

Submitted by email to the Canadian Transportation Agency

Name: Joint submission - Canadian Council of the Blind (CCB), Alliance for the Equality of Blind Canadians (AEBC), National Coalition of People who use Guide and Service Dogs (HOOH), Guide Dog Users of Canada (GDUC), La Confédération des organismes de personnes handicapées du Québec (COPHAN), Council of Canadians with Disabilities (CCD), Canadian Association of the Deaf, Association des Sourds du Canada (CAD-ASC)

Subject: Open Letter: Transportation Financial Support Package Must Include Funds Earmarked for Accessibility

April 26, 2021

To Whom It May Concern:

RE: Cas(e) No. 20-09256

Thank you for giving us the opportunity to provide a submission on the relevance of financial assistance to the Federally regulated Transportation Entities (FRTE) and their requests for temporary exemptions from certain provisions of the Accessible Transportation for Persons with Disabilities Regulation (ATPDR). We believe the discussions and decisions must centre on ensuring the Accessible Transportation for People with Disabilities Regulations are implemented immediately and not be on ways to delay and undermine them. We the undersigned organizations offer the following submissions:

1. As stated in our previous submissions, we fervently object to any exemptions, extensions or work arounds regarding the responsibility of FRTE to implement the ATPDR. Accessible transportation for persons with disabilities is not a new or novel issue. It has been the subject of much discussion and proposals with both the federal government and the Federal Transportation network including air, land and sea carriers, airports, terminals, security for many years. We therefore assume that much of the accessibility work required by these entities is well underway.

2. Our review of the submissions provided by certain air, land carriers, airports and terminals imply that their financial well-being has been significantly undermined by COVID-19. We understand and acknowledge that COVID-19 has presented extraordinary difficulties and

challenges for businesses. However, given that compliance with this Regulation has been under discussion for some time now, we do not understand why at the last minute FRTE are unable to meet their obligations.

3. To date, these submissions by air carriers, airports etc, have not provided clear, objective and quantifiable evidence as to why they are unable to comply with the ATPDR. Providing such concrete evidence is required by human rights law. If these entities wish to claim undue hardship, they must do more than offer impressionistic assumptions. They must demonstrate that compliance would impose a serious risk to health and safety or is impossibly costly. No such evidence has been substantiated.

4. We are aware that the federal government has awarded or is about to award a financial support package to certain airlines. If airlines persist in claiming undue hardship, we contend that the value of this financial support package must be taken into account when determining the legitimacy of this assertion.

5. We further contend that given the importance of accessible transportation for persons with disabilities, that the federal government impose a requirement on the FRTE, including airlines and airports that a portion of any support package be dedicated to complying with and implementing the ATPDR. In our opinion, bailing out the Transportation Industry without ensuring that it fulfills its regulatory obligations and reframes from discriminating against persons with disabilities, would be an unethical use of government funds and a blatant disregard for human rights law.

6. If the government agrees to the entities request for an exemption or extension, we request that specific, short-term non-negotiable timelines for complying with the ATPDR be imposed as a component of the support package.

7. The Federal Government has committed to an inclusive and accessible Federal Transportation System that includes people with disabilities by developing and approving the

Regulations. The Government must also commit to ensuring there are no further delays and provide any financial supports necessary to ensure the ATPDR is fully implemented as stated in the regulations and do this immediately.

Thank you for considering our submission including the attachment of the Open Letter we wrote, which we would like as part of the official record for consideration. We would be pleased to provide further information if required.

Kind regards,

Louise Gillis, President, Canadian Council of the Blind, CCB

Jim Tokos, Vice President, Canadian Council of the Blind, CCB

Corry Stuive, Alliance for the Equality of Blind Canadians, AEBC

Yvonne Peters, and Janet Hunt, National Coalition of People who use Guide and Service Dogs, HOOH

Brian Moore, Guide Dog Users of Canada, GDUC

Jerome Plante, La Confédération des organismes de personnes handicapées du Québec, COPHAN

Heather Walkus, First Vice Chair, Council of Canadians with Disabilities, CCD

Jim Roots, Executive Director, Canadian Association of the Deaf, Association des Sourds du Canada, CAD-ASC