather. That's ... we all know that, that they'll be delays due to weather. That's something that we all come to expect as travelers, of course. I do have a story with a deaf women who traveled with her mother. They were traveling to Montreal. They ended up having a flight cancellation. So, they ended up having to wait until the next day to catch their flight. They had asked somebody at the airport if they would be able to, sort of, find a hotel room for them for the night. The lady was quite rude about it. She was like, "That's not my problem. That's your problem. You need to resolve that. Find your own booking for your own hotel," and it's like, "But, we're stuck here in Montreal because of your delay of the flight. We thought, maybe, you'd just be able to, sort of, direct us towards a hotel in the area, or, give a call to a hotel in the area." The person was quite adamant that they, sort of, weren't willing to help.

Jim: 02:00:22 So, the mother and deaf daughter at the time ended up, sort of, texting some friends, finding out about the hotel closest to the airport in that area.

They had to call a taxi, which they also didn't have the, sort of, access to phone numbers to who would be the taxi service in the area. Then, they had to pay that all out of pocket. They ended up staying for an entire night. Really, the personality of the individual, if they had just said, " Oh, you know, we're sorry. It's been delayed. How can we help," but, the attitude was not that at all. It was really quite a, sort of, scaring experience for my friend and her mom. So, just really to be more supportive in those sort of experiences, would be very helpful.

Jim: 02:01:15 This next page is just, sort of, more of the same story, so, I'll just move on to my next paragraph there. I have lots of experiences that are similar. Of course, we have experiences that are positive as well, but, today was just, sort of, trying to speak to how we can, sort of, help you improve the services for deaf individuals. The question that you were asking for Elliot earlier with the, sort of, voice to text, I think if it's just something short and simple, I think that that would work perfectly fine. Even if you were to have some sort of device on the back of the seat of everyone in front of them, so, not only for deaf individuals, but, it goes over auditorially. Then, people could read some sort of text cue from the captain, just saying there's turbulence, or we're going to be delayed, or we'll be here a little longer. That kind of idea.

Jim: 02:02:08 [Betty McDonald 02:02:08], who is here as well ... a deaf individual who is here as well. She was speaking to just flying home two days ago from B.C. and she was with her husband at this point. She usually travels alone. He was able to tell her that there was going to be turbulence. That just made it so much simpler for her to have that, sort of, prompt before it happened. Whereas normally, if she's alone, she wouldn't have that prompt, and then of course, you're startled when the plane starts to rock and you've had no sort of previous warning. We really just want to, sort of, have the same cues that everybody else is being given throughout their experience.

Jim: 02:02:49 I do have two recommendations. I think if you were to have the digital boards the the waiting room, that you already have, with the extra, sort of, written text of what's happening, and to have flashing or red lights on the text when there's been a delay, or something like that. Just to know that this isn't just benefiting deaf individuals. It's, kind of, like a universal design where it benefits everybody. So, it's not, sort of, for the sake of the deaf individuals, it's for everyone who's able to, sort of, take advantage of that. Second language English users would be able to take advantage of that as well.

Jim: 02:03:28 I think just having those cues of when the planes will be arriving or leaving, if there's going to be a delay, and having some sort of visual text format, whether it be on a screen, or whether it be to people's smart phones. Like



you had said, there are some videos out there already, where there has ASL and LSQ already. That's amazing. Just to have more of that as well, possibly on a plane. On a website, so people can look at those before they travel. They could watch, sort of, the safety flights in ASL or LSQ. Maybe, the process of boarding, or waiting areas, or getting your baggage in, or getting your tickets, and have all those videos in ASL and LSQ on the website. I think that would make things much more accessible for deaf individuals.

- Jim: 02:04:19 I think you guys have amazing services. My flights have always been very enjoyable, but, it's always great to improve services for everybody. Thank you for listening to me today.
- Scott Streiner: 02:04:30 Thank you very much Jim. First, a response to a question that you posed, and then, at least one question for you. You asked about the emergency exit rules. Those would be handled, because it's safety related, by our colleagues at [Transport Canada 02:04:44], but, we can certainly ask. See if they can follow up with you on what the rules are and whether there's been any change to them. With respect to-
- Jim: 02:04:58 Um.
- Scott Streiner: 02:04:58 Pardon me.
- Jim: 02:04:58 We need the speaker. Sorry.
- Scott Streiner: 02:04:59 Yes.
- Jim: 02:05:02 Right, and I think, specifically, it's really important just for the safety of everybody on the plane, if a deaf individual's next to an emergency exit, We believe ... or, I believe that we should be moved away from the emergency exit, because, when people are trying to get off in a panic, you want to be able to communicate easily with other individuals.
- Scott Streiner: 02:05:18 Okay. So, we'll make sure that's shared with Transport Canada. Thank you for that. With respect to pre-recorded information, or information prepared in advance, do you want to talk a little bit about captioning versus ASL and QSL as alternatives?
- Jim: 02:05:41 Sure. I think it would preferable to have the videos in ASL, and also, have the captioning on there as well, in English. Then, have the videos in LSQ, which is French sign language, with the captioning in French. To have both, some hard of hearing individuals may not know sign language, and would benefit from the captioning. Some ASL or LSQ users English or French written text is not our first language, so, it would be better for us to get it in sign language. Actually, I just had, sort of, another thought that kind of

came up, just sort of now. Anytime you have, sort of, the TV's in the airport, and a lot of times it pops up and has an alert, I think if you had the alert with the captioning on that, then I think that that would be better for all individuals. Just saying, "Emergency, please leave," or whatever the case may be.

- Jim: 02:06:47 Sometimes when something emergency, sort of, happens within the airport, and everybody's running or leaving the airport and the deaf people would be sitting there saying, "What's happening?" So, just to have that text, sort of, support as well. Anything else?
- Scott Streiner: 02:07:03 No. I would just observe that, of course, the advantage of universal design is that we may start by thinking about the needs of persons with disabilities, but as you know, ultimately, it can be to the advantage to all travelers.
- Jim: 02:07:15 Exactly.
- Scott Streiner: 02:07:16 Okay. Good. Thank you very much. Liz, did you have any questions?
- Liz Barker: 02:07:19 No questions.
- Scott Streiner: 02:07:19 Thank you very much. Our next presenter today is Wendy, Wendy.
- Wendy: 02:07:26 This is [Ron 02:07:27].
- Scott Streiner: 02:07:30 Wendy, you're looking great today. Ron.
- Ron: 02:07:33 I took a few tips from Wendy. Thank you for hearing from us, and, we thank you for the opportunity on behalf of the board and directors of [ADR Atlantic 02:07:44], to respond to your consultation paper and passenger regulations. My name is Ron Pizzo. I'm the president of ADR Atlantic. We have Wendy, who prepared a submission, which I gave to the panel. She's the past president. I also have Mr. [David Penny 02:08:01], who's the vice president, and [Shelly Alword-McCloud 02:08:04], who's the marketing chair for ADR Atlantic.
- Ron: 02:08:11 I know you've been across Canada. This isn't your first presentation. You've heard from our other, sort of, sister affiliate chapters. We have ... we're part of [ADRIC 02:08:22], which is the ADR Institute of Canada. We have a number of chapters in B.C., Alberta, Saskatchewan, Manitoba, Quebec, Ontario, and we represent Atlantic Canada. So, we cover Nova Scotia, New Brunswick, PEI, Newfoundland, and we have members in each of those provinces. We have members who work in-house. Members who work for government, and institutions, and also, private practitioners. We are also ... I'm amazed at how the breadth of the way we offer ADR, the different

services of ADR, that we offer, different styles, and also, the different, what I call, ADR modalities that we use. Such as ODR, which is the online dispute resolution, which is becoming more and more part of the regular practice of an ADR practitioner. Especially, here in Atlantic Canada given the geography, where we have people in disparate parts of the province. So, we would need ODR to be able to dissolve disputes.

Ron: 02:09:26 Being part of ADRIIC provides us a great advantage, in the sense that we have national standards. So, any mediator who's a member of ADR Atlantic would have the same ... if they have a designation from ADRIIC, would have the same designation, same level of training, same approved programs. So, it's fairly standardized. People who use ADR or who have rosters through ADRIIC, whether they have people ... regardless of which province they're from, are going to be assured that they have some quality control over the ADR practitioners.

Ron: 02:10:08 As our ADR Atlantic Institute, we're a non-profit organization. We have by-laws, policies, and procedures. We have a board of directors, and we're involved in local issues, and national issues. So, there are two questions ... in speaking to my other ... or, learning from our other counterparts, we know that there are two specific questions that you've been really asking about.

Ron: 02:10:36 One is, should all of the new obligations established by the passenger protection regulations also be enforceable through [AMP's 02:10:43]? You've gotten a standard answer, which has been, yes, to having ADR as part of the AMP, provided that there are ADR mechanisms in place. Now, I want to tell you something about the benefit of ADR, and I think why it's important here. You've been listening to people talk to you about experiences. Although, you may look at an incident as being transactional, as in I lost my bag or something happened to me, I waited too long. It's more than just that though. It's an emotional issue, and it's also a relational issue, because, these people who have trouble or run into issues, are going to use airlines over and over and over again. So, it's not that you're providing an alternative dispute resolution mechanism for one dispute, you're actually providing a mechanism for dealing with a relationship. Relationship with the airline industry. Relationships with particular airlines. It's all very important. One thing we do know, and this is very important and we do know this, that the ability to tell your story, the ability to be heard, is very, very important in resolving disputes. Even more important than the outcome itself. For instance, ...

PART 4 OF 5 ENDS [02:12:04]

Ron: 02:12:00 ... than the outcome itself. For instance, lawyers when we get in trouble, we get in trouble because we don't listen to our clients. That's what the studies

show. Our clients are more interested not in the outcome, but in their fairness of a process. The importance of being heard is critical, and what ADR does is it gives people that opportunity to be heard. When disputes can't be resolved at the first level and they want to go further, it gives the people who have an issue an opportunity to be heard, a voice, and that's what we do. And you cannot minimize the importance of that. If you want to deal with treating people with dignity and respect, well then that's what we can offer in addition to resolving disputes.

- Ron: 02:12:47 I think the second question you had asked us was about how to make people aware of this, and you have some, in your position paper you talked about posting physical locations, airline websites, et cetera. And those are all good ideas, but I think in addition to that airports themselves have websites, so you can post to airport websites.
- Ron: 02:13:16 Social media. A lot of the airlines, a lot of the airports, they all use social media. I have some information on social media. I'm sure you would have a social media page as well. That's the kind of thing you should be using, not just the websites, and there should be obviously postings in the airports themselves, and maybe some pamphlets and brochures which set out in very plain language the sort of things that you would deal with.
- Ron: 02:13:46 People will find you out. The people will know that the services are there, and I'm sure the airlines themselves would want to assist people in knowing this; in knowing about the services of ADR because it is also a measure for airlines to minimize cost. Because the way things normally happen today -- and I'm a lawyer and I know this -- that if you have a disagreement, the only other avenue to go if you don't have an ADR process is through some court thing. It could even be a small claims court, for example, and that's a huge administrative cost to an airline or to anyone who has to respond to those things. So by having an ADR process, and if you can start to resolve some things, you will actually streamline the dispute resolution process, it'll be a fair process where people are heard, and it will reduce costs.
- Ron: 02:14:40 And I think those are the two big areas that you wanted us to talk about. Our position paper goes into more detail on both these points, and I certainly don't want to bore you any further than you've already been bored by all the past presentations you've heard. So with that, I'll bring this presentation to a close. Thank you.
- Scott Streiner: 02:15:01 Never boring, never boring. It's for the benefit of others in the room just so they understand a bit of the context. Colleagues who work in the ADR field have been presenting at our different stops along the way, so we do appreciate the fact that you tried to minimize repetition. But at the same time, there's people in the room who are hearing this for the first time and

it's good for them to know that you folks are coming out and that you've got some advice for us.

Speaker 4: 02:15:25 Before you get going, sir. ADR means what exactly?

Scott Streiner: 02:15:28 Alternative dispute resolution, like mediation for example.

Speaker 4: 02:15:40 Okay, thank you so much. Appreciate that.

Scott Streiner: 02:15:44 So at the CTA we are, in addition to being a regulator, we are a dispute resolution agency, and we do receive now about 6,000 air travel complaints per year. It used to be more in the range of 800. A couple of years ago we undertook a modest public information campaign just to make sure travelers knew that we're here to help if something goes wrong with a flight and they can't resolve it with the airline, and that number grows by 700%.

Scott Streiner: 02:16:11 So we're up to about 6,000 complaints a year and we do resolve about 95% of those through non-adjudicative processes, through informal dispute resolution; facilitation which is very informal or mediation; and about 5% end up being adjudicated by the CTA when we do function very much like a court of law. So our numbers in terms of the proportion of complaints that are dealt with through informal dispute resolution are good in terms of the percentages. But what I'm wondering is do you think in terms of the passenger experience, as well as to the benefit of the airlines, do you think there are any steps we can take around the communication issue, the second point that you made, to almost help ensure that disputes are resolved as much as possible in real time, like at the time of the incident? Because that might then avert the need for people to even bring forward complaints. So I'm wondering if there's a connection between the two points you spoke to, the dispute resolution process but also effective communication?

Ron: 02:17:10 Without a doubt, effective communication can help to resolve a lot of disputes. You've just heard people here talking today. If the people in the airport or the first point of contact had better communication skills or communicated with people more fully, then you probably wouldn't hear a lot of these complaints today. I think the problem from a certain point of view is that people in the airport or the first point of contact may have certain fears about liability issues depending on how they communicate, and that's certainly something you should address. But really, the earlier you address the problem, the more likely is it you are to resolve it sooner.

Scott Streiner: 02:17:54 That computes for us as well. Let me just drill down a little bit more because you are dispute resolution experts. So let's think about a live event; something is unfolding. What do you think should be the key information

that the airlines should communicate to a passenger? Let's take an example like a flight delay. They're in the airport, there's a flight delay. Maybe there's repeated delays. What information do you think should go to the passenger, both to minimize the risk of escalation but also to ensure that they're rights under these new air passenger protection regulations are respected?

Scott Streiner: 02:18:29 And I ask the question because it seems to me that -- and I don't want to go too far in anticipating your answer -- but too little information and people are going to continue to be frustrated and they're going to have trouble realizing their rights, but too much and it could actually be overwhelming and just be a source of greater frustration. So can you help us think through a little bit what the sweet spot is in terms of the types of information, the quantities, the frequency of updates?

Ron: 02:18:54 At the end of the day, anyone traveling in the airport wants to know a number of things. They want to know that they're getting to their destination safely. They want to know that there's going to be a way to get to where they want to go. They want to know that the airline, for instance for people with connecting flights, has looked into this situation and has taken care of them so that they can get to someplace at some reasonable amount of time.

Ron: 02:19:20 Is it really an issue of going into detail about the specific reasons for a delay? I don't know if you have to go that far; there may be some circumstances. But I think if airlines took the responsibility of seeing a customer as a customer, not looking that the customer is a cost factor, and took into consideration the customer's interests -- the interest of getting from point A to point B safely, the interest of making sure their luggage gets there and working out some accommodations -- I think that would go a long, long way to resolving a lot of the issue.

Ron: 02:19:57 I can speak to one situation where I was traveling with my family to Europe. The plane from Halifax to Montreal was delayed by three hours. When we arrived, the plane we were supposed to take to Europe took off, and Air Canada didn't care. So start caring, and I think even build in some protections so that people can speak freely and not be afraid of giving information for whatever liability reasons they think they may have, then that would go a long way to making the travel experience a better experience.

Scott Streiner: 02:20:35 Good, thank you. Liz? No? Thanks very much.

Ron: 02:20:40 Thank you.

Scott Streiner: 02:20:42 Our final present today is Colin. Colin, welcome.

- Colin: 02:20:53 Chair and Vice-Chair, I thank you for the time to voice my concerns and a way to fix the regulations. I'm a person that's just very direct, so I'll be very direct. So for the first item, airlines' obligation to communicate clearly, I think there should be something at ticket purchase that clearly communicates what are passengers entitled to if the flight's delayed, canceled, you get bumped, lost baggage. Something somebody could click on and say this is what I'm entitled to.
- Colin: 02:21:27 I also think there should be some way of, if it's an international or going to the U.S., what you're entitled to per direction or travel. Because EU has different rules, and also does the U.S., and a lot of people don't know that when you're flying from Europe and there's a delay, you're entitled to the EU rules. And a lot of airlines don't do it unless you ask or tell them.
- Colin: 02:21:53 Second, flight delay, cancellation or denied boarding. You mentioned earlier and asked people questions if there should be another, fourth category. I believe there should be a fourth category, and this fourth category, don't know how to call it but I called it like a safety concern that's caused by the airline, so it's within the airline's control. Too many times I've been ... Flight's been canceled from New York or Chicago or Washington because all the planes that come here are very small and they can't fly in fog, they can't fly in rain. And I feel that's an airline's business decision to fly those small planes in airports that can land larger aircraft.
- Colin: 02:22:40 I understand that if it's a small airport, you have to fly those small planes. That's understandable. Also, the fact that, as the doctors mentioned, about an issue if the airline caused the issue in terms of refueling, then some type of compensation should start kicking in. I give the example of, if a plane was landing and the tire blew -- and that's happened to me -- and there was a small delay because they had the part. But there are sometimes where in some areas they don't have the tools, the right personnel, or the equipment to fix it. I think there should be a reasonable time to say, okay, this delay is reasonable, but after that point some type of compensation should start kicking in. There's also a grey area which I mentioned that I don't see in your discussion paper. What happens if a plane arrives at a destination but can't land and diverts somewhere else? You might have to look into that.
- Colin: 02:23:48 Denied boarding. Other forms of compensation should be allowed, I believe. The other forms of compensation should have a two-year timeframe. For instance, if a passenger is given a travel voucher, it should be expired two years from the date issued because one year is kind of short. A lot of people don't travel. I'm an avid traveler so I would definitely use the credit within the year. But sometimes people save up for years to travel across Canada or wherever they're traveling to, and to ask them, hey, you have to use this credit or this travel voucher within a certain year, might be an issue. I think

[inaudible 02:24:31] goes in line with EU, because EU you have two years to make a claim from when you had an issue, so I think that works as well.

Colin: 02:24:39 Also, with denied boarding, I think again there should be a fourth category; that same category, safety concerns caused by the airline. I give the example I was in Montreal one time and the pilot came on the announcement and said, "We have a little situation. One of the emergency exits in the back is ... The door will close but the computer is telling us it won't work in an emergency." So he was like, "So here's the situation. We might have to remove about 20 or 30 passengers to make it safe to fly." That's fine, I understand that, but that definitely is some concern and that some compensation should be given.

Colin: 02:25:32 Also with denied boarding, unaccompanied minors or families traveling with children should be exempt from involuntary denied boarding. That's a must. And also international connecting passengers should also be exempt from involuntary denied boarding.

Colin: 02:25:51 Tarmac delays. Starting point for calculating tarmac delays should start when the door is closed. Everything starts then: you have to turn your phone off, you have to listen to the safety instructions. So a tarmac delay, as soon as the door is closed, that's when the tarmac delay clock should start running. And updates for tarmac delays should begin even before boarding. I think most airports -- Halifax airport, Toronto airport, whatever airport you go -- airlines are aware of current tarmac delays, so maybe not board people if you know the plane's going to sit there for two hours.

Colin: 02:26:32 Passengers should be informed about this before entering the aircraft as well that there is going to be a tarmac delay so they could call somebody, get food, go to the washroom, to make those appropriate arrangements. Every 30 minutes, there should be a given communications. After that first 30 minutes, I think passengers should be allowed to use their cell phones to tell family, friends who might be picking them up or where they're going to their destination to say, hey, my flight's delayed.

Colin: 02:27:07 And also in terms of proper heating and cooling and ventilation, should happen about an hour within the tarmac delay or a critical temperature is reached. So for example, if 25 degrees is reached in the cabin, I think cooling should start. And at seven degrees Celsius for heating to start happening.

Colin: 02:27:32 Also, I think there's some minimum standards or airline obligations for passengers that should happen between two or three hours, depending on the length of the flight. Water during the tarmac delay, I think someone mentioned that earlier, should happen maybe around the hour and a half to two hour mark. Food should be given free of charge to all passengers,



whether in-flight or after the tarmac delay, or during the tarmac delay that food can safely be served if they know the tarmac delay is going to continue for a longer period, or a food voucher option given to those who had the tarmac delay and they land in their destination.

Colin: 02:28:11 Because a lot of people, and I do it myself, but I always travel with some type of food because I know these things could happen. I travel a lot. But if you travel between 1:00 and 4:00 o'clock for example, you think okay, I just finished lunch; I get home before dinner so I don't need to bring any food. But then if you're stuck on the tarmac for three hours, then you're getting home around six, or you're landing around six, seven and that would just cause ... It will help in terms of frustrations for passengers and possibly security concerns. There's people's bias, and it's happened to me where I was kicked off a plane because I exuded angry black man when I wasn't an angry black man. But that was somebody's bias, right? So you don't want that to happen because you know, we all know when we're hungry we're angry, we're hot, we're frustrated, things happen.

Colin: 02:29:19 And there's some other things I don't see in the regulations or in the discussion paper that may be needed to bring up. Compensation being automatic, or you have to apply or request it. I'll just give my mom's example where she was in London, she was delayed six or seven hours, and she was just given a food voucher, and she had more time with the delay and she was happy with that. She said, "You know what, Colin? They fed me. I had been able to spend more time with my family in England. I'm not seeing compensation." So that's why I'm on the fence whether it should be automatic or people have to request it, because sometimes like I said, some people are happy. You gave me a food voucher, I don't need any more compensation.

Colin: 02:30:12 Safety at airports and issues caused by the airports. There's nothing in there. That might not be your agency, but I'm going to bring that up. And I think also making contact with the airline should be easier or a shorter process, not four to six weeks like Air Canada. And you only email somebody, that's a big problem. I wish I could get that number that the doctor had. I was able to find a number on Air Canada. If you ever need customer service, they always pick up this line within 30 seconds. I don't know if it's some special number, but somebody always picks up the phone if you have to make a change or anything like that with your flight, so I always call it. I have it in multiple places and I don't share it, unfortunately, because I still like that 30 second pickup. So that concludes my presentation.

Scott Streiner: 02:31:17 That's great, Colin. You covered a lot of the questions in the discussion paper. A couple points of clarification. I'll just ask you to go maybe one step

further in some of what you said, so I'm going to go through them in order, the order you presented them.

- Scott Streiner: 02:31:29 Communications. You said at time of purchase. What are you thinking? You get an e-ticket and there's something attached to the e-ticket, or a link or something like that that lays out your basic rights and the recourse available?
- Colin: 02:31:43 It's just like when you fill up your baggage, Air Canada-West Jet, they have big signs that show you can't put a firearm, you can't carry a knife, you can't carry explosives. Same thing, like this is what you're entitled to ...
- Scott Streiner: 02:31:56 Another page that pops up as you go through?
- Colin: 02:31:58 Yep. Or even in chart form. Flight delayed? This is what you're entitled to. Canceled? This is what you're entitled to.
- Scott Streiner: 02:32:06 And do you think there's other points along the voyage where that information should be in front of people? Because something that we've been thinking about is when do people best absorb that information? Because the point here is to make sure, as I think I said earlier, that we set fair minimum standards and that people know those standards exist.
- Colin: 02:32:26 It should happen twice, or even more than twice, but definitely twice: at time of purchase and then when you're checking in, because you have to check in.
- Scott Streiner: 02:32:36 Signage? You thinking signage or on the kiosks, stuff like that?
- Colin: 02:32:39 On the kiosk, because when you do the kiosk -- and I'm going to use Halifax because this is where I fly out most -- is that when you use the machines, you click on it and they talk about baggage. Like I said, the chart is clear; it's like, "Oh yes, I know this." Same thing there. When you're getting your boarding pass, please remember this is what you're entitled to in this direction. This might change going in a different direction.
- Scott Streiner: 02:33:07 On that point, by the way, because you mentioned it earlier, just so that you know, these regulations apply to flights to, from, and within Canada. So whether you're going from Halifax to Dublin, or Dublin to Halifax, these regulations will apply. But you're right that if you're going Halifax to Dublin, there's also the EU regimes, so there'll actually be two regimes potentially that apply.
- Colin: 02:33:28 Can I ask a question? Which on is going to take precedent?

Scott Streiner: 02:33:32 That's a great question. Parliament put into the law a provision that says that you can only be compensated financially once. So passengers ... We're still working out thinking through the details, but that presumably means that passengers could choose which regime to seek compensation under if compensation is triggered.

Scott Streiner: 02:33:53 When it comes to the minimum standards of treatment, our sense is that generally speaking both would apply and they'd basically kind of, for different provisions what you would probably have is, you'd look at which one is relevant or which one provides the stronger treatment. So let's say -- I'm just going to make it up -- but let's say it says I'm in a situation now where under the Canadian rules I'm entitled to fries and under the EU rules I'm entitled to a four-course meal. Well, those are completely made up rules, but if it were like that then our thinking is that, well, the stronger the regime or the regime where the entitlements are clearer would be the one that would apply. But both regimes would apply on minimum standards.

Colin: 02:34:34 You know EU is a little stronger, so you have to ...

Scott Streiner: 02:34:38 We're looking at what the EU ... Right now, of course, there aren't any regulations in Canada. So as we make these regulations, we are looking to practice in the EU and the U.S., and what we're trying to is we're thinking what's worked well there and learn from the best practices; what maybe hasn't gone as people had expected, learn from that as well; and all things being equal, we would look to ensure as much consistency as possible because we think that's just to travelers' benefit not to have too much confusion and to airlines. But at the end of the day, we'll make regs that make sense for Canada.

Scott Streiner: 02:35:09 One or two more questions. You used the expression, I think, reasonable versus unreasonable delays. So when it comes to compensation, let's say there's a delay that's within the control of the airline. How long before compensation kicks in, in your view? And do you think that there should be staggered levels of compensation depending on the length of the delay? Should it go up the longer the delay?

Colin: 02:35:33 What was the cause of delay? Is that that [crosstalk 02:35:36]

Scott Streiner: 02:35:35 Let's assume it was in the airline's control. Assume it's something no one's debating, fully within the airline's control. So the question is the compensation obligation is triggered, but it should it kick in at a certain point in time? How long? Should it go up as the delay gets longer? What do you think?

Colin: 02:35:51 I think it should be staggered, but I know airlines is a business and it becomes very difficult where a flight going to Europe gets delayed, and it's the last flight going out for the night. To compensate \$1600 or whatever dollars per passenger is quite a lot. And I think some passengers can understand that, okay, well I'm fine with you give me a hotel and feeding me, and reasonably, I would be, too. And if you say for your troubles here's \$200, or for the hotel night that you're going to be missing, we'll pay for that.

Colin: 02:36:40 But there should be some level of compensation that starts at the two-hour mark. If you're going to arrive at your destination about two to three hours than what the posted time is, then something should kick in. Within an hour, that's reasonable. I mean the best line I ever heard on an aircraft was, "We arrived 45 minutes early. Remember that next time we are late." And I was like, I will. So it does go both ways, right? So the airline doesn't say, hey, compensate us for arriving early. Right?

Scott Streiner: 02:37:23 Yeah, I don't think we're going to put in the regulations.

Colin: 02:37:24 Exactly.

Scott Streiner: 02:37:26 Colin's got to pay the airline for his early arrival.

Colin: 02:37:28 Right. That's not going to happen, but people need to understand they need to be reasonable about it, and I'm a reasoned person. I'm fine with an hour delay. When you're pushing two or three hours from my destination, it might be getting dark, I took this flight for a reason, then some type of compensation should kick in and it should be a ladder. After three delays, go up. After six or more hours delay, these should kick in.

Scott Streiner: 02:38:00 One more from me. You very helpfully suggested that if an airline, if we allow airlines to, for example, give vouchers in lieu of cash for the minimum compensation that they've got to provide, you think that we should prescribe that it can't expire sooner than two years. Do you think those vouchers should also, on a mandatory basis, have to be worth more than the cash?

Scott Streiner: 02:38:23 What some people have raised is -- okay, so let's just make it up -- the minimum level of compensation is \$400. Some folks say if they're going to give it to you in a voucher because it's to their advantage you're going to fly with them, then the airline should be required to give something more than that amount. So do you think that's the right approach, that the voucher would have to be worth more? And any, do you want to ballpark how much more?

Colin: 02:38:42 It should be more, maybe \$100 to \$150, \$200 more. So if you're offering \$400, it should be \$600.

Scott Streiner: 02:38:52 Like a 50% percent increase or something?

Colin: 02:38:53 Yeah, a 50% increase should be comfortable. For me, my minimum standard is I'm not getting off the plane for nothing less than \$600. Most the times when I fly -- and Delta and United are great for compensation when they bump people off flights; Air Canada, not so much -- but I've had the experience I went to Air Canada, they were like, "Oh, we're willing to bump people off planes. Usually it's \$150." I'm like, "No." But they asked four times. I was like, okay, they must be desperate and the compensation was like a \$800 travel voucher. I was like, oh, perfect; that's in my range. So I think more people would be more willing if they're an avid traveler like me. They'd be like I would definitely take the travel voucher [crosstalk 02:39:44].

Scott Streiner: 02:39:43 For sure we want to try to create a regime where, when it comes to overbooking situations in particular which tend to kind of rankle travelers the most, where people are found who are happy to volunteer for whatever's on offer as opposed to being forced to miss their flight.

Colin: 02:39:56 Oh, I'm always happy to volunteer.

Scott Streiner: 02:39:58 Okay. Liz, any questions for Colin?

Liz Barker: 02:39:59 No questions.

Scott Streiner: 02:40:00 Colin, thanks a lot. Appreciate the presentation. Okay, folks. We are a few minutes ahead of schedule, but appropriately enough the Vice-Chair and I have a flight to catch. So I think what we'll do is we'll adjourn now. Thank you for coming, but we can hang back a little bit. If anybody has anything they wanted to share with us that are more comfortable on a one-on-one basis as opposed to in the more formal session, then we can hang around for 10 or 15 minutes. At that point, we'll have to hop into a cab and head to your airport, which at least one or two presenters has noted is far away from downtown. So we need to make sure we build in enough time.

Scott Streiner: 02:40:36 Thank you very much for coming. That was a really rich session. We've had great sessions across the country. That was a really rich, informative session. So we thank you for coming out and stay tuned. In the fall at some point, we plan to put out a document that summarizes some of the key feedback we got in this process. And then as I said at the outset, we're going to make crafting these regulations a priority at the CTA, and we're looking to get these done in a reasonable period of time. We know Canadians are waiting to see them in force, so it will be a key priority for the organization.

Scott Streiner: 02:41:10 Thanks for coming.