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Canadian Transportation Agency (CTA)
Ottawa, ON
K1A 0N9

Re: Consultation on the *Accessible Transportation for Persons with Disabilities Regulations* (ATPDR)

We are writing to you as the elected representatives of the Air Canada Component of CUPE in response to the *Accessible Transportation for Persons with Disabilities Regulations* (ATPDR). We represent approximately 10,000 flight attendants across the nation. We are the largest flight attendant union in Canada. Our members work diligently to ensure the health and safety of passengers onboard Canadian aircraft. Accordingly, we have a unique and specific interest in any potential requirements for transportation providers with respect to emotional support animals (ESAs) and service animals.

At present, the ATPDR require transportation providers in all modes to accept service dogs and permit them to accompany persons with disabilities. Our union categorically supports the use of trained service dogs to facilitate travel for our passengers with disabilities. The reasons for this are twofold. First, our members are very supportive of passengers with disabilities and their right to travel safely. Second, despite some effects on their working conditions, our members understand and highly value the training service dogs undergo in order to be qualified to assist persons with disabilities.

These considerations are at the crux of our union's position on the ATPDR. Like our American colleagues at the Association of Flight-Attendants-CWA (AFA), we support measures that ensure people with disabilities can continue using their service animals. We also support measures which ensure that unqualified and potentially dangerous animals are not accepted for transport. As they work as safety professionals, this is of chief importance to our members.

In preparation for providing the union's comments on the proposed regulations, we engaged our members in a consultative survey, so as to learn from their experiences with animals onboard. Of particular interest to the union was the rate of animal and insect allergies of our members (42% of respondents) and the proportion of members concerned about working with animals onboard (66% of respondents). It is important to note that members with allergies carry a unique burden in that flight

attendants are restricted from taking medications that cause impairment, which is true of many allergy medications.

Our members shared a variety of factors that make working with animals challenging, including but not limited to allergies, asthma, phobias, religious considerations, and sanitation/health concerns. In general, safety was paramount in member feedback.

Despite these concerns, our members were consistent in their support for the presence of trained service animals in order to facilitate the safe travel of passengers with disabilities. Our members are proud to champion inclusive travel conditions that put the health and safety of all passengers and crew at the forefront.

Our members also shared with us some experiences with ESAs specifically. Of particular note and concern to the union were examples of dogs large enough to impede passenger safety, animals roaming about aircraft, passenger stress and medical issues resulting from untrained animals, and even episodes of flight attendants being bitten on duty. The union takes these concerns very seriously and urges the CTA to do the same as it carries out its consultation.

The union also consulted the hardworking members of our Health & Safety Committee. The Committee shared a number of concerns and issues for your consideration in relation to ESAs, including but not limited to the following:

- Differentiation between service animals and ESAs. Our busy members already perform duties on the ground in addition to their flying duties, and we are concerned about further expectations relating to verifying and accommodating ESAs.
- Large animals may encroach on the space of other passengers or even create safety hazards.
- Untrained animals may relieve themselves on the aircraft.
- Animal carriers may not fit under seats.

In the consultation paper, comments were solicited on several specific issues relating to service animals and ESAs. The following are our responses, informed by the above-noted consultations with our membership.

Emotional Support Animals

The first questions posed in the consultation paper relate to whether transportation providers ought to accept ESAs, and whether conditions, if any, should apply to their acceptance. The union's position is that transportation providers should not be required to accept any ESAs under any conditions.

Our members expressed serious concerns about working in very close proximity to untrained, untested animals. Their concerns were for their colleagues and the passengers whose safety it is their job to protect and ensure.

Many of our members have had personal experiences with ESAs, as opposed to trained service animals. While our members have concern and empathy for passengers who feel more comfortable with ESAs, they also care about the safety and security of the other passengers onboard, as well as their colleagues. Our members consistently referred to the importance of training and certification for any animals onboard, so as to ensure the safety and security of the aircraft.

The consultation paper also posed questions about requiring certain species/animal types or criteria-based approaches to ESAs. The union's position is that only trained service animals ought to be accepted into our members' workplaces. However, if ESAs are to be permitted, it is the union's alternative position that they ought to be certified, restricted to dogs only, and that they be under a certain weight threshold (e.g., 20 lbs). Under no circumstances should other species, including but not limited to snakes and insects, be accepted by transportation providers.

Types of Transportation Providers

The union takes no position on the question of requirements for other types and/or sizes of transportation providers. We trust in the knowledge and experience of workers in those environments and defer to their expertise and judgment in regard to their own working conditions.

Number of Service Dogs and/or ESAs

The consultation paper remarks on the American context wherein airlines are not penalized for refusing to transport more than three service animals for one traveller, including ESAs. The union supports this approach. It is our view that a person with a disability should be limited to a single service animal.

Documentation and Notice Requirements

The proposed regulations would require that a person with a disability provide documentation for their service animal that is issued by a service dog training specialist. This documentation would require the identification of the person with a disability and attest to the training of the dog in relation to the person's disability needs. The union is supportive of this approach.

The union supports specific requirements including (1) confirmation from a certified treating health care practitioner that the person has a disability and requires the service animal to travel for medical reasons, and (2) confirmation that the animal will not bark, growl, or act aggressively and has been vaccinated. If ESAs are to be accepted, the union's position is that the foregoing standards ought to apply.

The proposed regulations would also require that notice of a service dog be provided at a minimum of 48 hours prior to departure. The union agrees with this minimum. Further, it is the union's position that a maximum of two service dogs be permitted per aircraft. If ESAs are to be accepted, the union's position is that 96 hours be the minimum notice period, in order for sufficient time to verify documentation and other requirements.

Physical Requirements for ESAs

If ESAs are to be accepted, the union's position is that they should be enclosed within a travel carrier.

Types of Service Animals

The union's position is that service animals should be limited to service dogs. However, the union is open to further consultation on the inclusion of service cats, if they follow the same kinds of training and provide the same kinds of assistance to persons with disabilities as do service dogs.

Recommendations

In addition to the foregoing comments, the union has several recommendations should the CTA require transportation providers to allow ESAs. In order to at least partially mitigate the serious concerns raised by our members with this possibility in mind, we suggest the following:

- Require airlines to develop specific policies and procedures, as well as training for all staff, in order to address non-compliant behaviour by animals, including violence and/or attacks.
- Require airlines to develop informational tools to provide to cabin personnel relaying the airline's rules about non-compliant animals, as well as standardized documentation specifying the category of each animal in the cabin.
- Require that airlines develop policies and procedures that ensure that cabin personnel are notified in a timely manner so that they may avoid duties with animals with which they cannot work.

Finally, as the CTA will undoubtedly be aware, the work and duties of our members have only increased in recent years. As our talented colleagues continue to prioritize safety whilst balancing increasing service levels, busier cabins, and higher numbers of travellers, we grow more concerned about their working conditions, including their physical working environments.

Thank you for your consideration of these comments. We look forward to the opportunity to assist the CTA with its deliberations on these issues that are of particular significance to flight attendants, and we are keen to participate in further discussion.

Sincerely,



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