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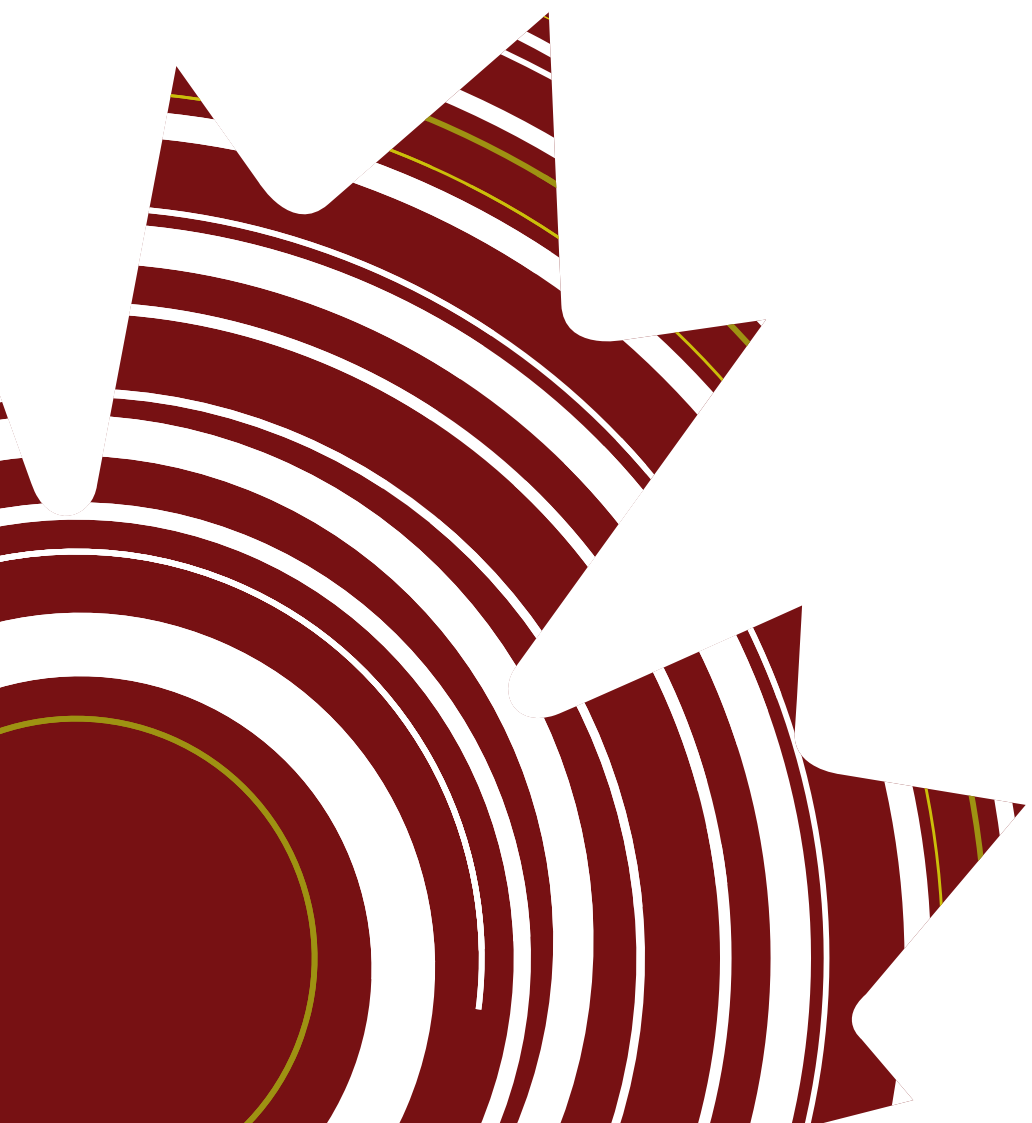
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Yellowknife

Le 22 juin 2018 / June 22, 2018

Séance de l'après midi/Afternoon Session

Partie 1 / Part 1

Scott Streiner: 00:00:00

All right. Good afternoon, everybody. We're going to keep this pretty informal, I think, but I do have a couple of opening remarks to make which I've made at several sessions, at each of our in-person consultations. It's just to kind of set the scene. But what I do want to say just before I get into those is that we have only one person in the room, I think, who signed up to actually present. We've got somebody else who registered to present and hopefully she'll make it. But obviously with a relatively small crowd like this, we're going to keep this very informal. You guys are more than welcome as we kind of go through the material, if you want to pose questions, offer ideas. We want this to be comfortable and informal, so you're welcome to ... Those who only signed up to observe, you're welcome to jump in and we'll make a dialogue of it.

So, I'm Scott Streiner, chair and CEO of the Canadian Transportation Agency. I'm joined today by Liz Barker, the agency's vice chair. And we're glad that you've come out to either present or listen, to engage with us in a dialogue about the new air passenger protection regulations. Just so you know, we have translation services available if anybody wants to present in French or pose questions in French. Because we've got translation services, even though I'm not sure anybody who's going to be in the room at the moment is going to be using them, we will ask that you use the mic when you make your interventions, pose questions or offer comments.

So, we know at the CTA how important air travel is to modern life. Across the country, Canadians use planes to visit family and friends, to see new places, to seek medical treatment or to do business. This is particularly true of course, in the North. Given the sheer scale of candidates north and the dispersion of the population, we know that there are some unique needs around

air travel in the North and there are some unique realities. We thought it was really important to include Yellowknife among the eight cities that we're going to hold public consultations so that we could hear directly from Yellowknifers and from Northerners about those realities and how they should shape and influence the air passenger protection regulations.

Now, most of the time even in the North, air travel goes smoothly, but we know that when it doesn't it can be very frustrating for passengers. Partly that's because people may feel that they've got very little control over the situation, and partly it may be because they don't know what's going on, what their rights are and who they can turn to for explanations and recourse.

The air passenger protection regulations that we're here to talk about today are going to help address these issues. The regulations are going to require that airlines communicate with passengers about their rights and the recourse available to them in a concise and straightforward way. The regulations will establish minimum standards of treatment if your flight is delayed or canceled, if you're denied boarding, if your plane sits on the tarmac for more than three hours, if you're traveling with kids that need to be sat near you, if your bags are lost or damaged.

The regulations will also prescribe minimum levels of compensation if there's a flight delay or cancellation or denied boarding that's within the control of the airline, and also for lost or damaged baggage. And finally, the regulations will require that airlines have specific terms and conditions around the transportation of musical instruments.

Now, this is going to 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 make these new regulations. We're Canada's longest standing independent and expert regulator and tribunal. We've actually been around since 1904, and we take this nowhere responsible parliament has given us very seriously. We know that Canadians, and in particular Northerners, rely on air travel. We know Canadians want to have their say on the content of these new regulations and we know that Canadians also want to see the new rules in force as soon as possible.

We're seeking Canadians' input on the regulations from coast to coast. In addition to our public consultation session here in Yellowknife, Liz and I, along with our colleagues from staff at the agency, have already traveled to Toronto, Vancouver and Calgary, and we will also be holding public consultation sessions next week in Winnipeg, Montreal and Halifax. The in-person consultations will conclude in Ottawa in the first week of July, and then we're also going to hold a call-in session in case there's somebody who wants to offer comments verbally but wasn't able to make it out to these in-person sessions. So, if any of you ends up telling friends or colleagues, family, about this consultation session and they say they're sorry they missed this opportunity, please let them know that on July 5th we will be holding a call-in session and they can provide their comments then.

Welcome.

Speaker 2: 00:05:19

Sorry-

Scott Streiner: 00:05:20

No problem, I'm just offering a few opening remarks and then we're going to go to the presentations.

Now, in addition to face to face consultation sessions and the call-in session, we're doing airport surveys across the country. We're meeting directly with some key stakeholders and with consumer protection associations, airlines and other experts, and we've set up a consultation website, airpassengerprotection.ca, which includes a discussion paper, a plain language questionnaire and the link for sending written submissions. Now, we're off to a strong start. We've already had, since we launched the consultations on May 28th, over 10,000 people visit the website, and over 2,000 have completed the questionnaire and the surveys. We're encouraged by this high level of engagement. We're not that surprised, because we know that people really care about air travel issues, and we look forward to hearing from you and from others who come to meet with us directly across the country.

The consultation process is a three-month process, so it will conclude at the end of August. At that point we'll consider all the feedback we've heard. Then, on the basis of that feedback, we'll draft the regulation and those regulations will then require two approvals: one by the CTA and one by the federal cabinet. Folks often ask me at this point, "So how long do you think it'll

take before the new regulations are in force?" That of course depends a bit on the scale and the diversity of input we get over the three-month consultation process, but we are going to mobilize resources internally to get the work done. This is going to be the key focus for the CTA in the coming months, and what we've said is we believe it will be a question of months, not years, before the new regulations are in effect.

Now, just before we turn the mic over to you, a couple of comments on process. Liz and I have come mainly to listen, to hear your views, but you are also welcome to pose questions to us. We have two presenters signed up today. Given that we've only got two presenters, you're both welcome to take 10, 15 minutes to make your presentations, and we may pose questions after your presentations. Now, of course you're free to offer information on any aspect of air travel that you want, but we do want to make sure you understand that we regulate within the boundaries parliament has set. So, parliament gives us the authority to make regulations and they've listed the various areas where we can make regulations. So, it may be that sometimes there are things that people would like to see us regulate where we simply don't have that power. But as much as possible we're going to take the input we get and try to give effect to those suggestions that we think make sense.

Secondly, and this probably doesn't really need saying, it's just kind of in the standard opening remarks, but we ask people to maintain a balance between having these sessions be informal and also kind of maintaining decorum. The idea is just to have a comfortable environment for everybody to make their presentations. So people feel passionately sometimes about their travel issues. We don't want to suppress any of that passion. Please feel free to express it, but just please keep in mind that we also want this to be a friendly space for all concerned.

So, that's it. We're going to now invite our two presenters to take the mic. As I said, 10 to 15 minutes to make your presentations and then we'll have a bit of a dialogue. And I'll just reiterate what I said earlier, if any of those who signed up to come and observe would like at some point in the day to take the microphone and offer their own comments or pose questions, we're a total of 12, 14 people in the room, you're more than welcome to do so. So, [Nolene 00:09:04], am I pronouncing that correctly?

Speaker 2: 00:09:04 Oh, that's not me.

Scott Streiner: 00:09:07 She's not here. Oh, so you came as an observer. I just made a connection because it's the first person on the list. So the first presenter then, so far the only one, is Donald. Donald, the microphone is yours.

Donald: 00:09:28 Thank you very much, Scott. My name is Donald. I am from North-Wright Airways in Norman Wells. We run a mix of 703, 704 aircraft. Our primary revenue is from the 704 scheduled services. First of all, we'd like to welcome you here to Yellowknife, and I must say it's very encouraging that you should come to the North, because as you acknowledged, there are some realities up here that are simply not available down South. So, that's a big step forward in our perspective here.

Now, I realize these regulations are designed at the present time for the 30-passenger plus aircraft, which we do not have. It's a 705 category aircraft. My concern as a speaker here, as a presenter, is that these regs will ultimately trickle down to the 704 scheduled services. We're going to have some wisecrack bureaucrat say well, a passenger is a passenger. What's the difference of being a passenger on North-Wright from Norman Wells to Yellowknife as it is from going from Yellowknife to Edmonton? In reality there is not difference, so my conversation is not to discuss the passenger-centric thing. It's to underscore the differences that we face as a 704 operator running scheduled services in case this does happen.

Now, the lighter airlines have a variety of infrastructure where any problems or issues that they have are handed down to their various infrastructural segments. The bag gets loaded by baggage people and the weather is given to them by an ops, and the flight plan is made up by ops, and the weight and balance is given to them by some other guy who's skilled in that matter. We don't have in the 704. In the 704, the crew or the command is responsible for all of these things. The result is that maintaining on-time performance becomes a skill, a challenge and a stress that everybody faces in the 704 industry running these type of services. Because you go to these small communities where firstly check-in agents and things are very hard to come by, and loaders for the plane and so on, so it's left up to the crew.

So we find, over a period of time that to maintain on-time performance is a real challenge for anybody, particularly when we're operating with a skeleton crew and skeleton aircraft, as we constantly do right do. With the onus being on the captain and the crew, you arrive in Yellowknife sometimes late, or if there's a mechanical problem with the aircraft, you have to go back to the Wells and change aircraft. That's a one-hour delay there. The effect of this for the passenger is that they miss their connections. We don't have a lot of connecting passengers. I'd say about a tenth of our passengers are connections in Yellowknife. However, it causes extreme grief to them, and to us, of course, because we have to go through a lot of process, rebooking them and accommodating them, paying their excess and so on, for these things.

So the ramifications of missing a connection affect everybody in the industry, but sometimes these things are beyond our control. The effectiveness of these things is [inaudible 00:12:38] places a stress on the crew and they're already stressed enough, which we try and avoid. And that's one of the main things. Could I just refer to my notes for a second, please?

Scott Streiner: 00:09:28 Of course.

Donald: 00:12:59 Sorry. One thing I'd like to mention also is that if these things do come down ... like in accordance with the EU Appendix, which I didn't read and remember the whole thing, but I can see there, some of the awards for minor delays are fairly expensive, you know, 300 euros, that's like 500 bucks for a two-hour delay. The direction of the EU regulations, and I haven't read the whole paper, seem to be on the time element. What I think would be a better idea is if you directed your regulations to the cost of the original ticket. Now, the reason for this is that you're going to have a bunch of guys flying on ultra low-cost carrier aircraft and low-cost carrier aircraft within Canada, and we also have a standby arrangement ourselves, which is about a third of the fare that you would normally pay.

So, if a guy misses his connection in Yellowknife, the award would undoubtedly exceed the revenue that we got, and this would be devastating if there were multiple awards at a time. We don't want to be placed in a position where we have to pay for everybody's award and their rebooking and other things, and their travel and their accommodation here and refreshments and blah-di-blah. We would like to see everything

related to the cost of the ticket. So, if a guy who's playing a full fare ticket and he misses his connection, then understandably the passenger has a reasonable grievance, provided that it's the fault of the airline.

One other thing that we would like to mention here as a matter of FYI only. In the North, a lot of your passenger fares, particularly in the 704, are prepaid tickets. They're not tickets where you come up and pay at the counter, or they are built or a customer ... Everything is prepaid, so you don't get seat-bumping very much in the 704 here. People don't come to a plane and then get bumped off there, first of all because we don't have a book, because the seat is paid. However, for a no-show we do have the standby arrangement so the seat can be filled. In that way we provide some revenue for the company and we also provide the traveling public with a service they're able to avail themselves of.

One other thing too, is that up North we haven't got any complaints that I know about to the CTA from passengers in these remote communities, firstly because they understand largely the stresses and the difficulties of operating up North. Long distances, staying on time, winds, weather, alternates, all sorts of things play an important part in remaining on time. So, the people up North, largely they understand it. Down South they don't, you know. Ah, let's try this, you got to land no matter what. So it's not a big deal down there.

The other thing that I'd finally like to touch on is what constitutes a passenger. Now, we would like to have a passenger defined. When we, for example if Tindi, I don't know if they even are here, but if Tindi makes a regularly scheduled charter to the mines, for example, not a regularly scheduled service that anybody can hop on, but just to the mines, do they become a passenger under your classification? And I would suggest that they do not because it's a different class of passenger altogether than what you are dealing with.

Medevacs. Now this is the one area where I would like to mention that if someone would get bumped from North-Wright, if a Medevac came on at late notice and they came to the plane and it's essential that they get, for service or for treatment, they would be put on the plane and they would bump another passenger. We haven't had that happen as far as I know,

however that would constitute a passenger with reason [inaudible 00:17:04] to bump in the North here.

And the other thing is, does it include people like outfitters? Now, we have a huge volume of passengers, like we're dealing with 30 or 40 passengers a week to the outfitters. Not outfitters, but lodges and tourist camps and so on, and fishing and Canoe North and so on. We have an enormous business there during the summer. Now, this is almost a regularly scheduled service. However, if we take them out there and because of weather, water or any other things we can't get them on the day they're meant to be picked up and they miss their connections, [inaudible 00:17:42] they're not to be included in your classification of this thing. That's all I have to say and I appreciate your time, thank you very much. And the [inaudible 00:17:53].

Scott Streiner: 00:17:53 Thank you. So, I got a couple of questions for you, Donald. A few clarifications and then a couple of questions.

Donald: 00:17:53 Certainly.

Scott Streiner: 00:18:00 So, first of all that was a really helpful overview of the realities of traveling in the North and operating an airline in the North. Hey. Welcome. Not the first time we've heard it, but it's always terrific to have people remind you that this is not an Air Canada 787 flying to London, right? It's a different reality.

Donald: 00:18:22 Thank you.

Scott Streiner: 00:18:24 So, first some clarifications, just so you know the framework we're operating within, and then a couple of questions.

Donald: 00:18:28 Yes.

Scott Streiner: 00:18:30 The bill, now the law, gives us the ability to deal with flight delays and cancellations and denied boarding, bumping, in three different categories. The first category is if the delay or the cancellation or the denied boarding are for reasons fully within the control of the airline. So, an obvious example is overbooking, right? In those situations, the regulations are to set out both the minimum standards of treatment, so food or water, maybe accommodation for a longer delay, as well as minimum compensation.

The second category is flight delay or cancellation or bumping for reasons within the control of the airline but related to safety, like a mechanical malfunction. There the regulations will set standards of treatment, food, water, etc, but no compensation. The third category is if these events are due to reasons that are out of the control of the airline, like weather, and then the only obligation on the airline will be to make sure that the passenger is able to complete their travel to get to their destination.

So, parliament has set out those three categories and I think in a way it partly meets your concern, because a lot of the situations you were describing would, I think, be in the third category, right. If you've got weather and you simply can't take off, that would be category three and so we wouldn't be in the world of compensation.

Donald: 00:19:55 I see.

Scott Streiner: 00:19:57 So, that's the reassurance. Then there's a flip side to this, though. You talked at the outset of aircraft that have 30 passengers or more. The law doesn't say that. Now, there's a possibility that we might in the regulations provide for some variability in the rules for different-sized aircraft of different-sized airlines. We've actually asked that question in our discussion paper, like should there be some variation in the rules? But it's not guaranteed that we'll have a different set of rules for smaller aircraft or smaller airlines. So, we hear you. We're taking notes. If you want, you can put in a written submission as well, and we've got somebody here from [Nata 00:20:32], they may want to put in a submission.

But I suspect that there will be some regulatory coverage. I can't see a world where we're going to say ... I mean, I don't want to get ahead of myself, but where we're going to say passengers on your flights aren't covered at all. We'll have to think about what the appropriate coverage is. So, that's kind of the context. My question, Liz may have a few as well, but I got a couple of for you. One is, to come back to these three categories, right. Within the control, within the control but due to safety reasons, and out of the control of the airline.

Donald: 00:21:01 Mm-hmm (affirmative).

Scott Streiner: 00:21:04 Are there scenarios in the North, you already said you don't over bump, but can you think of scenarios in terms of your services that would clearly fall within the first category, within the control of the airline, or the second category. How would you see those categories playing out in the realities of air travel in the North?

Donald: 00:21:21 Where you talk about in category one, where it's under the control of the airline, okay, these things actually I think are rare, because all the airlines here, even though we have monopoly control, we are diligent to the extent of being almost paranoid about supplying a level of customer service that qualifies or equates to the level of service in the 705s in other areas of the industry. Therefore, we strictly try and avoid these types of scenarios. And the category two where it's not the fault of the airline but something we can't do much about-

Scott Streiner: 00:22:03 Safety-related, yeah.

Donald: 00:22:04 I can't think of a thing that [inaudible 00:22:08].

Scott Streiner: 00:22:07 Right.

Donald: 00:22:10 Mechanical problems, we have to turn around or we have a mechanical problem that delays us or something, these types of things where you're operating an aircraft over a route, rather than like AC and Westjet, to compete with several aircraft over the route. Like we have 30 flaps a day or something between Calgary and Toronto. They don't have that privilege up here. So we have a mechanical problem or an issue that is not really the fault of the airline but something that we have to address ourselves. These are a reality, although rare, and I would say we have in one percent of our flights we have issues like that.

Scott Streiner: 00:22:54 And then to come to your point about connections, right. So I sort of think about category three, the "Not within the control of the airlines." So, one of your planes is grounded because of weather. Finally you take off, you get into Yellowknife and just like you said, the guys coming out from the lodge missed their connection to Calgary. So, we know that parliament has already said in that case, the recognition should say that you've got to make sure that they finish their itinerary. In practical terms, what would that look like? How would you ... I'm trying to think through, because again, I'm thinking about the South, right? In the South, "You've got to finish your itinerary" basically means

the airline's going to get you on one of their later flights, or get you, if they have to, on somebody else's flight. But they got to make sure you get there.

But if the person's landed in Yellowknife and it's 7:00 PM and they've missed a connection to their onward destination, then what would you guys need to do to actually get them to where they were going?

Donald: 00:23:52 Without experience of the management of the airline, which I don't have, I would see this as an unreasonable expectation to do that. If we miss because of weather, or delay because of weather, which is actually a common occurrence, even in the summertime we're flying and we have some flights delayed here and people miss their connections. And what we would do, I think, is make a cooperative effort with the passenger to get him on the first available flight. And because of the departures of Westjet or AC, I think they have a departure around 7 o'clock in the evening, generally speaking we're able to get them on that plane.

So, we haven't had the possibility where we would have to overnight a passenger in Yellowknife, but I don't see that as an expense that the airline should bear, because firstly the itinerary that you referred to doesn't include the North-Wright segment. We are not part of [Saber 00:24:40] or anything like that, so an itinerary that he would have wouldn't have showed the Norman Wells to Yellowknife segment. That is an independent segment of the whole thing. So our responsible ends when he gets to Yellowknife. From there on, we realize the hardship caused, but if it's delayed because of weather or something we can't control, I don't think the airline should be with that expense.

Scott Streiner: 00:25:00 I think that's something we're actually going to have to think about, because the legal framework says well, even if it was out of the control of the airline, the airline's going to have to help the person complete their itinerary. So we're going to have to think because what you're saying is, of the three categories, it's that third category that's going to happen the most often up here, but you're saying it's going to happen a lot, relatively speaking. Small planes, bad weather. So we need to think about what the obligation in category three looks like in the context of the Northern reality versus other places, and be careful that we

don't have wording in there that makes sense in one context but wouldn't make sense for you guys.

Donald: 00:25:35 I think you're going to have a different outlook from the 705s who operate on the outer coast, where there are weather delays and all sorts of things all the time, getting up to Yellowknife to miss the connection itself. I think that's going to be a more critical problem for them than it is for us as a 704.

Scott Streiner: 00:25:52 Gotcha. Did you want to come in on this? I do have another question for you, but go ahead, on this issue.

Speaker 4: 00:25:56 Sorry, I just had ... Oh, I don't need that.

Scott Streiner: 00:25:57 Yeah, you do though, because of the ... I'll ask you to use the mic only because of the translation, just in case. You can also do karaoke afterwards.

Speaker 4: 00:26:07 [inaudible 00:26:07] like Bar Barker.

Scott Streiner: 00:26:08 Come on down. Come on down. Not you, me.

Speaker 4: 00:26:15 Sorry, I just had one comment based on Donald's presentation.

Scott Streiner: 00:26:15 Sure.

Speaker 4: 00:26:18 I think he's got some really valid points and I understand the legislation. I read through everything before I came, and I'm really just an observer, so I don't want to take too much time. But from what I'm seeing, what I'm hearing from you, Scott, is that it seems like there's a very black and white picture that's been painted by the proposed legislation.

However, being here where we are, there's a whole lot of gray area that needs to be looked at. There's a lot of scenarios. You're going to have it here, you're also going to have it in Whitehorse and in [inaudible 00:26:50]. So, you're going to have a whole lot of gray area scenarios that really need to be looked at, and sort of these little side things. You're not going to be able to have this black and white legislation that's also going to apply to Northern travel. I just don't think it's going to be able to happen.

Scott Streiner: 00:27:15 Yeah. We're going to have to think, I mean, there's no doubt that the regulations will apply in some way, but that's kind of

why we're here and why we've encouraged Northern airlines, NATA and others, to give us their views, because we have to think about how do we write these regulations in a way that makes sense or that's reflective of Northern realities as well. One more question for you from me, and then Liz may have some for you.

So, you talked about, interesting idea that you think that the minimum compensation, where compensation's provided, should be based on the price of the ticket as opposed to a fixed amount, and I hear you on the logic of that, that well, different people are paying for amounts, so why should it just be one set amount? So we'll have to think about that. But do you want to take it further? Like, how much of the price of the ticket do you think should be compensatory. So somebody, within the control of an airline, I know you said it doesn't happen much with you guys. Something happens, it's within the control of an airline, somebody's delayed and they're delayed for a long time. Full price of the ticket? Half the price of the ticket? What do you think should be the benchmark?

Donald: 00:28:10 Well, I think the EU standard is 50% of the price of the ticket and I see that as fair. I don't mean to focus only on that aspect, of course, here, because there are compounding ... and this is, my answer to the question there, by the way, as a passenger. There are compounding things down the line, so each situation, I think, should be handled differently or assessed in a manner that's going to affect the passenger.

For example, the ramifications of missing your flight in Yellowknife are more serious than missing the flight in Calgary, because first of all there are other options, second there are accommodations options and so on, and we don't have that in Yellowknife. Frequently during the summer it's a one shot deal. So, if we stopped at 50% of the ticket, I think that would be fair.

Scott Streiner: 00:29:01 Thanks, Donald.

Speaker 5: 00:29:04 I'm just curious whether we would, and maybe this is something that would need to be discussed, but whether we would look at the cost or the value of the ticket, like in the case of a reward ticket, or do they just get whatever they actually paid out in cash, or is it the estimated value of the ticket? I guess that would need to be considered, too, as part of that.

Scott Streiner: 00:29:23 It's a good point. If we did peg it to the cost of the ticket what do you do about reward tickets, is a very good point.

Donald: 00:29:29 Well, one of the reasons I brought that up is because there's a story on YouTube or somewhere, I forget what it is, where this guy in the USA would book himself on flights across the States deliberately, knowing that they were full or overbooked, and then he'd be stranded in Las Vegas or some place, you know, without getting to Los Angeles. And the huge amounts of rewards he got from these compensations already in existence in the States, he could live off that, you know.

I don't think that should be the idea or the focus of the regulations that you make, it's not to ... First of all, we don't want to break the airline by sending them broke, and if there are numerous awards, which would happen on a 705, they'd end up thinking, going to pay up more than they received in the revenue of the plane. So, that was the only reason I introduced that particular point.

Scott Streiner: 00:30:16 No, and it's something ... We've heard anecdotal arguments like that, and it tends to be anecdotal, but about ... let's call it unintended consequences of compensation regimes.

Donald: 00:30:24 Yeah, that's a good one.

Scott Streiner: 00:30:24 We've heard about that out of Europe as well as the US. Clearly what we want is regulations that provide fair, consistent treatment for passengers, but we don't want to be punitive towards the airlines. The idea here is make sure passengers have rights and that they know what those rights are and they can access them, but we don't want to be punitive towards the airlines or create unmanageable financial pressure for them. Liz did you have any questions?

Liz Barker: 00:30:49 Yeah, I just have a question about tarmac delays. With smaller aircraft, do you experience the same tarmac delays that larger carriers experience? Or I would imagine you have more flexibility.

Donald: 00:31:02 No. What you find up North particularly is that the airline that's operating the service has its own terminal that is not at the main terminal, so we taxi to our own terminal. We're not involved in going to the airport and holding there. There are very rare occasions. When we are late, we might do a passenger

transfer right on the ramp, but we would stop, shut down, let the person get out, escort him to the terminal and so on, so it's not really a delay for us, except if we're in somebody's way. But normally we would taxi to our own building and I think all the other airlines [crosstalk 00:31:32].

Liz Barker: 00:31:33 And disembark passengers.

Donald: 00:31:34 I beg your pardon?

Liz Barker: 00:31:34 And disembark passengers.

Donald: 00:31:35 Absolutely, yes.

Liz Barker: 00:31:36 Okay, thanks.

Donald: 00:31:38 Well, thanks for the opportunity.

Scott Streiner: 00:31:39 Thank you, really helpful, Donald. Thank you for that. Okay, did you want to get in? We have-

Jim: 00:31:39 I would be happy to speak.

Scott Streiner: 00:31:46 No, we have the other presenter, so I'll just have the other presenter go first and then we'll pass it to you. Nolene, your second presenter today. And I'll just let you know, 10 to 15 minutes, no pressure because we just have the two presenters, and then you may, as you saw, get a few questions from us afterwards. And I see that you've got written material. Awesome.

Nolene: 00:31:46 Yeah, I did my homework.

Scott Streiner: 00:32:08 Awesome.

Nolene: 00:32:09 Even in the sharp [inaudible 00:32:10]. Thank you very much. Just three pages here. Right, thank you. These pages.

Scott Streiner: 00:32:23 Right, thank you very much.

Nolene: 00:32:24 [inaudible 00:32:24].

Scott Streiner: 00:32:24 Probably not a bad idea, but Jordan will take care of that. Nolene, the floor is yours.

Nolene: 00:32:40 Okay, before I begin in English, I'm going to speak in Dene.

Scott Streiner: 00:32:45 Right.

Nolene: 00:32:46 I speak the dialect called T'atsaot'ine, which means in English it is the ... we are called the Copper Indians, the Yellowknives, and we say T'atsaot'ine. [indigenous language 00:33:06]. In translation for the English and French, and this is my whole point here, my written submission states, "To Canadian Transportation Agency." I'm a little shaky, and I usually am when I have to come up and do this type of presentation, and it's not like my first. Being a formal leader and chief, and I'm still looked towards quite often on a daily basis for help and for translations. A lot of times our Dene people need interpretation to break down letters that they receive, so that's my whole point today, also.

So my submission says, I'm a T'atsaot'ine Dene tribal woman. I am 62 years old, Dene grandmother, with bloodline that goes back from time immemorial. So, that means I've been here forever. My grandparents were assimilated and usurped from our territory to make room for development and for public interest. My grandmother did not speak English nor French languages. She understood the words in body and sign languages. My grandmother's name is Mary Rose King [Bolio 00:35:13], and she has Scottish bloodline on her father's side. All her siblings spoke only Dene. Later her younger brother communicated in English. There was a period the government of Canada created an avenue for older Dene people to learn to read and write in English at Peter [Pawn 00:35:39] school in the evenings. I helped my grannies to read the Dick and Jane books after supper as they had classes at 7:00 PM.

My grandmother, Mary Rose, would go to her sister-in-law's and brother's classes to sit with them. I asked her if she was learning English. She said she recognizes sounds and looked at pictures in the books. I ask her if she wanted me to help her to sound out the vowels and help her to write in English. Her answer to me was, "No, I am a Dene, and I would prefer not to speak or write in English as it is not my language. This is for your generation to learn." Referring to myself. "So you can work with the White people who need workers. You need the paper," which is the Gray 12 certificate, "to help you and your sister Theresa," which was my mother's younger sister, because I was adopted by my grandparents. I was raised by my grandparents

and therefore I speak my language today. I was to given the English by my grandparents, as they spoke to us only in Dene.

My grandfather, on the other hand, spoke several dialects, including [Michif 00:37:24], which is combination of French and different tribal dialects, because you can have Michif and Cree, but we also have Michif up here in Dene with Dene language. This is due to being a descendant of the Hudson's Bay fur traders. My point is our language back in time was not in written form, but only verbal. For many years, both grandparents, including myself and brothers and uncles were taken to the nearest contracted hospitals in Edmonton, Alberta. We would have all been flown back then on an airline called Lord Air, or Pacific Western Airlines. During these trips we were given instructions in English only.

The one time we were flown, my grandmother and I, to Charles Council Hospital together, and we had to watch the stewardess, and I had to ask for extra help for the instructions. During the trip we were served food. This is the first time I encountered, as a young girl, I encountered or I was given a tray. There was a cup. I knew that held liquid. There was a plate, I knew there was food on there, but there were some items on the side, I had no idea what it was. What that package was I was trying to open was a package of ketchup. I didn't know how to open it and I was too shy, too embarrassed to ask the stewardess and I kept looking around to see, how is everybody opening this pack and what is it for? Right?

So anyways, what happened at the end of trying to get the ketchup out of the pack, I ended up with it all over my clothes. So, that was my first encounter on an airline. And having to figure out what even the ketchup was for and how ketchup was written back then, I had no knowledge.

So, my grandmother looked at me and smiled and said, "We can still eat it and I'm sure it will taste good." She said that in Dene. My grandmother was used to eating traditional foods from the land, water and air. She harvested food from the land for many years until they were relocated for development of the Taltson River Dam. The township of Fort Resolution was where my grandparents ended up residing. There too, they experienced predominantly English-speaking civil servants and service providers. This brings me to my point and my purpose to you, the air safety board. I have for many years lobbied by speaking

up at public forums and making recommendations for better safety instructions for our Dene people traveling on airlines owned by Northern held airline license, which includes North-Wright. Because North-Wright is owned by a Dene corporation, so therefore I believe if they don't feel that as their clients, Dene-speaking for example, shouldn't be valued the same as English-speaking and to given Dene safety instructions, we have a problem, I feel.

Why? For an example I can give today is the airline called First Air. The instructions are given in French and English and Inuit language. At various times I made a point to raise my hand and ask for translation in Dene. I'd put up my hand and I'd say, "Can I have this safety instruction translated in Dene?" And the stewardess would say, "I can't. We don't have that available on this airline." So I would say to her, "Please recommend in your next meeting." So I would be told, "We do not provide safety instructions in that language. My point today is, all people are entitled to instructions to keep them safe and what to do in emergencies. There would be confusion as what to do. Do they understand to follow the lights if lit up? Can they follow instructions being yelled in English? No. From observing my grandmother and her illiteracy in English made me want to learn more, so I can help understand and not have to look at pictures for instructions.

I took steps to learn and to read and write in English and attend colleges and universities to further my understanding. A few years ago, my cousin survived a plane crash on Great Slave Lake flown by Air Tindi, and I begged her the night before not to go, because I knew the weather. I'm Dene, I've lived up here all of my life. Majority of my life when I didn't leave for education. So we know the weather. And what happened that day? That next morning? The pilot wanted to beat the weather. He said he wanted to beat the weather. He didn't wait for air traffic to open. They left earlier.

So, that's another point that I have, that I don't believe these airlines ... These small airlines like that, they have their own hangars and stuff like this, it doesn't mean that they shouldn't be following all the regulations. And maybe they are, I don't know, but my point is, this pilot made a decision to leave early, which created the plane to crash because of the ice buildup. They literally dropped from the sky into the plane's resting place, which was 50 meters from the unfrozen open water.

There was a couple of elders and one spoke little English and mainly Dene. How do I know this is, is because of my cousin being on that plane, I drove out to where they had set up the emergency to go out to try to retrieve ... We didn't know if they were still alive or if they were hurt.

There was still lots of confusion there, too. For me, they were arguing who had jurisdiction to go out there, but as a Dene, we wanted to go out there. I phoned and I wanted the coordinates, where they were, because they were only 25 miles. We could have gotten to them before the five hrs that they were finally retrieved. Any sooner, they would have died from hypothermia. So, it was due to the efforts of the Dene men on board the plane that they survived. Passengers got to safe area and made fire for warmth. The older Dene man I spoke to was scared, and he said all he could do was pray. All he's seen was a flash of light. The plane was making loud noises for him, which was the ice buildup hitting the plane.

The instructions were given only in English, and he must rely on translation at times. This is an example of not receiving proper safety instructions to the client this airline is responsible for. This is including the medical travel contractors who should ensure their clients receive proper safety instructions for flying or in case of emergency, because in this situation, even the medical transportation did not step up. I know, I was there. I was with the patients, the victims, the survivors, until I drove them home. They asked me to drive them home, they didn't want to fly home. So I drove them home, got them to their door.

So, this is why I know, I can stand here and make recommendations based on first hand information from them. And for me it's not hearsay, because in Dene when you speak to one another there's no such thing as hearsay. You're speaking to one another, and this is what's different in English and Dene. So, the Dene people on board the flight may not have received instructions for survival from the crash. What instructions they have received is verbal instructions of survival on the land from their Dene parents. The older men advised the younger to stay with the plane until first daylight, as they didn't know where they were as it was. By this time, 7:00 AM or so on the morning, as this young pilot wanted to get ahead of the weather.

Our Dene men and women have been taught survival skills through verbal and been shown how. This would be no different in instructing, even in [inaudible 00:47:35] language. I highly make this recommendation to you, the representatives of air passenger safety, to make every effort to ensure air passenger safety given in respected languages, and from our regions in the Northwest Territories. All requires candor. It's doable, it's not hard. Translations can be done in our respective Dene languages where airlines operate from or flying into.

There is no reason why a tape with the five dialects in the NWT cannot be made available on all planes carrying Dene passengers. This can be provided as a service. If there is no request for safety translation in Dene that day, so be it. A three-minute instruction tape can make a big difference in a person's ability to survive. I do not feel this is a request that cannot be achieved. I was taught by my grandparents, anything is achievable if we put our mind to it, and we don't think and make it difficult. Therefore, I survived every federal government policy even though instructed in English. I verbally heard the teachings in Dene and not in English, as meaning becomes lost for Dene speakers, and that's what happens. Instructions can be done to accomplish this goal, which I call a good move towards reconciling the Dene people in the NWT with modern times in a more meaningful and respectful way. Thank you to all for listening to my submission. Any concerns or questions, please do not hesitate to ask further information. This is what will make this process more understandable to all that is open and with an honest dialogue. [indigenous language 00:49:31]

Scott Streiner: 00:49:34

[indigenous language 00:49:34]. Thank you, Nolene, that was very powerful. I'm going to offer a little bit of context and then I've got a few questions for you. The vice chair, Liz Barker may as well. First of all, of course, you used the word "reconcile" towards the end of your remarks, and we are in an era where the Crown and the government and the people of Canada are seeking to go through a process of reconciliation. So, I'm very happy that you came forward today and that you raised these issues with us. We honor the memory of your grandmother and of the elders of your community, and appreciate the fact that you have come, in a sense, the put an issue before us that we haven't heard in our other consultations, and I think it's an important issue.

And of course the survival, not only the respect for, but the survival of indigenous languages, including Dene, is something which is very much in the minds of governments, the GNWT and the federal government as well. Now, just one more piece of context. We have been given the authority by parliament to make regulations around air passenger protection, and that includes around communications issues. We're going to have to think about whether or not suggestions you've raised can get captured within that. We're not the safety board. Just so that you know, when it comes to safety issues, Transport Canada and the Transportation Safety Board, are other organizations take care of that. We do have a colleague with us from Transport Canada today, so if they're safety issues you want to raise, you talked about ice, Northern Airlines, with have a colleague here. But we will zero in on the question of languages.

You made some practical suggestions around tapes at the end, having recordings, because one of the questions that occurred to me in the course of the presentation is, practically speaking how would we do this? Because of course, there are multiple Dene languages. You referenced Inuktitut, and then there's Cree, and there's a wide range of indigenous languages.

So the idea of having prerecorded messages might go some way towards making this practical for operators of airlines. How would you actually see, though, passengers being able to make clear their need for those recordings? Let's say, for sake of argument, that an airline had 10 or 15 sets of safety instructions on tape. Would you see that passengers would be asked as they were boarding the plane or as they were making reservations if they've got that need? I'm trying to think about practically how it would work.

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|-----------------|----------|--|
| Nolene: | 00:52:06 | Well, when we make our ticket reservations, for example, they ask is there any special needs, requirement, right? |
| Scott Streiner: | 00:52:13 | Mm-hmm (affirmative). |
| Nolene: | 00:52:14 | And this is where we can say yes. |
| Scott Streiner: | 00:52:17 | Microphone. Sorry, just the microphone so that we get this. Yeah, go ahead. |
| Nolene: | 00:52:19 | Okay, so a good example is when you want to make your travel arrangements and you're making it with the airline. Now, when |

I go south and I'm doing my ticket, there's a section that says, "Any special needs requirement."

Scott Streiner: 00:52:39 Right.

Nolene: 00:52:40 Well, this is where we can put in "I require Dene translation" and for example, we'll use my dialect, T'atsaot'ine. But even though T'atsaot'ine is my dialect, majority of the Dene languages is predominantly the same except we have a little different pronunciation. Now, there's another language in the North which is the Dogrib [inaudible 00:53:17]. That's not Dene, for example. It's another language like the Cree. So, they have, in the Northwest Territories, they have five Dene official languages. So North-Wright would fly out of the Sathu, and they normally would just fly into Yellowknife, right. That's your direct flight to ... and at times you do pick up contracts for charters.

So, I mean, those would all be considered. If you have a Dene group of older people, the younger generation, majority ... And we have to be careful, because a lot of our communities, the people there still have difficulty with the English language. Even though they do speak English, the comprehension level is between a grade three and a grade six. That's what I understood with my mother, because my mother was kicked out of residential school at grade three. So you have that whole era of generation that have simple, basic English. But I think it's like, over time you get to understand what this means, you know. Somebody holding ... Over time, you understand body language. So for that, to your question, we would put in a request there. But I believe Canadian North is owned again, I believe, by the [Gwitchin 00:55:00]. So, the Gwitchin has their language and they would offer that, they should be able to offer that on their airline. Like First Air offers Inuktitut, because they recognize their passengers.

You see, so this is the mindset of the airlines, you know. How they value or look at their clients. Well, up here in the North it is very important, because if you go down, look at the remoteness. It's not like in Alberta. If you go down between a field you've got maybe 30 kilometers you might get to a hospital. A good example is when that plane went down. Five hours, and it was 15 miles from the airport.

Scott Streiner: 00:55:46 Right.

Nolene: 00:55:47 So, that's ... I don't know if I answered that question?

Scott Streiner: 00:55:55 You did, you did. Sort of time of reservation. You can imagine also that if people didn't indicate at the time of reservation, they might be able to indicate it getting on the plane, depending on the technology. Do you think-

Nolene: 00:55:55 Sorry, also-

Scott Streiner: 00:55:55 Yeah, go ahead.

Nolene: 00:56:08 Just one more point there. If for example, something was recommended all the airlines said, "Yes, let's do this." You know, it wouldn't be hard because there would be an announcement saying, "We can now provide safety instructions in these languages." So it's not like people are not going to know. You know, when you do something different and finally all of a sudden people's needs are being met, you know, people pay attention, because they're getting resolve, and this is what reconciliation is about, okay. Resolving long-outstanding issues, and one of them for me is language.

Scott Streiner: 00:56:51 Right. So if we had a situation where airlines had prerecorded safety announcements in various indigenous languages, is there any other form of announcement or information that you think could or should be made in addition to the safety announcements, available on a prerecorded basis, because I think you understand, we all understand, we're not going to have flight attendants who speak 15 different indigenous languages. But in terms of things that could be prerecorded, is there any other, beyond the safety information, key information that you think should be available that way?

Nolene: 00:57:22 Well, I've done information on CDs, for example, and that can be played ... A lot of the airlines, maybe not the smaller airlines, but the bigger ones that fly from Whitehorse or [Nunuvut 00:57:41] three territories, they have those little TV monitors.

Scott Streiner: 00:57:45 Right.

Nolene: 00:57:46 Well, you have your own earplugs, so if a passenger instructions in one of the available languages they can click into that, and you can hear your safety instructions there also, okay. And you can also have it available in a pamphlet. So, anything that's available in English and French, you can do in Dene.

Scott Streiner: 00:58:11 But standard information.

Nolene: 00:58:14 Exactly, yeah. Absolutely. But for me, I feel very passionate about this. Because it's not just here in the North, I've noticed it. Because I've traveled. I've even traveled overseas, overseas to Spain, to Jerusalem. Part of my leadership. And there too, I had differently, going to Jerusalem, everybody's speaking a foreign language, I couldn't rely on the signs but there's no English. So, this is how, I felt like I was limited, and you become fearful.

Scott Streiner: 00:58:57 Mm-hmm (affirmative), without the information.

Nolene: 00:58:59 Yeah.

Scott Streiner: 00:59:00 Liz?

Liz Barker: 00:59:01 My questions have been answered, thank you.

Scott Streiner: 00:59:04 Nolene, thank you very much.

Nolene: 00:59:06 You're quite welcome.

Scott Streiner: 00:59:06 You're welcome to stay. We're going to open the floor now for dialogue. Some folks may want to respond to some of what you've said and there may be other questions and comments as well.

Nolene: 00:59:11 Yes, I did actually have something ...

Scott Streiner: 00:59:16 Sure.

Nolene: 00:59:17 The fellow there from North-Wright had talked about medical travel, and that's one of the things that I feel is ... should not happen. I don't know how we can regulate this, but at times Dene passengers that are traveling medical with airlines, if they miss the plane they get bumped and they become homeless here in the North, because the government now will not pay for that extra little-

Scott Streiner: 00:59:49 You mean if they miss their connection?

Nolene: 00:59:50 Yes.

Scott Streiner: 00:59:51 Right, right.

Nolene: 00:59:52 Yes.

Scott Streiner: 00:59:52 So they're heading south for medical treatment that they miss a connection and [crosstalk 00:59:56] for example.

Nolene: 00:59:56 Or in the South. I've had to go to Edmonton and pick up family members because they didn't understand times. Going into a city is confusing.

Scott Streiner: 01:00:08 Sure.

Nolene: 01:00:10 And if you don't speak your language, like my grandmother, my grandparents and every Dene that was sent to the South for hospitalization, every instruction was in English. It always is, and this is why I always say, you know, if we are to respect the French language. My name is French blood, but I am Dene first in my territory.

Scott Streiner: 01:00:38 Mm-hmm (affirmative).

Nolene: 01:00:41 Mm-hmm (affirmative).

Scott Streiner: 01:00:41 Thank you, Nolene. Thank you very much for sharing today. Okay, we had some comments over there. Jordan, can you just pass the mic over?

Jim: 01:00:55 By the way, thank you very much, Nolene, that was very valuable.

Scott Streiner: 01:00:57 Very valuable.

Jim: 01:01:00 My name's Jim [Hydham 01:01:01], I'm a North Western air lease. We service between Yellowknife and Edmonton. My comments are really around what it's like to fly in the North as a Northern company. Something that we're proud of at Northwestern is that we're a family-friendly organization. We surveyed our companies and all of our passengers and this is what they told us, is that we go above and beyond.

When we fly in the North, we really depend on our passengers. For us, flying in the North is critical, it's not a luxury. Down South, it's a luxury. I go on vacation, I have to go see my family. To get out of the North is a big deal for a lot of people, and you better have good service or they're going to drive, you know? And our prices are not cheap. We're really expensive to get to

Edmonton. I mean, return trip to Edmonton from Fort Smith is \$1,200. I mean, you can fly to Europe and back business class for \$1,400. So we're in that marketplace, and they look at that and what do they get? Some of the things we do ...

This regulation bothers me a bit in one area. We hold flights for people, because we know if we don't hold the flight, they don't get home. You know, like students returning in the summer, or Christmas. We get caught at Christmas because we're the last flight that are taking people up North. They miss that flight, they don't get home. They just don't get home for Christmas. And then we have parents calling us, you know, where's my son, or my daughter, whatever.

So, that concerns me. You know, if we're going to be penalized because ... and most of our customers are quite happy to wait 15, 20 minutes, half an hour, whatever, if we explain to them, this is what we're doing. We're picking up a couple of kids that have to get home to their parents. Whatever. So, something you said that I just wanted clarification is, is it the intent of this regulation that it is for 703, 704, 705? There's no 30-passenger definition?

Scott Streiner: 01:03:05 To respond specifically to that question, there's no exclusion in the law for any particular size of aircraft, 703, 704s. What there is, is we have the power in the law to vary the regulations, to make adjustments within the regulations for different types of service. So we've asked the question ... in our discussion paper we ask a bunch of questions around the different categories. What should be the compensation here? What should be the minimum standard of treatment there? And then we ask the general question, should any of this be varied based upon aircraft size, company size, etc. So, that I think is where we could get at some of the issues that you're raising.

Jim: 01:03:47 Okay, all right. I guess another issue is, as you're well aware, flying in the North is quite different than flying in the South. The passengers have a lot more choice and there's much more support in the South than there is in the North. For an example, our hub is in Fort Smith. We don't have any other hubs, so if we have a breakdown for whatever reason in Edmonton, we fly a new crew and an aircraft down there and it's three hours any ways, if it's not more than that. Where the larger airlines, they've got hubs all across Canada, so they can pull an aircraft. I mean, granted they don't have a lot of aircraft at given points,

but they can pull an aircraft. We can't pull an aircraft from anywhere.

So, that affects our ability to respond in the various categories if, I guess it could be viewed in our control. But we don't have the response, we can't respond. And I know North-Wright has the same issues. Their hub is in Norman Wells. If they have problems in Edmonton, they fly an aircraft from Normal Wells. So, we need to consider that.

I guess a final comment is that our passengers really depend upon us. It's a love affair in the North that I don't see as much in the South, and we have to respond to them. Philosophically, we don't bump. We don't sell tickets based on bumps. We don't oversell. We've been caught because we use [Hon 01:05:20] Air for Expedia, and sometimes they load us up when we've already sold out, because we've addressed that. But philosophically we won't deal with that. We won't ... You've been in the same boat, have you? Yeah, you know. So, it's not our attitude. Down South they will bump. They will overbook. We don't overbook. We just don't do it because we know we're dealing with people that have to get somewhere, so we feel very sensitive about that. Thank you.

Scott Streiner:

01:05:47

Thank you. Again it goes to the unique nature of air travel in the North. I had one of your colleagues from another airline approach me at a different event, and he said, "Do you know what we do if we've got some mechanical problems and our plane's delayed and we're in one of our smaller places? We go and we knock on the doors of our passengers because we know where they all live, and we say, 'Mary, the flight's going to be delayed by three hours.'" Right?

So, this is not perhaps what British Airways or Westjet are doing. It is a very different reality. Everything you've said is very helpful, Jim, but I'm struck by your point about, well, because you know your passengers oftentimes in smaller planes, you might hold the plane, you might actually delay a departure out of consideration for one of your passengers. And again, we're going to have to think about this. But clearly we wouldn't want a regulation that causes you financial hardship for holding the flight back for half an hour so that the kid who's going home for a holiday can actually make the flight. So we'll have to think about how that works again. It's a different reality than large planes, more anonymous travel this typical in the South.

Jim: 01:06:54 It's actually something we've adopted as a philosophy in the company. I'm really fortunate that the two owners, a father-son operation, Terry and Brian ... Terry is 84, by the way, and he's flying commercially.

Scott Streiner: 01:07:07 Still flying?

Jim: 01:07:08 He's probably the oldest commercial pilot in Canada and he's great at it. He landed today in just a touchdown, you know, stroking the baby's back. It was so sweet.

Scott Streiner: 01:07:18 [inaudible 01:07:18] smooth.

Jim: 01:07:18 But you know, this issue of our passengers is, we do know them and they do know us, and if we're a day late, we'll call. Boarding times is another issue for us, you know. What do they do down South? They close the gates 30 minutes. We close the gate one minute, you know?

Scott Streiner: 01:07:34 Yeah, 30 seconds.

Jim: 01:07:35 People walk in at 8:30 and we're flying at 8:30, and we'll wait for them. But that's what we have to do to support the reality of living in the North. They don't have the same time attitude in the North as they do in the South.

Scott Streiner: 01:07:49 Right. We're going to really have to think about this. There's a big difference between the flight was delayed or somebody got denied boarding, let's say, because of something within the control of the airline, and that something is overbooking, where the airline is making a choice, but it's making a commercial choice in its interests. And the flight was delayed or there was a denied boarding or something because we had to get somebody to the hospital or we had to wait so that somebody could make their flight so that they weren't stranded for two days. They're both, in a sense as you say, within the control of the airline, but they're fundamentally different. One is being done for commercial interests, the other is being done for the sake of the passengers. So we're going to have to really think about that.

Jim: 01:08:34 Yeah, there has to be a humanistic approach.

Scott Streiner: 01:08:36 Yeah. We'll have to think about how in word and regulations we can actually make sure that we capture the right events and don't inadvertently capture events that shouldn't be there.

Jim: 01:08:46 Just one final thing.

Scott Streiner: 01:08:47 Sure.

Jim: 01:08:47 Yesterday we had a leadership meeting and I was talking to the owners about this, and their greatest fear is that this regulation would prevent us from waiting.

Scott Streiner: 01:08:57 Yeah, yeah, we hear you.

Jim: 01:08:58 It was a real concern. Philosophically, they really want to take care of their customers and they behave that way, and it would be a shame if we couldn't behave that way.

Scott Streiner: 01:09:06 Yeah. Thank you. Donald?

Donald: 01:09:11 I just wanted to address some of the things that Nolene said here. The points you raised were very valid. My wife is Dogrib, but she's a translator, so it doesn't mean anything to her. However, we frequently take medical passengers on the plane, and they are meant to be accompanied by ... if they're elderly they're meant to be accompanied by someone who not only assists them but translates for them. This almost never happens on a plane. They never translate what is done. So if I'm giving the briefing, I will say to the helper, the escort, I'll say, "Does he understand? Does he know what's going on? Do you understand what's going on?" "Yeah ..." and they might have been reading a book or listening to their cell phone at the time being. It's a problem we face frequently with younger people.

However, the percentage that we carry of these people who do not understand English is very low. However, I do understand the need for the translation service on the plane, because I faced this as a daily reality when I was at Air Tindi. The problems associated with multiple translations in different languages is going to be enormous, how we bridge that, I don't have any answers for that.

Scott Streiner: 01:10:28 I actually, speaking really honestly, right, because as I said, we want to have real engagement. We have to think about whether or not we even have this authority as regulators, but setting that aside, just practically speaking, can you imagine a situation where, even on a collaborative basis, airlines would have prerecorded translations of basic safety announcements, as Nolene suggests? And every plane would carry an iPad and

people could press on the language of their choice and hear the explanation. To come back to Nolene's point, it doesn't seem conceptually impossible. It might be impossible for one of you guys to do on your own, but what if the industry did it collectively? It's basically the same safety announcement. What do you think?

- Donald: 01:11:12 That's very good, because we're approaching a stage in technology and technical realization that all of these things are possible, yeah, at a certain cost, of course. But that's a very good alternative to things here. The question is, the motivation [inaudible 01:11:28] the passengers to be able to do this and what passengers need it. There are distribution and logistical problems, but that's quite a good issue.
- Scott Streiner: 01:11:37 It's something worth thinking about, hey.
- Speaker 5: 01:11:41 Thank you. Just to that point, Nolene. You mentioned in your story the case where there was an emergency situation, and I'm struggling with ... we can prerecord standard messages, but this is still useless in that situation, right, to be able to provide specific ad hoc instructions.
- Scott Streiner: 01:11:59 When things are unpredictable.
- Speaker 5: 01:12:00 Which is really the case where it provides the most value, I think, just going to your story, or where it's most concerning. So I just ... I don't have a solution, but just to raise that issue.
- Scott Streiner: 01:12:16 Nolene, did you want to comment?
- Nolene: 01:12:21 I think you're having difficulty trying to bridge what needs to be said or done, after or during when ... Well, so what I could see, envision, is when you're giving the instructions you could give alternative instructions. You could say, in case when the plane goes down, we need for you to pay close attention to the pilot. There's going to be lights that are going to be lit up. You follow the lights. So, if you plant that in the mind ahead of time, too, at least you've got the seed planted.
- Speaker 5: 01:13:14 So, you mean, it's not perfect, it's an improvement.
- Nolene: 01:13:18 It's improvement, yeah. See, we're human, we do all these scenarios just because we don't understand sometimes, but for people like myself, I can probably stand here with you guys and

answer every question because I have it already in my mind, right? I understand Dene language and the behaviors of our people, right, just like you said. And the other fellow, Northwester. And it's true. The north is a little different, because we're a smaller population, okay. 40-some thousand. We don't even fit into the corner of Edmonton, and look at how huge our territory is, okay. So it's not impossible we can't instruct, okay. It's not like we're up against the whole world. No. It's only up to ...

Edmonton ... First Air flies from Yellowknife to Edmonton to Ottawa to Iqaluit. Well, I've made that flight from Yellowknife to Iqaluit to Ottawa, and there was all instructions in Inuktitut.

Scott Streiner: 01:13:18 Inuktitut.

Nolene: 01:14:33 Yeah, and there is no instructions in Dene, and I had a Dene elder because we're going to a meeting. So, you know, that's just an example that they have these roundabout routes, but the thing is today, this day and age with technology, all it is is a push of a button. But not only that, we have Dene fonts now. We have translation that can go from, now we can do it in Dene into English. If we work and get these companies to do it for us, right? Because that's what it takes.

Scott Streiner: 01:15:15 Right.

Nolene: 01:15:16 So, this is why I always say it's achievable, and this is what I always advise, you know. And like I said, my email address is on there and that. If you have any questions, you know, I'm willing to share and help.

Scott Streiner: 01:15:35 Sure.

Nolene: 01:15:35 [inaudible 01:15:35]

Scott Streiner: 01:15:36 Yeah, for sure. Thank you. Jim?

Jim: 01:15:39 Something just occurred to me. I'm a paramedic on the ambulance in Fort Smith as well as being CEO of the airline.

Scott Streiner: 01:15:48 That's what it's like in the Northwest.

Jim: 01:15:48 Welcome to the North. How many hats?

Scott Streiner: 01:15:48 Into the baggage counter and ...

Jim: 01:15:52 That's right. How many hats can you wear? And it just occurs to me, you know, it's a struggle we have in the ambulance when I'm in the middle of a call and I'm trying to assess what's going on and you're asking a patient all sorts of questions. And then when we Medevac them out, it's White folks that are going to be on the plane who speak only English or maybe speak French, but they certainly do not speak any other language. And it just occurred to me as you were speaking is, what the hell would I be thinking when someone's going, blah-blah-blah, and I don't know what they're saying, and it's critical information to my care in a critical situation. You know. I don't know what to do in Medevacs about these situations.

Nolene: 01:16:29 I can probably add to that. What he said is actually, we've had so many different scenarios that have taken place, and this is the government. The federal government here in the Northwest Territories, they made a policy. Now, the policy states that any Dene leaving, we do not have to pay for a translator or an escort, okay? So, this is where the federal government is also a partner in this. They have to understand that the policies they are creating is actually detrimental to the safety of their clients and the people that they are responsible for. Because the one thing I do understand, in my education in universities and the world, that my name is held in trust by this government, okay? So, they have a responsibility. If they want to regulate the air, the land, the water, the animals and the people up here, then they have to ensure that it reflects the North.

Scott Streiner: 01:17:50 I think we're going to have to think about what we've heard, but one of the things as I listen to this conversation that strikes me as ... I'm maybe repeating something I said earlier a little bit, but we may or may not be able to do some of this through the regulation itself, but I'm not sure actually, that anybody's going to disagree with the fundamental point you're making. So I think we'll also consider reaching out to some of our colleagues in government and the industry and see if there's a solution people can agree to. Because you've made the point, and others have, that technology offers some alternatives today that weren't there in the past, right? So, we'll think about the regulatory side, but we're also going to, I think, reflect on whether there's anything that we can do to encourage a response even outside the regulations. Just see whether or not

people can come together on something that starts to address the very real issues you're raising.

- Nolene: 01:18:37 Can I remind the panel that regulations are made up of policy, so if the policy doesn't work and it's not effective, that can be changed. So, that's the approach, I believe, that has to be relayed to the people that are on the receiving end.
- Scott Streiner: 01:18:55 So, you start with the objective, and the objective of course is everybody is safe when they travel, people feel comfortable when they travel. So we're going to start with the objectives and then try to work down to the regulations from those.
- Nolene: 01:18:55 Mm-hmm (affirmative).
- Scott Streiner: 01:19:05 For sure. Okay. Other comments, suggestions, things that we should think about on any of the issues that were raised? Sure.
- Jim: 01:19:16 I don't want to [inaudible 01:19:17], sorry about that.
- Scott Streiner: 01:19:18 No no, that's fine.
- Jim: 01:19:19 This is very thought-provoking what we're talking about. I think you do have an area of responsibility in this document where you can address this issue of language, is it's defined here that if there's a delay, there's a responsibility to communicate.
- Scott Streiner: 01:19:34 Right, to communicate.
- Jim: 01:19:37 And so, how is it communicated? If it's not understood, then why are we communicating?
- Scott Streiner: 01:19:42 And that's actually, so not only in the ... You're right that there is a specific reference to communication around delays, but we've also been given a broader regulatory authority around communicating with passengers. I think the language in the law, and I may not be quoting it precisely, is around their rights and the recourse available to them. But that may give us a hook. That may give us enough of a basis to deal with some of the issues you're raising. But again, I think we're going to think both about the regulatory side but also about things we might be able to move on the non-regulatory side, just by bringing people together for a conversation about this. To me, and I'm hearing others in the room say the same thing, the issues you've raised, Nolene, seem like common sense.

So, the regulations may help, but we may be able to actually make some progress even before the regulations are finalized. Good.

Male: 01:20:30 Can you explain something [crosstalk 01:20:31]?

Scott Streiner: 01:20:30 Sure, of course.

Male: 01:20:32 Can you talk a bit about the categories, the three categories?

Scott Streiner: 01:20:34 Sure. So, what the law says, again, the law basically says the CTA shall make regulations in the following areas. Then it says with respect to flight delays, flight cancellations and denied boarding, that we have three categories for those various events. The first is within the control of the airline, and then we're allowed to set minimum standard of treatment and minimum compensation. That's the only category where compensation will be provided for. So there's a delay, there's a cancellation, someone's bumped. It's within the control of the airline.

When people ask me for an example of this, the obvious one is overbooking. Clearly an airline makes a choice, those that do it, to sell more reservations than there are seats, because they're counting on no shows. That's a choice they've made, but the law now says the regulations shall part of for compensation if someone's bumped, if there's a delay or a cancellation within their control. And Jim, that's why when you raise the issue of yeah, but what if we hold the plane back so that somebody we know has been delayed can get on it, well, that's within our control but we're doing it for a good reason, that's why that was so thought-provoking.

The second category in the law is within the control of the airline but necessary for safety reasons, such as a mechanical malfunction. Then we're still going to set minimum standards of treatment, so food, water, place to stay if it's a longer delay, things like that, but there's no compensation. So if there's a safety-related delay, the airline will have obligations in terms of the treatment of passengers, but there will be no automatic compensation. The third category is delay, cancellations, bumping that are for reasons out of control of the airline. A major weather event, a major security event. You know, if there's a bomb threat at an airport, the airport's shut down. Where these events are totally out of the control of the airline, the airline's only obligation, says the law, is just the make sure

people finish their trip, that they get to whatever it is that they were going.

So, three different categories with three levels of obligations for airlines. As both of you, I think, have reminded us, one of the things ... Well, there's two things we're going to have to think about among many in this context. One is, make sure that we don't have unintended consequences, that we don't capture events that really should be captured in these categories, but it's also distinguishing between them. I think it was the woman who left who talked about all the gray zones, right? So we're going to have to think about whether we need criteria so that we can triage different events into those three categories, because something happens and it's kind of in the gray zone, it's not super clear which category it falls into. We don't want to passengers and airlines having to debate for a year whether this was category one or category two, so we're thinking about including some criteria in the regulations to help triage, categorize different events into categories one, two or three. Go ahead.

Jim:	01:23:35	I have a question about category three.
Scott Streiner:	01:23:35	Yeah.
Jim:	01:23:37	In category three you say it's security, weather, whatever.
Scott Streiner:	01:23:41	Out of the control of the airline.
Jim:	01:23:42	Out of the control of the airline, but we have an obligation to assist the passenger to complete their trip.
Scott Streiner:	01:23:48	That's what the law says.
Jim:	01:23:48	Now, we're in the same boat as North-Wright. We book our tickets to Edmonton and they book their tickets to Yellowknife. We don't book further than that.
Scott Streiner:	01:23:48	Yeah.
Jim:	01:23:57	So what's the obligation? Are we obliged if someone said, "Well, I'm making a connection and I'm going from there and I'm going to Calgary and then I'm going to Amsterdam and then ..." Is that our obligation?

Scott Streiner: 01:24:11 So, that's going to be ... I think ... And we've heard you on this. We're going to have to think about what that means. All the law says is, and again I'm quoting from memory, that the obligation is assist the passenger in completing their itinerary. Right? Jordan knows the law off by heart. He's our technical expert. So, you guys have raised a really good question, which is, does that itinerary mean the itinerary booked with your airline, or does it mean the full itinerary? And I have to just say, we're going to have to think about that. I think we hear you very clearly that for you, if it's the whole itinerary right up to Amsterdam or Beijing or whatever, to you guys that seems crazy, right. Like wait a minute, we contracted with this person only to get them to Edmonton.

So we hear what you're saying, but we'll have to think about it, because we also want to be careful not to restrict the scope of the regulations so much that they don't achieve the objectives parliament has for them. But your point around don't make this too broad is well appreciated.

Jim: 01:25:13 We don't even know.

Scott Streiner: 01:25:15 Yeah.

Jim: 01:25:16 We don't even see their itinerary.

Scott Streiner: 01:25:18 You know, and it also comes up in the South although in a different way, which is more and more, just to kind of share with you a variation on this. More and more people book online through consolidators and they say, "I want to get from Toronto to Berlin." So they get Toronto London, London Berlin. They bought it all at once. They somehow think those segments are connected, but in fact, the consolidator just put them together, it's two different tickets, right?

Jim: 01:25:49 Two different airlines.

Scott Streiner: 01:25:49 It's too different airlines, two different tickets, it's not interlined, they're not code-sharing. And the passenger thinks well okay, if that first segment is delayed, someone's going to be responsible for making sure I finish my itinerary. If it's interlined, if it's code-shared, then the answer's probably yes. But what if it's not? What if those are two separate tickets? They're in no way connected. So, the reality you're describing also exists in the South, and because online consolidation

programs are making it easier and easier to buy these different combinations, we really do have to think about does the first airline have any obligations with respect to the next legs of travel? And if the answer ultimately is no, we're going to have to make sure passengers understand that when they're booking.

If the answer is yes, we have to be careful that we don't create unintended consequences for you guys.

- Jim: 01:26:41 I think ... oh, sorry.
- Scott Streiner: 01:26:43 Got the mic?
- Nolene: 01:26:46 I was just thinking about that question and your answer. When I book, and usually it's one of the airlines leaving here. Now, if I do it myself, right, I have to make sure I get to the plane on time. I mean, we still have to. But if you book through a travel agency, okay, then that's another process, I believe. Because they are taking you on as a client right from Yellowknife all the way ... Because this has happened to me, all the way to Israel, and when I got to Edmonton I was supposed to leave at the midnight flight, and they had given me wrong instructions, okay? They told me I had to ... not to worry about my baggage, it would go right through, right? This is what the airline told me. So, I went to the ticket and they said, "Where's your luggage?" I said, "Well, wasn't it sent here?" They said no, so I had to go all the way from international area to domestic.
- Scott Streiner: 01:28:14 Find your bags.
- Nolene: 01:28:16 And I missed my flight. I had no compensation. Good thing my cousin lived in Toronto. I called her, so I took a cab there and I came back the next night at 10:00 PM to catch the midnight. But the airline itself did allow me the next flight, okay. So-
- Scott Streiner: 01:28:38 Yeah, but what if they hadn't, right? I mean, you're describing exactly the kind of situation that we have to think about. What are your rights in that situation under the regulations? That's something we have to think about.
- Nolene: 01:28:49 Well, the airline knew they had a responsibility to me because I pointed that out as a client. I said, "Listen, I was given wrong instructions. I was told my baggage would go straight through, and your regulations say I have to check in my luggage with me,

international, it has to be searched and whatever." So, therefore it had to be with me. But as a passenger from the North, my first travel overseas, if I had known this, but now I do, right? I learnt the hard way. So, now I know, international flights I have to have my luggage with me to check it in.

Scott Streiner: 01:29:35

Nolene, just out of curiosity, were you flying with the same airline all the way through or was it two different airlines?

Nolene: 01:29:40

Two different ... Okay, so I got to Edmonton with First Air. That was fine. Now, I believe it was First Air, the people there that gave me the wrong information and told me my luggage was going straight through, so when I went to the airline ticket they knew something had gotten ... you know, so they called First Air and they said, "Her luggage is over here." And I'm like ... So anyways, I did end up in Jerusalem the next say.

Scott Streiner: 01:30:13

Right, you made it in the end.

Nolene: 01:30:14

Yeah, but if I didn't have a relative I would have stayed at the airport.

Scott Streiner: 01:30:23

Right. These are exactly the situations where, coming back to if it's two different airlines, who's responsible if you miss the connection? I mean, I think Jim has raised a really good point, and the trick is, and this is what we're going to have to think about in terms of the regulations. If we make them too sweeping then it's not really fair to the airline that tried to get you to your destination and that they're going to have to own getting you all the way from Edmonton to Jerusalem or to Tel Aviv, right? But if we make it too narrow, it's not really fair to the passenger if they, out of no fault of their own, miss a connection and they're left stranded.

So we've got to figure out both scope, like how much we're going to cover, and language, so that we give adequate protection to passengers but don't create crazy situations where one of these guys now has to rebook somebody on a bunch of flights to go overseas, if they weren't responsible for the misconnection. So, over here and then back to you, Donald.

Speaker 5: 01:31:21

Just yeah, to that point, and just kind of speaking on behalf of our members, we've got to have an ability to manage risk, and as Jim pointed out, you're blind to how many connections. So we might not want that customer, right? But we have no ability

to reject that customer because we don't their connecting routes and whatever. If I might suggest a solution, perhaps the responsible should be limited to the next stop on their travel route.

Scott Streiner: 01:31:46 So, one more.

Speaker 5: 01:31:47 On hop, yeah, would be my suggestion.

Scott Streiner: 01:31:49 Mm-hmm (affirmative).

Speaker 5: 01:31:50 And then from that point, we get you one hop to Edmonton or Calgary become much broader, and you're now able to solve your problem.

Scott Streiner: 01:31:50 That may be the solve.

Speaker 5: 01:32:00 So just as a suggestion, as maybe a route.

Scott Streiner: 01:32:05 Yeah, thank you.

Jim: 01:32:05 Yeah, I think you know, the other option, I think my partner here at North-Wright is in the same shoes as myself. We don't have the ability to book internationally. We don't have the staff. I mean, they're going to call us after hours, we're closed. There's a hotline if there's something disaster, but the person who answers that is not going to get online and book you into Air Canada or Westjet. We don't do it. We don't have access to do it. We're not a travel agent.

Nolene: 01:32:37 [inaudible 01:32:37]

Jim: 01:32:38 We're not a travel agency.

Scott Streiner: 01:32:39 Yeah, if you book with a travel agency, I mean-

Jim: 01:32:40 Then you've got somewhere to call.

Scott Streiner: 01:32:43 We've had some representatives of travel agencies appear at other sessions, and their point is always, "Well, this is the protection we provide for people." But the reality is the number of people booking with travel agencies is gradually decreasing, right, because there's more and more online bookings, but you of course lose a little bit of an ally in that, right? You don't have the person who's going to bat for you. Donald?

Donald: 01:33:06 I think Nolene has made an interesting point there about we have multiple airlines and multiple connections and it's left in the hands of the travel agency now. I see the travel agent, or in the ... what did you call that, Expedia? What did you call the-

Scott Streiner: 01:33:23 Like the consolidators.

Donald: 01:33:24 Consolidators. I think they have a responsibility, a financial responsibility at this point. Firstly Nolene was misadvised, poorly advised, but in other cases they don't offer any information to you. Your flight arrives with a 45 minute connection, which is barely legal, and you got to get your bag on there, but they don't tell you that. You got to grab your bag and run. So I think the consolidators and the travel agencies all have a responsibility in this thing. It's not only just the airline that is going to be liable, it's going to be the other people anecdotally associated.

Scott Streiner: 01:33:57 So I think everybody agrees there's a lot of players in the mix here. I just have to say, you heard me make a comment in the introductory remarks. Parliament's given us the authority to regulate with respect to airlines, but we recognize that there's a lot of other players who affect the passenger experience. And that includes passengers, right? Like one of the things we're going to have to do once these regulations are in place is not only educate airlines on what their minimum obligations are, but educate passengers so that they're smart travelers.

Like one of the things I think you just referenced at, and it's something we see through our work, is people will sometimes get these super tight connections through the online consolidators, and they figure if it's sold, it's legal, right? So we need informed travelers who understand that it may not be the best idea to take that 45 minute connection. Even if the machine will generate it for you, you might want to think about something else. So there's a passenger education process here as well, once the regulations are kind of firmed up.

Jim: 01:34:54 I think a challenge too is consolidating. You know, it's not airlines per se, but hotels. Because you know, [inaudible 01:35:04].

Scott Streiner: 01:35:05 That's right. If you hold it over here it doesn't work as well.

Jim: 01:35:08 Yeah, but you know, one of the challenges with consolidators is that if you book through a consolidator, you have a hotel booking, I'm not sure but I think it's all the consolidators have a blanket policy that they're not able to refund. If there's a flight delay, problem with the flight, they're not able to deliver a refund if the passenger simply cannot make their hotel booking, right. I don't know if that'll ever change, but it's ... We've had people call us and say, "Do you know if anything can be done, because my son and my daughter da-da-da." And you know, it's not actually, in a lot of cases, it's not our Northern airlines at all. It's people are some cases very far flung in their travel, right, but they're upset and that because they probably paid for quite a few nights' hotel stay at a fairly expensive downtown hotel.

Scott Streiner: 01:36:07 And there may not be any recourse for them.

Jim: 01:36:08 Yeah, yeah, and they can't get any refund.

Scott Streiner: 01:36:11 So, just a question for you and for the audience. How do most people in the North, if you can generalize, book their travel? Are a lot of people still using travel agents? Do people do it online? Do they just call your company directly or does it vary?
[inaudible 01:36:24]

Jim: 01:36:24 I would say myself, from what I've observed, we probably here do have a slightly higher uptick in terms of travel agency, and my guess is that the online, like everywhere else, is accounting maybe for more and more bookings. But some of the travel agencies here like Top of the World, and that type of thing, pretty well-established presence. They've been on the go a long time, and certainly I've met people in government, I've met people in private industry and all that type of thing who, they'll always go to the travel agency.

Scott Streiner: 01:37:02 My guess would be, I mean, you did the phone motion, Donald. My guess would be, but you guys would know a lot better than we would, but that you might get more use of travel agents and online bookings in like Yellowknife, right, so the South of the North in the larger cities, and then in the more isolated locations you might get people just calling up the airline or the person they know, right? Like they might just call up somebody and go, I don't know, in a smaller Dene community, Nulene, I assume a lot of people would be making reservations because they'd call Donald because they know Donald or whatever, as opposed to going under Expedia.

Nolene: 01:37:36 Well, what I do know about for example medical travel, a lot of the bookings, if it's not done through a contracted travel agent, which is I think ... I'm sorry, I don't know who it is this time, but last time was Mac Travel. Right. So, like the nurse would phone, if the patient has a doctor's appointment, they would phone the medical travel.

Scott Streiner: 01:38:15 Like a special desk or whatever, a special service.

Nolene: 01:38:17 Well, it is, it is, just for the North, for the Dene medical travel. So they would call, and they would call the medical travel and the agency would then book their prospective airline. Now, for people like myself, because we have a little bit more education and computer skills, I do a lot of my booking online because we get a percentage off and all of that. But where there's questions that you need answered but you can't from the help thing, so you need the person on the other end, and a lot of times I have to dial the 1800. So, there are that aspect, and you got to remember there's only 40-some thousand people, right, and you got 29 communities, okay, so you got five regions. Four communities, [Detcho 01:39:24] has 10 communities and Air Tindi I think goes in there most of the time, hey?

So most of the bookings are done through government. So government will do the booking at ... and they spread the wealth. Everybody gets a piece of the pie.

Scott Streiner: 01:39:42 I feel like if it's ... and I don't know if this is entirely true, but if it's government booking, so if it's like a Medevac or other reason, somebody's going for negotiations, whatever it is, there's probably less risk to the passenger, right, because if something goes wrong, somebody from the government travel service or whatever is going to try to kind of get you where you're supposed to go.

It seems to me that there's a higher risk for the individual traveler. Like Nolene decides she wants to go and see the Holy Land, so there's a greater risk for the individual traveler, I assume, than the person who's being Medevaced or just transferred for medical treatment or some other government travel. I would assume that the government folks or the officials wd try to back stop a bit if something went wrong with the travel.

Nolene: 01:40:25 Yeah. So we have for example a personal ... you go for personal travel, you got for business travel, you got for medical travel for the North, right?

Scott Streiner: 01:40:25 Yep.

Nolene: 01:40:35 So, personal travel you have a responsibility. Business travel, like when I went to Israel, it was done with the federal government per se. So, I did have the protection of the government through the ticket. So I could pick up the phone and phone the government office and say, "Hey, I missed the plane because the plane was delayed."

Scott Streiner: 01:41:01 And someone's going to help you out.

Nolene: 01:41:03 They're going to help me out because they have a responsibility to me as an employee, right? Same with medical travel. They have a responsibility to the patient to get them to point A to B. And then you have your holiday.

Scott Streiner: 01:41:21 Right. It's the personal travel which is tricky, I think.

Nolene: 01:41:21 Personal, business, and yeah, so you know, each time you make your booking it's not always under business. It could be under personal. So that's when you yourself as an individual, you categorize, right? Now, that's because I have the ability to do that, but a lot of the smaller communities, the people in the communities don't have the same train of thought or the experience, because they haven't been exposed to it, right.

Scott Streiner: 01:41:55 So it can all be much more overwhelming and they're not equipped with the same ...

Nolene: 01:41:55 Yeah.

Scott Streiner: 01:41:59 Yeah. Okay.

Nolene: 01:42:00 And this is where we get a lot of passengers from the North stranded in the South, in Ottawa, all over the place. I'm not kidding you, because I have a lot of family. I've had to send plane tickets, bus tickets.

Scott Streiner: 01:42:19 So you're the backstop.

Nolene: 01:42:21 Yeah.

Scott Streiner: 01:42:21 So you're the backstop, you're the travel agent. Donald?

Donald: 01:42:29 [inaudible 01:42:29]

Scott Streiner: 01:42:29 Somebody else? Thank you.

Jim: 01:42:31 In our case there's a lot of medical travel that goes through our airline and that's all done through a medical representative in a health center somewhere, and they deal directly with us either on the phone or online. You know, for most people traveling on business, they do it online. We're a small airline, 75 people and we've got five reservations ladies that are pretty damn busy, because people call, and they know them. They call and say, "Sarah, it's Joan and yarra-yarra-yarra. I'm going wherever."

Scott Streiner: 01:43:05 Right.

Jim: 01:43:05 And so there's a lot of that.

Scott Streiner: 01:43:06 [inaudible 01:43:06]

Jim: 01:43:08 I'm going to be careful what I'm going to say and I apologize in advance for saying it. The level of sophistication in the North is somewhat lower than in the South of using Kayak and all the rest of that. That's coming, but most of our people want to talk to somebody, because we are very social in the North, as you can tell.

Scott Streiner: 01:43:26 Right, 40,000 people spread across a large territory, people know each other, right?

Jim: 01:43:31 Yeah, and they want to talk. They want to visit, they want to talk about it get the details, where if you do it online you don't have the same level of interaction.

Scott Streiner: 01:43:31 It's impersonal, yeah.

Jim: 01:43:40 And so it's just again, for personal travel, if people are making long trips, they tend to use Kayak or something similar.

Scott Streiner: 01:43:47 Right. Thank you.

Speaker 7: 01:43:48 Yeah, one comment that I've heard expressed quite a few times is that the native member airlines, I've heard them actually congratulated quite a few times by passengers, and the

comment I've heard is that they have good counter presence at the different airports throughout the system. And people tend to really appreciate, it's just exactly the point that we were just talking about, that if people have a problem with their travel, if it's not medical travel, if it's personal or business, it's quite a common practice. Probably not so much these days, especially in our large national airport system airports in the South, like Peterson or Montreal or Vancouver, that type of thing. But you can go to the counter, and especially First Air, Canadian, NWAL, North-Wright, these folks will have people there, right, and they're always glad to help to take care of the passenger, serve the passenger and get them straightened out. And it tends to work really fairly well.

- Scott Streiner: 01:44:57 And it's that sort of human touch up here, right, and again kind of the problem solving, and this is again, I'm saying something I said earlier, but we want to be careful not to create regulations that are only reflective of reality in the South: large carriers, a lot of things automated, when you've got this kind of human touch and also more unpredictable situations around things like weather up here. So we'll have to think about how we get that wording right.
- Speaker 7: 01:45:22 Yeah. You have a lot of locally ... like the native member airlines have locally employed staff. That really helps with translation, with knowing the customers, knowing their families, all that kind of thing, and it's a big benefit in terms of if there's say an elder or a passenger might have some communications difficulties or a particular condition. The comment that I've heard is that the native folks, those member airlines tend to be very aware of the passengers and their needs. And it comes from, you know, because calling I think a lot of the native airlines, you've got some very experienced folks working on the airports, right. Some of them are multi-decade, multi-year staff, so they've been engaged and working there a long time. And that tends to really help, and make for a much smoother travel experience.
- Scott Streiner: 01:46:23 Mm-hmm (affirmative).
- Jim: 01:46:23 I just want to add something to what's been said here.
- Scott Streiner: 01:46:23 Sure.

Jim: 01:46:26 You know, in a 704 operation where you're 19 passengers or less, all the passengers know the pilots. Our pilots are on a first name basis with the passengers, and you can actually hear them. They'll be talking in the waiting area.

Scott Streiner: 01:46:41 "How you doing, Jim?"

Jim: 01:46:41 "Who's flying today? Oh, it's Terry. Oh God no, Terry's flying."

Scott Streiner: 01:46:45 Yeah, slightly different, and this just keeps coming across, so it's just a very different air travel reality than in the South, and we don't want to create rules that suddenly kind of put a chill on all of that. At the same time, we want to make sure that passengers in the North have protection as well, right? We can't just ... I don't see a situation where we say okay, so there's no coverage for folks in the North. But we want to make sure we don't do something really cookie-cutter that just doesn't fit, that doesn't fit these realities. Nolene?

Nolene: 01:47:15 One last little comment here. Just when somebody mentioned how small we are and how comfortable we've become. So, that goes back to what I don't want to see, for example is a big lock on the pilot's door, because the reality of ...

Scott Streiner: 01:47:44 That's right. Jim says, "Door?" You mean big lock on Joe's door?

Nolene: 01:47:57 Well, people like Joe, you can ... I mean, all the smaller airlines like Air Tindi, and it's true. We all end up knowing the pilots and who they are. But you know, when you are making those regulations able to be let's say safety, and ensuring that cabin door to the pilot is locked, it must be kept locked. Well, what if there's a situation where the pilot has young children, like school age and they want to go up front? Are you going to have a rule that would deter that type of relationship? Because I mean, it still happens. I see it all the time on the Northern airlines, and it's so good to see. You know, it's not so cut and dried.

Scott Streiner: 01:48:45 Right, we don't want to dehumanize the travel experience.

Nolene: 01:48:46 Well, exactly. Exactly, and in the North, as someone said, and this is what I've always had to do, was point out the differences between the South and the North, how we think and do things. That's just the way it is because of the population, right.

Scott Streiner: 01:49:12 Different reality. Thank you.

Jim: 01:49:15 I just want to say, I love our passengers in the North. They are so patient and so tolerant because they understand the friggin' weather. I mean, the weather kills us all over the place, and we don't ... I think I've been with the airline now for almost four years, and I think we've had four cancellations in three, four years.

Scott Streiner: 01:49:35 Right, you figure it out. You make it happen.

Jim: 01:49:36 We'll delay. We'll delay late, but we'll go, because we know people have to go. And we'll go maybe two hours later, half an hour later whatever sort of thing. And the passengers just sit back, and you know, where's the coffee. You don't see that. People freak in the North when-

Scott Streiner: 01:49:50 In the South.

Jim: 01:49:51 Or in the South, I should say, when it's like, we're delayed for 20 minutes it's the end of the friggin' world. But North it's, well ...

Scott Streiner: 01:49:56 Here they settle in, have a coffee and start to trade stories, hey? Yeah.

Jim: 01:50:00 So it's quite a different flying experience. So, I'm sure you're ... I'm really glad you guys are here and thank you for taking the time to be here, because it is a different reality, you know, and that's my greatest challenge, personally, professionally, is to realize that flying in the North is quite different than flying in the South, on many, many levels, and sometimes policies come out that make it restrictive and uncomfortable and doesn't serve the population here. So.

Scott Streiner: 01:50:27 Right. We're going to have to think about how do we make rules that are fair to passengers in the North but don't import a kind of rigidity from the South that doesn't make sense in this context. So we're going to keep thinking about it.

Listen, I want to thank all of you for coming and sharing this way. I mean, really super helpful to us in terms of understanding these realities. I'm also going to ask, I think that we've got your contact information, I think that was kind of part of people registering. We may circle back to you. As we start to think about some of these questions, we may want to test some

ideas with you on well, so if we worded it this way or if we positioned it the way, would that help in terms of giving passengers protection but reflecting the realities of the North. So you may hear, we may have some follow-up questions that we send to you, and please don't hesitate to get in touch with us if you've got more ideas, more suggestions.

Like I said, we've got three months to do these consultations and then when that's done we'll have to start coming up with regulatory language.

- Jim: 01:51:24 It's refreshing, by the way, to see this approach to policymaking.
- Scott Streiner: 01:51:29 Thank you. Thank you.
- Jim: 01:51:29 Because it's not always the case, you know. So I thank you for doing that process.
- Scott Streiner: 01:51:33 Thank you. Thank you for having us out and we look forward to continuing the dialogue with you. Appreciate you coming out. Take care, guys.

Partie 2 / Part 2

- Scott Streiner: 00:00 To hear from you. So, I'll just give a bit of context. And then really it's over to you. Other than having to use the mic it can just be an informal back and forth. First of all, so that you know, we had a really good afternoon session. Some of your members were there. One of your staff was there as well, from NATO. And, as you might imagine, a lot of the session focused just on the unique nature of air travel in the north. It's something that I think we were already conscious of, but there's nothing like hearing it from people who are involved in it.

We heard lots about when flights get delayed up here it's not like when they get delayed in the south. They could have a small plane. There could be a storm coming in. We might be hanging back deliberately with the agreement of all the passengers because someone's racing to get on the plane. We heard some concerns, as you might expect, about cookie cutter approaches that might make sense in the south, but might have unintended consequences in the north. And then interestingly, we had a presenter who brought a totally different issue in front of us

which was indigenous languages. She's [inaudible 00:01:04]. She talked about the risks that are created when people that speak neither English nor French get on planes and they can't get the safety briefing or any other information in their language. That actually led into a really interesting spontaneous discussion that brought others in. About couldn't we just use technology? Could we just load some prerecorded, translated information onto tablets and just have somebody press the language of their choice and get that information. So, that was the afternoon session. This is the fourth of eight cross-country sessions that we're holding like this. We've been in Toronto, Vancouver, and Calgary. Now we're here. Next week its Winnipeg, Montreal, and Halifax, and then we finish in Ottawa. I think, as you know, this is all being done pursuing to the creation of authority for us to make air passenger protection regulations. Bill C-49 of course received royal assent back on May the 23rd. We launched this consultation process on the 28th. We've said that the consultations will last three months, and when they're done, we'll take the time necessary to kind of think about everything we've heard.

But we're going to move as quickly as we can to draft the regulations. And then they'll have to go through two approvals. One by the CTA, and one by cabinet. We're working within the framework laid out by Bill C-49, now part of the Canada Transportation act. Which, as you may know, gives us authority to make passenger protection regulations with respect to the communication of information by airlines to passengers, flight delays and cancellations, denied boarding, tarmac delays over three hours, lost damaged bags, seating of kids, transportation of musical instruments. Those are the main categories.

And so, in addition to doing these face to face sessions, we've got an online process. We've posted a questionnaire. We've posted a discussion paper. We've got a link where people can send in written submissions. So I expect we'll get something from data. And then we're doing airport surveys and some bilateral meetings across the country as well. So that's the process. And you know, so far, for what it's worth, these sessions have been incredibly rich. We've had ... this may be the smallest that we've had. But they've kind of ranged from this to 20, 25 people in the room. And the level of engagement has been great. So I think for both me and Liz, who ultimately will have to make some choices around these rags, it's just been invaluable to have this kind of dialogue.

So that's context of the study. All right.

Trevor: 03:32 All right. Well, thanks Scott. And thanks for hanging back late for me. They asked me if I could speak earlier but I was busy with meetings. So, I mean, you touched on a lot of points that you've heard from northern carriers and northern travelers that I'll probably bring up. But I'll sort of go through them again just to reaffirm them. The current regulations as proposed are very cookie cutter and are, I think, a result of issues that are happening in southern Canada with the two major mainline carriers, or other mainline carriers.

We're kind of you unique in the north in the sense that although we're sort of small/medium sized businesses, some of our members are carrying several thousand passengers a year to 50 or more destinations. And others like Air Tendi are primarily were kind of a charter operator that does a few skeds. And the skeds we do are primarily to the surrounding communities. Teon Life and most of the ... In fact all the aboriginal communities that we fly into, those bands or economic development corps of the bands, are joint venture partners of ours. So, there's a business vested interest in how we conduct our business.

The way we deal with complaints is obviously face to face when the passenger has an issue. But, it will often be from the community's SAO or the chief will phone up and say, "What the heck is going on?" Or, I've heard ... We deal with it that way. It's very personal, or a personal touch. It's not a ... Our customers don't fall into a 1-800 number and sit on hold for two hours and kind of get the run around that way. So, they phone me at home at midnight.

Scott Streiner: 05:53 [inaudible 00:05:53] is not getting calls at home at midnight from regional Canada customers.

Trevor: 06:03 I would suggest not, no. I mean, just in summary, northern operators, northern passengers, northern travelers understand the challenges associated with northern air travel. The airports that we fly in and out of are ... I wouldn't say antiquated but they're not ... We're challenged by the facilities that we have. We can't do CAD3 approaches in a community with one 3,000 foot gravel runway. And about 400 people living there like we would in Toronto. Weather delays are often a challenge in the spring and the fall when weather can change hourly. And there

is really no weather reporting. You sort of rely on word of mouth and what other people are seeing on the ground and in the region as well. Northern operators have to be able to adapt for passenger comfort. That's taken for granted in southern Canada. I.e., multiple options for accommodations, back up resources, and alternate means of travel. We don't necessarily have any of those luxuries here so we have to sort of be self reliant. When I say self reliant meaning we kind of back ourselves up internally or we rely on the goodwill of people in the community, businesses. If there's a lengthy weather delay in Yow Life, it's not as big of a deal. There's lots of accommodations and everybody has family somewhere. They go hang out at their Auntie's house or it gives them one more opportunity to do a quick trip to Walmart to fill their suitcases more. Northern air carriers have foraged partnerships with remote and aboriginal communities. Unique again from southern relationships. That sort of touches on my comment about our own business and the relationships that we've developed. There's a concern with the data monitoring that CTA and transport is requesting. I think what we're looking for there is a clear description of what the CTA definition of a passenger is. There are different types of passengers requiring air transport in northern, remote regions. This isn't so much an air thing, this would be First Air, Canadian North, when you have lots of OCS travel, crews dead heading, station managers that are based in Ottawa doing their two week stint. Does that constitute a passenger? Probably not. Medical travel is another one. On a medivac. We operate a lot of medivacs up here. They're on a charter basis. Does the patient and the medics constitute passengers? In transport's view they do. In the CTA realm, I would suggest that possibly not. We're often aside from weather delays and airport delays, the flight schedule is basically at the whim of whatever the patient needs and whatever the medics need. And what's happening at the receiving facility or the care center.

On weather delays where we're delayed cuing for de-icing. Unique in ... Any of the small, surrounding communities there is no de-ice truck. We sort of make do with what we've placed there ourselves with the authority to run scheduled flights there. Or in a remote mining camp. On a charter basis, there's nothing. If there's icing in the forecast we don't go. And if we land and the airplane is iced up then we've got to deal with it a different way. In Yow Life there is one commercial de-ice provider. And one central de-ice bay.

Air Tendi has been able to negotiate with the airport to conduct de-icing on our own ramp. We've purchased our own de-ice trucks so we're not sort of reliant on what otherwise would be in the cue, behind everything from an otter to a 737 whatever waiting in line. So, I mean, as an operator, we have overcome that challenge ourselves. But, not all operators have done that or are able to do that. If the passenger requests ... So there's weather delay, de-ice delay, if the passenger requests to be off loaded the aircraft may be delayed boarding again til the next weather update is in. At that point the carrier makes the decision to depart. Once delayed again off the gate, again in cue for de-icing, that whole period could exceed three hours, particularly if there's not instantaneous weather reporting in whatever northern destination the flight happens to be going.

For norther carriers who face weather concerns often based on geographic location, the carrier will always try to fly even in they're delayed. Meaning, it's not good now. We're going to wait. We might not get you to your destination on sked time, but we're going to keep on trying for the rest of the day to get you there. While there's a half load of passengers in the airplane, in the back or in the belly there's also the groceries for the coop store, meds for the health center. So, I wouldn't suggest that we're trying to get to the destination at all costs. Risking safety. But, we don't ... We're not as quick to cancel a flight because of weather as they would be down south, particularly because of the frequency.

If they miss a flight today, the weather could be down for a week and then we're in trouble, they're in trouble. So to that end, I would suggest that if there's any expectation on the responsibility of a northern carrier service people living in the north. Hotels are also a problem in the communities. In a smaller community of 400 or so people, there actually won't be a hotel. There will be a few folks that will run a bed and breakfast. Or there will be a fishing lodge that operates near the community. That's kind of what you have. Very reliant on friends and family. They go stay with in-laws, outlaws, whatever. Whatever the case may be. So the infrastructure simply is not available to respond to the demands, to the expectations that would be ...

My expectations personally as a person personally traveling, if I'm flying out of Vancouver or Toronto, my expectations are obviously quite different than if I'm flying as a passenger out of

[inaudible 00:14:07]. If the flight is delayed for two days I kind of expect that. It's ...

Scott Streiner: 14:14

[inaudible 00:14:14]

Trevor: 14:13

No, no. If they extend the compensation to weather delays, this would have a big impact on us financially. Maintenance delays are understandable. As they are determined to be a controllable delay. In that case, we as an operator, and I would suggest all northern carriers, we will either pull another airplane out of the hanger, or we'll send something up ... We won't sort of leave people high and dry until the next flight. [inaudible 00:15:00] weather is not. We need to make sure weather isn't part of the compensation, especially in the north with northern travel.

Denied boarding is handled well for us. It should be noted that we don't deny boarding for medical travel. If the medical travel office, or the health center books a patient out on a scheduled flight for an appointment or whatever, we'll always get that passenger on. Yeah, medical travel for northern stations is important. We are the only form of transportation in and out of the community. So, again, very personal touch. You made the comment earlier about holding a flight if we know somebody is running to catch. Yeah, that's just ... Yeah.

Baggage for northern carriers occurs when we have payload restrictions for the change of weather. Again, the need to ... WE need to ensure that this is uncontrollable. That will probably ... As an operator, if we are in that situation, we'll bump freight, non-perishable freight before we'll bump baggage. I have not come across the situation yet where we have bumped a person confirmed checked baggage, meaning if they're allowed 50 pounds each and they show up with 100, the excess baggage gets checked as stand by if we need to bump baggage. But, we've never bumped the 50 pounds that they're allowed, or whatever the case may be.

Yeah, I mean, in a nutshell, that's sort of where we're at for northern carriers. I recognize that you can't have ... It's a challenge to have two sets of rules. But, I think that ... As proposed, the regulations as proposed are a bit too one size fits all that will cause some unintended ... It may fix the problems that hit the media with ramp delays and all that, but it will cause a whole bunch of grief up here with people who actually, air travel is a necessity, not necessarily a luxury. They're

generally not flying out of Watie or Requite to go on a Mexican weekend in Mexico.

Scott Streiner:

17:50

Okay perfect. So just a couple of things. A few clarifications and then I think we just kind of get into some questions, some dialogue. Maybe a bit of reassurance on a couple of points. The legislation sets out the broad framework within which we're going to regulate. We still have lots of scope for figuring out the details within those broad limits. Let me talk about a couple of points.

The legislation when it comes to flight delays, flight cancellations, and denied boarding establishes three categories. The first category is if these events are fully within the control of the carrier. And that the obvious example is over booking. In that case, the regulations that we're going to make will set out minimum standards of treatment and minimum compensation levels.

Category two is a delayed cancellation or denied boarding. For reasons within control of the carrier but safety related, like a mechanical malfunction. And those are non-compensatory. They'll still be minimum standards of treatment like food and water and things like that, but there is no compensation provided for in those circumstances.

Category three is delays, cancellations, denied boarding that are out of the control of the carrier. That includes for reasons related to major weather events or security events. And there the legislation says that the carrier's only obligation will be to help the passenger complete their itinerary.

We're not looking at any scenario where legitimate weather related delays are going to result in mandatory compensation, which is kind of what you talked about. But we are looking at situations where, for example, if there's a delay or cancellation that's within the control of the carrier then there would be mandatory compensation. I do think that we've got some issues to think about in the north. We come back to our ... You hold the flight for Joe so that he can get on the plane. Well, that was within the control of the carrier. But it wasn't an overbooking situation. You were doing it for a good reason. You were doing it for the sake of the passenger.

I don't see a scenario where there's any compensation kicking in after 15 minutes. You hold the flight for 15 minutes so Joe can make it to the plane. Compensation is not going to kick in after a short period of time. It might kick in after a couple of hours. But there's maybe a bit of reassurance for you there that we're not under any scenario, looking at compensation for weather related delays, cancellations, denied boarding.

The other thing is that the legislation allows us to vary some of the regulatory requirements based upon things like size of aircraft or size of carrier. I don't think there's a scenario where we do a blanket exclusion. I want to be ... I'm speaking honestly right? I don't want to sound like anything is completely cooked. I suppose that we might be persuaded. Our minds are open to just about anything. But, our expectation is, our understanding of parliament's intent was that they wanted air passenger protection regulations that would apply to passengers on all flights in and out of the country.

But, we are open, and our discussion paper asks whether there are adjustments, adaptations, differences that should apply to certain kinds of lights, certain kinds of airlines, certain kinds of aircraft. So, I mean, we're happy to hear from you on that now. I'd encourage you both in your tenure role and NATA to think about what advice you can give us so that we have a set of passenger rights that do protect travelers in the north, but at the same time don't have, to use your expression, "unintended consequences" where we create a rule and it makes sense to everybody who's traveling in the south 'cause it works for the Air Canada flight from Montreal to London. And it just doesn't compute in the context of the Hay River to Yellow Knife flight.

So that's a bit in the way of clarification now. I don't know Liz, I've got a couple of questions. I'll kick it off with one or two and then maybe turn it over to Liz. You should also feel free to offer more comments or pose questions to us as well.

So, one my questions is, in terms of ... You talked about the definition of passenger. So, first ... Two things. Another clarification. The data regulations, like where airlines have to submit data, those are being shepherded by Transport Canada. We have a colleague from Transport Canada here who is sort of coming on as an observer. If, with respect to the data regulations you have input, you can share them with Chris.

But your point about the definition of a passenger is an interesting one. For the purpose of the passenger protection regulations that we're going to make. And I guess it's really a question. I think you started to go there. But would you simply suggest that anybody who is on anything that is not a traditional sked flight, workers going up to the mines, the medivac traveler, do you think those folks should just be exclude? From the coverage of these rights? How would you treat ... I don't want to make it too black and white. How do you think they should be treated by regulations aimed at protecting passenger rights?

While you're mulling I'll hand the mic back to you.

- Trevor: 23:05 I mean, those are really charter passengers. I was going to say you could just differentiate by scheduled flight versus charter flight but then, where does that leave a settling flight?
- Scott Streiner: 23:20 When you asked about discussion paper, how charter flights should be treated. You're making the same assumption we are, which is that just excluding them will not meet the expectations of the travel companies.
- Trevor: 23:34 Yeah. Perhaps it could be even further segregated by unit toll. Because even if you're on a sun flight, Trans AM, Sunwing, it's still in a sense, unit toll. Versus if you're on a medivac or a mine charter doing a crew change. It's not ... Or even a tourist flight. It's one of the ... They're chartering the airplane. We tell them how much they can carry. They show up. Yeah it's ...
- Scott Streiner: 24:27 [inaudible 00:24:27].
- Trevor: 24:28 Yeah. I don't know if Unit toll is an old fashion term now.
- Scott Streiner: 24:37 It doesn't exist in any of the regulatory information but I know what you mean. We're going to have to think about this. It is ... One of the ... I'm not going to worry about the mic ... one of the things we need to think about as we try to grapple with some of these issues is, how do we not have these things be so cookie cutter that they have a hard time coexisting. But how do we not make them so complicated. They're difficult to administer, so charters versus sked, different categories of charters. We're going to have to come up with the right level of detail.
- Trevor: 25:11 Yeah.

Scott Streiner: 25:12 But I think that the point that different flights have very different character and different passengers on those flights. [inaudible 00:25:25]

Trevor: 25:26 I think that certainly warrants further discussion and maybe certainly ... I believe you're attending the next board meeting. [crosstalk 00:25:38]

Scott Streiner: 25:38 It's either going to be me or Liz.

Trevor: 25:40 That would be a good opportunity to ... There will be lots of us around that table. Certainly you have Air North, First Air, Canadian North, along with North Airways, smaller carriers.

Scott Streiner: 25:55 That would be a good idea. Maybe we should actually have if you would work with Glenn on a couple of specific questions we want to delve into based on these concepts. Even though it will be open to everyone to talk over whatever they want. But maybe if we had a few drill notes we wanted those issues to come up.

Trevor: 26:14 I think you could probably, if you put it in a process chart. If this then go there. But word it sort of that way.

Scott Streiner: 26:27 So that you almost end up going down the process tree and knowing which area you're in. Which type of flight and everything.

Trevor: 26:27 Yeah.

Scott Streiner: 26:27 Liz, do you have any questions.

Liz Barker: 26:42 I guess I'm interested in the distinction between, if there is a distinction between ... Scott was mentioning the three categories of flights not within the control of the carrier, within the control, and then within the control but for safety reasons. Mechanical difficulties. We tend to think of mechanical difficulties as falling in the within the control but for safety reasons and yet, the EU has really defined that as being fully within the control of the carrier and compensation is required to be paid. I'm wondering what your view is on that.

Trevor: 27:27 I think it can turn into a bit of a slippery slope. A smaller carrier like us, even our pilots, attendants, engineers, we're all sensitive to the success or failure of the business.

Liz Barker: 27:45 Mm-hmm (affirmative).

Trevor: 27:48 So if all of a sudden mechanical failure, and even weather delays becomes an penalized thing, you almost in a way run the risk of people pushing it a bit.

Scott Streiner: 28:06 We always say, safety is non-negotiable, but you don't want to create ...

Trevor: 28:11 It's non-negotiable, but it's always in the back of your mind. As a conscious, long-term employee. I've flown as a line pilot for many years myself. I'm not suggesting I have ever flown an unsafe airplane.

Scott Streiner: 28:30 But there is a margin for that.

Trevor: 28:32 Yeah. And as long as your person is within that margin, that's fine. But I've also seen some areas with other companies that I've known of or pilots that I've known of where they've been a little bit outside that margin. I don't think that really answered the question.

On mechanical delays, you know, in the EU and certainly southern Canada, the flights are arriving or departing from major stations. There's AMO facilities. There's all sorts of facilities there. Starter generator goes, and the you go. You swap them out. Then maybe an hour or two hours delayed. Worst case scenario, wait for the next flight coming in from a different route. They do a plane swap, whatever.

We, if we do a charter from Yellow Life up to Resnick Bay and we all of a sudden have a flat tire in Resnick Bay, it's going to take us a half day to get there with a mechanic and a spare tire. I mean, even that kind of recovery on a delay would be considered quite good for a place like Resnick Bay.

Liz Barker: 30:02 Mm-hmm (affirmative).

Scott Streiner: 30:05 I'm just thinking about Liz's question. So, the stuff that we would ... That you would typically see in regulations like this where there's no compensation but there's minimum standards of treatment would be things like if it goes past X hours, give the passengers some refreshments. Give them something to drink. If it goes overnight, get them accommodations. So the

accommodation point, which maybe we've heard from others, that gets tricky in a place with no hotels around.

- Trevor: 30:33 Mm-hmm (affirmative).
- Scott Streiner: 30:34 Do you think there's anything else though in terms of basic standards of treatment that there's ... If there's a delay. Do you think that there are other things that would typically be allotted for that they pose any special challenge for in Canada? Snacks, refreshments I'm just trying to think of what you would typically see in a case like this. It goes past X hours, make sure people have some food and water, right? In a major airport that's going to be, give them a voucher and go to a restaurant. In [inaudible 00:31:07], not so much.
- Would you guys have snacks on hand, bottles of water? I'm thinking about what provisions we could just make universal and where we'd have to think about sort of normal differences.
- Trevor: 31:23 We've never held anybody in the airplane on the tarmac.
- Scott Streiner: 31:28 Right.
- Trevor: 31:33 If all of a sudden the weather destination goes down to where we taxi back to the terminal and say, we'll go back inside of coffee and wait it out. We always have snacks and water and stuff on board. If it turns into a couple hour delay and it's kind of getting close to noon we'll phone Jules Diner and they'll come out with half a dozen pizzas or whatever. That's sort of ... Yeah.
- Scott Streiner: 32:06 And then if it drags out even longer you might just say, "GO home."
- Trevor: 32:10 Yeah. If home is an option for where we happen to be.
- Scott Streiner: 32:18 Just to come to the accommodation part, what if it isn't? What if you've got a traveler who doesn't have a home to go back to? If you are in a place with two bed and breakfasts. What actually happens in those scenarios?
- Trevor: 32:30 They'll get a bed and breakfast. Or, we'll say, "You can camp out at my house." The station manager says, "Oh, well I've got a spare bed."
- Scott Streiner: 32:44 Yeah. So much more informal and personal because it's ...

Trevor: 32:50 It's kind of like the Newfoundland approach ...

Scott Streiner: 32:53 We were actually making the comparison today between the north and that being the same. And then in terms of mechanical delays or mechanical malfunctions. You sort of alluded to this a bit in your comments. Metaphorically, if there were evidence a carrier had not carried out a proper maintenance program ... Our assumption is they will and our transport will always exercise oversight. Let's say there's a claim of mechanical malfunction. The carrier says, "This is not compensatory. This falls into category two." Then some passenger is particularly tenacious and are able to demonstrate that a proper maintenance program would have prevented.

I ask this because this is a question that is often raised by consumer rights people. Do you think that the airline in a circumstance like that should still get the benefit of the doubt? And that should be treated as a category two incident within the control but due to safety? Or do you think that if there's evidence that they didn't deal with foreseeable mechanical issues that in a way it should have been bumped to something that is within their control? Not that your members would ever fall victim to this circumstance.

Trevor: 34:17 Hmm. Put a different spin on that maybe. If it's a mechanical delay because one of our agents backed into the airplane with the baggage cart, then that's mechanical delay but it's sort of something we created.

Scott Streiner: 34:38 You did.

Trevor: 34:38 Right. So the passenger who says, "Well, I don't think the airplane is maintained properly and therefor it broke down, and now we're delayed" truly that's a tough one. But, all of a sudden that becomes a TC issue.

Scott Streiner: 35:01 And we do want to be careful [inaudible 00:35:02], right? We won't put you on the spot. You can take the fifth on this one for now. You should just be aware. Airlines should be aware that this issue is coming up regularly from consumer rights' organizations who say, "well, the mechanical malfunction can't be such a blanket exemption that it would relieve airlines from their responsibility to compensate if they were clearly negligent around foreseeable issues."

Trevor: 35:33 Yeah.

Scott Streiner: 35:34 So something to think about.

Trevor: 35:35 I think there may need to be a mechanism where the CT can then sort of communicate with transport and say, "How has this company's last few audits done?" Is this a pie in the sky, complaint? Or is there some ...

Scott Streiner: 35:55 Yeah, what we won't do, just to be clear, is we're not going to get into the business [inaudible 00:36:03]. We've got colleagues who do that. Just a question of dealing with the alleged.

Trevor: 36:08 The other thing that comes to mind as you were talking and as I was sort of responding to that was, does the carrier become innocent until proven guilty or guilty until proven innocent? I think maybe in that scenario they may need to be innocent until proven guilty. And there may be an onwness on CT and/or transport to prove the guilt.

Scott Streiner: 36:34 So take record of the complaint.

Trevor: 36:34 Right.

Scott Streiner: 36:39 That reminds me that I need to head off to the airport so that I don't miss my flight. Are you able to stay for a few more minutes if Trevor wants to keep chatting?

Liz Barker: 36:48 Of course.

Scott Streiner: 36:49 Trevor, I'm sorry that I have to bail in the middle. But, I appreciate you coming. Thank you. So you're coming down to the board meeting?

Trevor: 36:55 Yep, I'll be there for this one.

Scott Streiner: 36:59 I may see you there. Let's stay in touch. And if you have anything else to offer in the way of input, I know that you said NATA is going to be presenting, but we're trying to keep the lines of communication open. Feel free to reach out to our organization as well.

Trevor: 37:09 All right. Sounds good.

Scott Streiner: 37:15 Thank you. [crosstalk 00:37:17] I'll see the rest of you in Winnipeg.

Liz Barker: 37:20 Yeah, I'm hoping that [inaudible 00:37:23]

Trevor: 37:20 Sure, okay.

Liz Barker: 37:22 That would be helpful.

Trevor: 37:30 Okay, I'll draft something up.

Liz Barker: 37:31 Okay. Yeah, it's just apparent that the northern experience is very different than some other experience.

Trevor: 37:31 Yeah.

Liz Barker: 37:37 I'm trying to think if there's anything else that we counted on today. The languages. Scott mentioned that we had a woman here today that was speaking to the language barriers. She was point of course to the example of First Air. Asking whether it would be appropriate to require recordings of standard safety messaging and things like that be made available to people who don't speak either English or French.

Trevor: 38:19 Yeah.

Liz Barker: 38:20 What's your experience?

Trevor: 38:25 I feel a bit hypocritical when in our own passenger lounge ... We don't board our passengers to their ... They have their own facility. We have signs in French. I almost feel guilty or whatever about even doing that. We're catering to a group that doesn't exist ... People come speaking Slavey, Chipwa, Creed. There's so many different dialects in this region. It's even more so in the eastern arch. Depending on what community you're from there's different dialects.

Liz Barker: 38:25 Yes.

Trevor: 39:26 I'm not fluent in it myself. Even some of the language that we would use on the standard safety briefing, there may not actually be words for in certain languages.

Liz Barker: 39:39 Mm-hmm (affirmative).

Trevor: 39:41 You'll actually notice that if you're talking to a native person or listening to even a CBC North program.

Liz Barker: 39:50 Right.

Trevor: 39:51 They'll be talking in Niptuk and every once in a while you'll hear an English word because that's the only word for it. There is no translation for it.

Liz Barker: 40:04 Yeah. She was suggesting that she was recognizing that there are different languages and different dialects. And suggesting a recording that had a number of languages. She was saying there were five dialects of the official language of the territory.

Trevor: 40:04 Mm-hmm (affirmative).

Liz Barker: 40:24 So, a few others. So have recordings of those. Maybe a tablet on each air craft so that a person ... They were also speaking about the difficulty with medivac flights with people that don't speak English. And don't travel with translators.

Trevor: 40:41 Yeah. Yeah, if we had those cases, the medical travel system will book their flight and they're actually fairly good in the territories ... I can't speak for none of it, but whether or not the patient needs an escort for mobility purposes, they need help up and down or whatever. If they also, an elder, does not speak English, Medical Travel will book them an escort for that reason.

Liz Barker: 41:19 Right.

Trevor: 41:19 But of course, that adds extreme cost to the medical system.

Liz Barker: 41:21 Mm-hmm (affirmative).

Trevor: 41:24 When you've got to start booking twice as many tickets as they need.

Liz Barker: 41:25 Yeah. Maybe back to the question of flight delays and impact down the line where your attendant may be flying someone to make a connection with another carrier. What I'm understanding is that most of the connecting flights ... It's not like in southern Canada where it's often operated under an underline agreement or co-chair. There actually are separate flights.

Trevor: 41:57 Yeah.

Liz Barker: 41:59 So delay, a weather related delay in the first flight will perhaps cost a missed connection or something like that, where you don't have the same connection. You don't have the course. And protected on the next flight.

Trevor: 42:16 Right.

Liz Barker: 42:17 What's your experience with that?

Trevor: 42:20 We deal with that if we're flying in charter passengers from a mining camp and/ or tourism fishing lodge, canoe, or whatever. In most cases, when we know they've scheduled a Twin Otter to pick them up a cap, they say, "Oh, by the way, we're catching the five o'clock Canadian Earth flight." We can say, "You probably aren't going to get back to the dock in Old Town until four and that's not going to leave a lot of time. Maybe you should ... ". We'll ask them to adjust their charter schedule if we have availability or suggest that they book a different flight.

Liz Barker: 42:20 Right.

Trevor: 43:12 We kind of work with them a bit that way.

Liz Barker: 43:12 Hmm.

Trevor: 43:18 But I have ... Not at Air Tendi, in a former life, I've had a situation ... A few different situations where the lodge owner was told he better try and get an earlier departure on the pick up flight because it's going to be tight getting your people back in town in time. He says, "Oh, no it's fine. Whatever." And then all of a sudden we arrive here with the passengers while the lodge owner, who actually booked the charter, is enjoying his dinner and evening beer on the dock at the lodge. And we're dealing with irate customers because they can't get cabs. yeah, I mean, it's a tough situation to be in. We just do our best we can. Our pilots hustle. If we know they're going to be tight we get the dock hands on the block with a couple trucks. We hustle them back to the airport as quick as we can. There's been a few cases where either they got on but the bags didn't make it or whatever. Of course we get the complaint after but we kind of shuffle that off back to the lodge owner.

Liz Barker: 43:18 Yeah.

Trevor: 44:41 It's never an easy situation to deal with. There's no real preset answer to that.

Liz Barker: 44:48 Right. But there's more flexibility in the situation it sounds like in terms of ... It's not like you're trying to connect two scheduled flights.

Trevor: 45:00 It's more difficult when they're coming off a float plane, which the dock is on the other side of town and all of a sudden we've got to get them to the airport.

Liz Barker: 45:08 Right.

Trevor: 45:11 If there's weather delays leaving a camp, everybody pretty well is aware that there may be a risk of not catching the connection, connecting flight. Or what we'll do is we'll make arrangement with Powell to ... They'll let us pull up on the main ramp in front of the terminal and take everybody off where we can. The agent for the connecting ... That's flying with them will meet them. Everyone will sort of hustle them through as quick as they can.

Or, if they're going to be ... If it's predetermined that they're going to be late either because they're two hours late leaving here because of weather or whatever, we'll phone First Air. [inaudible 00:46:02] but the other two northern mainland carriers know what life is like. We'll phone the station agent here and say, "Hey, we've got ten guys coming in from Joe's Camp. Can you hold the flight for a few minutes?" Of course they'll say, "yeah, we'll give you til."

Liz Barker: 46:22 Right. That's tough. Okay. Do you have any other questions for us?

Trevor: 46:22 Nope.

Liz Barker: 46:32 No. Okay. [inaudible 00:46:35] is July 11th, is it?

Trevor: 46:32 Correct.

Liz Barker: 46:37 In Montreal?

Trevor: 46:37 Ottawa.

Liz Barker: 46:39 Oh, in Ottawa. Okay.

Trevor:	46:39	Yeah, but the First Air Hanger board.
Liz Barker:	46:42	Okay, perfect. I have no further questions. So thanks for coming in today.
Trevor:	46:50	No worries. Thanks.
Liz Barker:	47:06	Okay, good. Thanks very much. [crosstalk 00:47:08]