

RHYME NOR REASON

In this post-pandemic period, Canada's aviation industry has been struck by another curse that is causing great havoc on the sector's recovery efforts. That is Transport Canada's unwillingness to venture out of Tower C to discover first-hand the impact of some of its regulations, the poor state of the department's level of service, and the inability to see reason in industry's request for regulatory reprieve in these times of dire human resources shortages.

The timing of some compliance deadlines and the refusal to allow tolerances to facilitate a smooth and workable implementation timeline is unacceptable given the many challenges facing industry. We rely on the Minister to challenge his department and impose a new approach, not one where the industry's plea for tolerance or temporary reprieve is seen as an obstruction or as a disguised refusal to comply.

FLIGHT AND DUTY TIME

ATAC wrote to the Minister in November asking that the implementation deadline for compliance to the new Fatigue Risk Management regulation for the 703 and 704 operators be pushed back by 18 months beyond December 12, 2022, the date originally set by the department. We received a perfunctory response from the department, suggesting the same dismissive attitude unfortunately too often displayed when faced with constructive feedback from operators.

The labour shortage is a huge problem requiring all parties to work together towards a solution. The Government must acknowledge that the very existence of smaller regional carriers is threatened by the challenge of holding on to the few experienced pilots available as the demand far exceeds the supply of available qualified pilots. There could not be any worse timing for imposing regulations that exacerbate the biggest threat that our industry has faced outside the pandemic. To impose a new regulation at this time that requires an overnight increase of 30% of pilots required to offer the same level of service suggests a total disregard for sustained air services to Canada's remote regions.

Once again, we ask that Tower C accept the reality facing our industry and the threat to the continued delivery of service to Canadians, especially in remote regions. Undoubtedly, Transport Canada will blame industry for the cut in service, totally dismissing the role it plays in setting our working environment.

ATAC Operators have given numerous examples of cases where Fatigue Risk Management Regulations need to include a minimal

level of tolerance if they are to be practical, operationally and financially. The suggested Fatigue Risk Management System, the usual Transport Canada go-to answer, has been amply proven to be impractical and impossible to implement except for perhaps Canada's largest carrier.

PASSENGER PROTECTION IS EVERYONE'S RESPONSIBILITY

Minister Alghabra announced in February that he will be tabling legislative and regulatory amendments to the Air Passenger Protection Regulations (APPR). Industry certainly agrees that some amendments are very much needed if requests for compensation are to become user friendly rather than a burden to all stakeholders.

Why is the air transport industry held to standards no other industry or government service is ever expected to meet? What other industry is penalized to such extremes for delay or cancellation of service? The delays for air operators to settle a passenger request for compensation are ridiculously short, especially considering that passenger requests can be filed up to twelve months after the flight. Oddly enough, the CTA allows itself 18 months to manage a request for compensation. Clearly, the Government is holding the commercial air transport industry to levels of service it doesn't begin to hold itself to.

Changes are needed to enhance the accountability and the shared responsibility of all parties dealing with passenger services, not simply the carriers. Amendments need to propose a model where all share in the responsibility, including the passenger, the carriers and all others involved in managing or impacting air travel in Canada, including airports, CATSA, NAV Canada, or ground service providers. Also, amendments to the APPR should aim to make their application simple and practical for both the passenger and the service providers.

It must not be forgotten that the air carriers' number one concern is the safety of passengers. Considering that over 160 million people travel by air annually in Canada, and that in no instances of the Holiday Season disruptions of service cited was the safety of passengers threatened, it could be concluded that this industry did an excellent job in very difficult circumstances.

ATAC and all of industry stand ready to work with the Government to reach a workable consensus that would improve the passenger experience in Canada.