



Accessible Transportation Regulatory Modernization Initiative Discussion Paper

Submitted to the Canadian Transportation Agency

by

Donald P. Barnes, Vice President, Customer Experience

Marine Atlantic Inc.

October 12, 2016



Marine Atlantic
Marine Atlantique

Canada

ABOUT MARINE ATLANTIC

Headquartered in St. John's, NL, Marine Atlantic Incorporated (MAI) is a passenger and commercial ferry service operating between the Canadian provinces of Newfoundland and Labrador (NL) and Nova Scotia (NS). The Corporation provides ferry services on two routes: a year-round 96 nautical mile daily ferry service between Port aux Basques, NL, and North Sydney, NS, and a seasonal 280 nautical mile ferry service between Argentia, NL, and North Sydney, NS.

To fulfill its mandate, Marine Atlantic operates a fleet of four ice-class ferries: the MV *Blue Puttees*, MV *Highlanders*, MV *Atlantic Vision* and MV *Leif Ericson*. As a hybrid service, the Corporation must meet the needs of shipping large volumes of freight and offering modern passenger services and amenities.

As a federal Crown Corporation, Marine Atlantic reports annually to the Government of Canada through the Minister of Transport. This service is vital to connect the Province of Newfoundland and Labrador with mainland Canada and is a fundamental component of the Atlantic Canadian economy – particularly in Newfoundland and Labrador – as it transports goods such as food, medical supplies, and retail products, as well as people including both resident travellers and tourists.

CURRENT INITIATIVES FOR PERSONS WITH DISABILITIES

Marine Atlantic welcomes any initiative that serves to continuously improve the travel experiences of passengers with disabilities on the ferry service. From placing vehicles with passengers who have limited mobility near elevators to providing advance boarding to passengers with autism to ensure a calmer and less stressful boarding experience, or offering spacious cabins with roll-in showers and hospital beds for passengers, the team at Marine Atlantic strives to offer quality, professional, flexible service to all passengers at all stages of their journey.

The Corporation has invested, and continues to invest, significant time and resources in training employees on providing courteous and professional service to passengers with disabilities along all points of their journey. All new hires, regardless of job role, undergo a full day of training on serving and interacting respectfully and appropriately with persons with disabilities. Videos and training materials provided by the Canadian Transportation Agency are key tools used to deliver this training and guest speakers from the persons with disabilities community are invited to attend these sessions and speak directly to new staff members. Additionally, tactile materials such as wheelchairs, glasses that simulate reduced and total vision loss, and reduced hearing and dexterity exercises are incorporated into the training to create empathy and understanding of the challenges faced

by persons with disabilities in their travel experiences. Every three years, customer-facing Marine Atlantic employees are required to attend refresher training on this subject.

Marine Atlantic has had an Accessibility Advisory Committee for many years. The committee's mandate has been to educate and act in an advisory role to facilitate the MAI team in meeting the Corporation's mission of providing a safe, environmentally responsible and quality ferry service between the Island of Newfoundland and the Province of Nova Scotia in a courteous manner to all customers, regardless of accessibility challenges they may face. Representation on the committee has traditionally been comprised of individuals from the blind, autistic, deaf and hard of hearing, seniors, and reduced mobility communities. Over the years, the committee has provided invaluable advice and insight to the Corporation as relates to the accessibility of shore and vessel-based facilities as well as the training of new staff on serving travellers with disabilities. In the past, committee members have also been called upon to carry out accessibility audits of terminals and vessels to highlight successes and educate the Corporation on opportunities for improvement in its service delivery.

Over the past several years, Marine Atlantic has recognized that the travel needs and expectations of its customers have evolved and is now more diverse from a culture, background and travel experience perspective than ever before. Customers expect more from travel service providers and are willing to discuss and request the accommodations they require when travelling. As a result, work is currently underway to broaden the scope of Marine Atlantic's Accessibility and Inclusion Advisory Committee to be more reflective of MAI's current customer base.

OPPORTUNITIES AND CONCERNS

OPEN COMMUNICATION AND DIALOGUE

Marine Atlantic has enjoyed great success and has received many accolades over the years in accommodating persons with disabilities on the ferry service. It has taken its obligations under accessible legislation and codes of practice very seriously and appreciates the flexibility afforded under the codes in being able to have open and productive dialogue with those passengers with disabilities. Education and engagement have been the Corporation's first response in its service delivery to customers requiring special accommodation when travelling on the ferry service. Employees at all points of a customer's journey are well-versed in the Corporation's processes for serving persons with disabilities, and as previously noted, extensive time and resources are invested to ensure they are trained and equipped to serve these customers.

This current practice has worked well for Marine Atlantic and putting more formalized regulations around service delivery will potentially restrict the ability of service providers, including Marine

Atlantic, to afford their employees the autonomy and independence needed to provide innovative solutions to customers requiring them, especially those with disabilities. A key contributor to Marine Atlantic's success in this area has been the ability to engage in open communication and dialogue with our customers and employees. Flexibility offers passengers control of their travel experience. Marine Atlantic's commitment and ability to offer continued flexibility will be important to passengers moving forward.

CANADIAN STANDARDS ASSOCIATION (CSA) CODES & MANUFACTURE OF ASSISTIVE DEVICES

Marine Atlantic operates in the North Atlantic ocean where weather and ice conditions can be variable and volatile. The ice-class passenger and freight ferries required to safely and comfortably transport passengers are not available 'off the shelf' and the Corporation has faced significant challenges when trying to modify existing vessels to meet the needs of the service. Whether a new ferry is constructed or existing ferry modified, the time span from first consideration to when it is introduced to the service can be 3 years or more. And, once a ferry joins the service, its lifespan is normally up to 30 years. In considering changes to CSA's Accessible Design for the Built Environment code, the Canadian Transportation Agency needs to be cognizant of the constraint of the ability to make modifications to existing infrastructure to meet future changes in regulations, especially when it comes to older, longer-serving assets.

When it comes to standards administered by the Canadian Standards Association, there needs to be a mechanism to ensure that changes to standards are communicated to industry well in advance and that industry is made aware that changes are coming so that future capital acquisitions for major infrastructure such as ferries can take these requirements into account.

Whatever changes are proposed in the shore-built and vessel-built environments around accessibility code and regulations, regulating and rule-making bodies such as the Canadian Standards Association, National Building Code of Canada, Transport Canada, Public Health Agency of Canada and provincial building code regulators, as well as operators need to work in concert with each other to ensure that the rules make sense across transportation groups and across the infrastructure they operate, namely: ferry terminals and ferries; train stations and trains; airport terminals and airplanes. The rules and code for one regulator need to make sense when trying to meet the requirements of another.

When it comes to the installation of required assistive devices at terminal facilities and on board ferry vessels, accessibility equipment should be type-approved, similar to the standards that currently exist in the marine industry. Life jackets, for example, are type-approved on behalf of Transport Canada by a classification society. There are numerous types of life jackets for different modes of marine travel on the market. The classification society carries out testing and confirms which models of life jackets meet Transport Canada requirements. Vessel operators can then choose the life jackets they provide to passengers from an approved list. This would be helpful when a transportation

provider/operator decides to purchase assistive equipment and devices for various modes of transportation. Type-approval would provide the assurance that the equipment meets the standards requirements of the Canadian Transportation Agency and serve to standardize equipment used across industries.

Additionally, manufacturers of assistive devices such as wheelchairs need to know the constraints that certain providers may face and ensure they are providing supports and devices that can be transported. With the proliferation of scooters and the response to customer feedback by manufacturers, they are becoming larger and wider; however, in some cases vessel entrances are limited in width, thereby rendering some areas inaccessible. Regulators and rule-setters need to understand where companies that supply persons in communities with disabilities are headed in terms of manufacturing and design. Communication needs to be consultative, open, and timely so that transportation operators can plan for the future.

INVISIBLE DISABILITIES

One of the current challenges Marine Atlantic faces in serving persons with disabilities is assisting those passengers requesting accommodation for service/comfort animals, so that they can accompany their owners and not be restrained during travel. More and more passengers are presenting service animal certifications from on-line 'certification' providers that will issue service animal documentation for a fee without receiving confirmation that the animal has been trained to provide disability-related service. This poses a serious safety concern to both passengers and crew on the ferry service, as these animals are not trained to provide service to persons with disabilities. Often, these animals may not have received behaviour or obedience training to be around the general public. It is disconcerting that there are no clear regulations or lists of legitimate service animal training providers available to guide the transportation industry on understanding which organizations are indeed legitimate and equipped to issue certification documents.

The Government of Canada has completed extensive work on the subject of medical marijuana and has extensive informational resources readily available online. Having this information available allows transportation providers to vet and validate accommodation requests for passengers personally transporting and using medical marijuana in Canada. Making similar information available regarding service animals would be a valuable asset for transportation service providers as well. Setting clearer regulations, facilitating a process for reporting fraudulent certifying organizations, and providing a list of certified service animal training organizations is viewed by Marine Atlantic as a significant opportunity for improving service to persons with disabilities. This initiative should be spearheaded by the Canadian Transportation Agency. Those individuals who legitimately require

service animal assistance would continue to receive it, and ultimately, the safety of all passengers would be better assured.

EMPLOYEE TRAINING

Marine Atlantic provides training for the service of persons with disabilities using materials provided by the Canadian Transportation Agency. It covers in detail the various types of disabilities that our passengers may have, but does not show how to accommodate these in the context of different modes of travel. The information provided is fairly general and broad. To ensure consistency and standardization of training that is required in current legislation, the Canadian Transportation Agency should consider developing the training resources to be used to ensure that training is standardized across all providers and across all modes of transportation. The training could be better-tailored and offer more relevance by providing information in the context of each mode of transportation (rail, air, ferry).

Tourism HR Canada, through its Emerit certification programs, provide an excellent example of how standardization of training currently works within the hospitality industry. Whether you work in a restaurant in St. John's, NL, or Vancouver, BC, the training and certification servers would receive through Emerit is uniform and thereby recognized across the country. Consideration of providing similar standardized training materials for the transportation providers who serve persons with disabilities would also be a valuable asset.

ACCESSIBILITY AUDITS

In an effort to continuously improve, both announced and unannounced accessibility audits should be carried out with more frequency to ensure that codes of practice and regulations are being followed. In the past, Marine Atlantic has initiated its own audits using members of the Accessibility Advisory Committee to support this work. These audits should be delegated to an independent, registered and recognized organization to conduct. The expected standards and desired outcomes of these audits should be guided by the Canadian Transportation Agency and a structure to guide these organizations on how to effectively audit and communicate to transportation providers in each of air, ferry and rail, formalized.

CONCLUSION

Marine Atlantic sees the role of the Canadian Transportation Agency in accessible transportation as the conduit that brings the transportation and manufacturing industries, regulating bodies and the community of persons with disabilities together to discuss areas of mutual interest and concern.

The Agency should be the leader in encouraging dialogue that allows the transportation service providers to improve while managing the expectations of travellers. It should be the communicator of trends in the transportation industry when it comes to accessible transportation. It should continue to stay informed on the needs of persons with disabilities travelling within Canada and continue to provide support and guidance to transportation providers and travellers who need support and accommodation when travelling.

Marine Atlantic understands that the role of ensuring code and regulations are met falls to the Canadian Transportation Agency. The Canadian Transportation Agency needs to fully understand the impacts any proposed changes to the codes of practice and legislation will have on those industries that serve the community of persons with disabilities, including the transportation and manufacturing industries, while being cognizant of the changing travel needs of persons with disabilities. Marine Atlantic would like to see increased dialogue, a change in the current process on accessibility audits performed by the Canadian Transportation Agency and greater guidance on service/comfort animals. With greater focus in these areas, the codes of practice currently in place can be revised so as to work well for both travellers and operators.

Marine Atlantic is a strong supporter of inclusion and ensuring that barriers facing persons with disabilities are removed in all aspects of its service. We would be pleased to provide any additional support or input to the Canadian Transportation Agency to strengthen the travel experience of persons with disabilities and look forward to our mutual work of offering customers an accessible and enjoyable travel experience.