



February 28, 2020

Marcia Jones
Chief Strategy Officer
Canadian Transportation Agency
15 Eddy Street
Gatineau, PQ

Subject: Northern Air Transport Association (NATA) Response to CTA Modernization Initiative- Phase 2- Accessible Transportation of Passengers with Disabilities rules.

Dear Marcia;

Thank you very much for the efforts to engage the Northern Air Transport Association on this very important, and sensitive issue of Accessible Transportation of Persons with Disabilities.

In preparing this response I reviewed the input NATA had provided on the issues of passenger protection and accessibility to the Phase One rule making consultation. Many of the concerns raised in that letter have not been addressed, as well as questions asked that remain unanswered.

Reviewing the Phase 2 consultation report and questionnaire, the recognition of the extra challenges for operators of smaller aircraft, and especially those involved in providing services to northern and remote communities to be able to accommodate all passenger's needs was important. However, there did not seem to be any formal difference in the proposed rules. The "one size fits all" rule making continues to be a concern to northern operators

The discussions regarding "Emotional Support Animals" was particularly concerning because of the lack of analysis of the issue, including discussions with other stakeholders such as the airport operators and CATSA. The words in the proposed rules are very prescriptive "obligating" the air carrier to make decisions without proper referenced standards. There is already much work yet to be done for properly certified support animals to be humanely accommodated. The lack of airside relief areas for service animals is not acceptable. The standard attained by American airports should be established soonest. Perhaps a "ESA working group" could be useful to begin reviewing and cataloguing what could be acceptable in the close confines of an aircraft.

The consultation guidelines with comments to questions raised was sent to the NATA Board of Directors. Members were encouraged to submit their own responses, especially to the request for cost analysis, because there is a cost to administer the gathering of the required data. It is another request for data from yet another government agency that is stressing the resources of air carriers to comply.

In closing the consultation questionnaire asked what would be a realistic timeframe for any new rules to be implemented? NATA urges the agency to take the time necessary to properly analyze the impact of new rules that have been promulgated before moving forward with more rules. As NATA suggested in its letter dated August 22, 2017, we support an awareness and training campaign, with allowances in the rules for regional flexibility, and we still do believe that is a better approach to improving overall society system safety with understanding and hopefully accommodation for any passengers special needs.

NATA 44, the Northern and Remote Aviation Conference is taking place in Whitehorse, April 27-29, 2020. This would be a timely opportunity the CTA to engage with the aviation industry on this important and very sensitive issue.

Sincerely



Glenn Priestley
Executive Director





August 22, 2017

Mary-Jane Gravelle
Director, Centre of Expertise for Accessible Transportation
Canadian Transportation Agency
Government of Canada

mary-jane.gravelle@cta-otc.gc.ca

Subject: Northern Air Transport Association (NATA) Response to CTA Modernization Initiative- Phase 1- Accessibility Issues

Dear Ms. Gravelle;

NATA membership is representative of all aspects of northern air operations including scheduled passenger service, mainline cargo carriers, small operators, helicopters and specialized operations. The daily lift of people and cargo including providing persons with special needs equivalent levels of service requires ongoing management of all the associated risks to attain acceptable levels of safety as well as meeting the applicable legal requirements.

Our members are committed to operating to the highest standards as long as the requirements make sense. Many of NATA operator members use aircraft with less than 29 seats for many different flight missions as well as “combi” aircraft that for many reasons it is not possible to be able to accommodate all payloads including people with special needs in certain circumstances.

NATA is proud to be a member of the CTA Accessibility Committee and the discussions and comments from the passengers with special needs at the recent meeting were very important to hear.

Please find following a detailed response to CTA Regulatory Modernization Initiative – Preliminary Draft Provisions for Air Carriers regarding Accessibility Issues based on input from NATA members.

NATA believes the Guidelines and web based tools the CTA has developed to assist operators in developing their policies and procedures are useful.

NATA does not believe there is a need for any increased oversight or requirement for document approval. There has been no evidence offered by the agency that there is any trending towards non-compliance of existing standards or guidelines.

NATA does not support the proposed rule of air carriers having to providing a “free” seats to attendants of passengers with special needs. This is a very special and unique issue that we agree customer service agents need training to manage with respect and dignity to reach a satisfactory solution to all passenger needs on an individual basis. This should not be a mandatory rule. As one operator reports; “without sounding churlish, there is no such thing as a free ride, this is in fact a tax on the passengers as fares will have to cover the cost.”

It is important to point out again in the north there is substantial use of “combi” aircraft, that is a reduced passenger capability for greater cargo capability. There are numerous examples where this rule of providing free transportation is just not possible. In a south to north trans border connecting journey, a passenger with special needs such as an attendant may be delayed due to seat and aircraft size capabilities. That is why a one size fits all” approach to any rule making in Canadian aviation does not work.

During the latest accessibility meeting, there was considerable discussion on training. There was a general use of the term "Training" with different assumptions as to what it meant. First question that needs to be answered is what is the training for- basic awareness and sensitivity training, or training to a competency to perform a skill or service? There was also considerable discussion on time frame for required recurrent training. NATA does not believe there should be any time requirement for a competency based skill and knowledge requirement, nor should there be any new rules requiring submission and approval of any training programs to any national standard. Company’s need to design their own training programs and insure employees have the skills and resources to manage satisfactorily the passenger travelling experience. It is the air carrier that best determines the employee skills development and to what standard. The agency’s establishment of guidelines and a resource centre is the help required, not submission of programs for approval with the commensurate follow up audits.

Please note the membership is very concerned on the Agency’s plan to be involved in the approval process of an operator’s purchase of an aircraft. There is already an extensive approval process required by Transport Canada. In the purchase of used aircraft, the CTA approval could force operators to install equipment that may require the development of specific engineering approvals called Special Type Certificates that the cost and effort would defeat the advantage of upgrading the fleet.

There are costs associated with the CTA proposed new rules that have not been adequately calculated. For instance, the requirements listed for website format will require considerable redesign and costs that maybe unnecessary.

Thank you for including Northern air operators in this important discussion and listening to our concerns. Again, thank you for an excellent meeting - it was important to hear the experiences of the travellers with special needs and we look forward to on going participation at this important committee.

In closing, NATA’s 42nd Conference on Northern Aviation takes place in Whitehorse on April 23-27, 2018, it would be useful for the CTA to provide a presentation on the CTA Modernization Plan developments at that time.

Regards



Glenn Priestley
Executive Director