

Amanda Hamelin

From: Scott Streiner
Sent: Monday, March 23, 2020 1:26 PM
To: +_EC
Subject: FW: Letter from Air Canada
Attachments: L_Suspension of APPR and ATPDR.pdf

For discussion during our 2:30 call.

S

From: Nathalie Ozumit
Sent: Monday, March 23, 2020 1:24 PM
To: Scott Streiner
Cc: Minister Marc Garneau (mintc@tc.gc.ca) ; Ferio Pugliese ; David Shapiro
Subject: Letter from Air Canada

SENT ON BEHALF OF DAVID J. SHAPIRO, EXECUTIVE VICE PRESIDENT, INTERNATIONAL & REGULATORY AFFAIRS & CHIEF LEGAL OFFICER

Dear Mr. Streiner,

Please see attached letter.

Kind regards,



Nathalie Ozumit

Adjointe de direction – Bureau du vice-président général – Affaires internationales et réglementaires et chef des Affaires juridiques
Executive Assistant – Office of the Executive Vice President, International and Regulatory Affairs and Chief Legal Officer

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AIR CANADA

David J. Shapiro

Executive Vice President, International & Regulatory Affairs & Chief Legal Officer
Vice-président général, Affaires internationales et réglementaires et chef des affaires juridiques

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March 23, 2020

**Private and Confidential
By E-mail**

Mr. Scott Streiner

Office of the CEO
Canadian Transportation Agency
15 Eddy Street, 17th Floor
Gatineau, Quebec J8X 4B3

RE: Request for Exemption from the *Air Passenger Protection Regulations* ("APPR"), and from the Entry into Force of Certain Provisions of the *Accessible Transportation for Persons with Disabilities Regulations* ("ATPDR")

Dear Mr. Streiner,

I regret that I have to be writing with the degree of urgency that I am to request immediate relief from the ongoing application of APPR, and the imminent entry into force of ATPDR on June 25, 2020, as a result of the devastating impact that the COVID-19 crisis is having on airlines. These concerns were raised during the Agency's technical briefing on March 19th, 2020, and we were invited to put them in writing.

1- UNPRECEDENTED IMPACT ON AIRLINES

As you are well aware, with the world's borders being progressively shut down and a growing proportion of the world's population self-isolating, working from home and practising social distancing, the global airline industry is on the front line and has by and large come to a standstill. The COVID-19 crisis has already had a devastating impact on airline revenues, yet it seems that we may be only in the early stages of the deterioration. Like all airlines, Air Canada has had to implement drastic and unprecedented cost cutting measures, rapidly suspending the majority of its flights, internationally and transborder, and significantly reducing its domestic network as a direct result of the crisis.

2- APPR

Inadequacy of Determination No. A-2020-42

While the Agency's initiative¹ to exempt carriers from certain, specified provisions of APPR is appreciated, it stops well short of what is required to address the magnitude of the crisis we are confronting or to contribute to providing the real and tangible relief that airlines desperately need.

¹ Determination No. A-2020-42 of March 13, 2020.

First, by not clearly and unequivocally recognising that the scope and magnitude of the crisis is deeply affecting virtually *everything*² and that *no* airline operational decision is being made in isolation of it, without regard and responding to it, or without a heavy impact from it, the Agency fails to adequately account for the reality that *all* changes to schedules are measures needed to manage the devastating and overriding impact of the crisis and are a *direct result* of the crisis, as are *all* operational decisions impacting customers. In this environment, which has never been witnessed before and could not have been anticipated, and still cannot be planned for, virtually every operational occurrence addressed by APPR is driven by the crisis and therefore not within carriers' control.

It follows, therefore, that the narrow scope of the exemption (limited as it is to providing relief for situations *within* carriers' control) is equally problematic. Our staff has almost *no* ability to provide alternative travel arrangements, and our Customer Relations team *do not* have the capacity to respond to compensation requests within 30 days³.

In these circumstances, compliance with APPR is not only impractical and unrealistic, but is, for the most part, impossible.

Request

Therefore, pursuant to s. 80 of the Canada Transportation Act ("Act"), we request that the Agency declare a complete suspension of the application of all obligations under APPR until further notice.

If this most sensible measure in these unprecedented circumstances is, for whatever reason, deemed not feasible, we request that the Agency at a minimum:

- Clearly recognize that all delays, cancellations, and denied boarding occurring at this time of crisis are **outside of airlines' control**, with no exceptions;
- Clarify that the uncontrollable nature of the crisis means that no refunds to passengers are required under APPR⁴. While this may be clear to the Agency and in Air Canada's tariffs, it is increasingly evident that it is not clear to the general public. Failure to clarify this will inevitably lead to a sharp and unnecessary increase in complaints and meritless lawsuits;
- Exempt airlines from the obligation to respond to compensation claims within 30 days⁵;
- Exempt airlines from *all* obligations to provide alternate travel arrangements; and
- Ensure that all exemptions ordered by the Agency, including those found in Determination No. A-2020-42, are in effect until such time as the industry has fully recovered, which is, by all accounts, expected to take significantly longer than April 30, 2020, and at the very least, 90 days.

² Surprisingly, the Agency stated that whether "decisions that are influenced by the pandemic, including decisions to cancel and consolidate flights due to dropping passenger volumes (...) are within or outside carrier control would have to be assessed on a case-by-case basis". Given the extent of the pandemic and its impact on the industry, this could potentially result in literally millions of cases for the CTA and small claims courts to assess.

³ As required under section 19(4) APPR.

⁴ While para. 7 of Determination No. A-2020-42 does read that only rebooking obligations apply to situations outside carrier's control, a clear statement that no refunds apply would be extremely helpful in light of the current state of confusion in the public sphere.

⁵ Section 19(4) APPR.

3- ATPDR

Air Canada has deployed its best efforts and made very significant progress over the intervening months to ensure compliance with ATPDR by June 25, 2020 while also managing many other competing regulatory initiatives⁶ and operational urgencies such as the unforeseen and abrupt grounding of the Boeing 737 MAX (which as real and intense as it was, now pales as a crisis in comparison). Air Canada's resources, which have been stretched by these challenges for some time, are now stretched beyond any imaginable limits in managing the present crisis⁷, so that work on necessary ATPDR changes is now, inevitably and definitively severely delayed through no fault of ours. Therefore, we request that the compliance deadlines be suspended (or, otherwise, at least, extended significantly).

Air Canada estimates that it is 95% compliant with the June 25, 2020 requirements. However, the cost and effort needed to comply with the remaining 5% is significant: it includes in-flight entertainment upgrades for systems that are already being phased out in the next few years, as well as training requirements that have such broad impact on front-line staff that costly external consultant support is required.

An essential precursor to adjusting and delivering our training material is the review of a number of policies, procedures and processes throughout many departments. To say that devoting time and resources now to this endeavor is wholly unrealistic is an understatement: in no realm of reality are any of our key resources responsible for these changes available to do so at this time of crisis. That would entail taking them away from managing the current crisis, which simply is not an option. So, irrespective of the cost of training, the initial design of training material is now inevitably significantly delayed.

Even if training were designed and ready to be delivered, the current environment is not one conducive to learning and absorbing new regulations and complex requirements. The purpose of ATPDR is to accomplish a culture change and commitment to accessibility. True change management requires a mindset shift and takes time, energy, focus and investment to achieve. All of these are, understandably, now in short supply.

Request

We therefore request, pursuant to s. 170(3) or 170(4) of the Act, that the Agency extend the deadline for compliance with ATPDR until further notice, or at the very least by 90 days.

Air Canada remains committed to fully meeting the obligations of ATPDR once the industry has firmly recovered from the COVID-19 crisis. Even during the crisis, Air Canada will attempt to continue its implementation efforts to the extent practicable in the circumstances. In compliance with the test set out in s. 170(4), we *will* take the necessary measures to comply as soon as we are able.

If for any reason a full suspension is deemed not feasible, even appreciating that we may not fully be in a position to comply, we request that the Agency indefinitely suspend all initiatives that require IT development, sizable investment, new and complex procedures, and significant change management. These are: allowing reservations to be made by email,⁸ training,⁹ accommodating manual folding

⁶ Such initiatives include the *Regulations Amending the Transportation Information Regulations (Air Travel Performance Data Collection)*, the *Regulations Amending the Canadian Aviation Regulations (Parts I, VI and VII — Flight Crew Member Hours of Work and Rest Periods)*, and *Air Passenger Protection Regulations*.

⁷ Including personnel from the MEDA Desk, AC Medical, Airports, Call Centres, eCommerce, In-Flight Services, System Operations Control, Customer Relations, Operations Excellence, Passenger Movement, Customer Journey Management and Legal

⁸ S. 7-8 ATPDR.

⁹ S. 15-23 ATPDR.

wheelchairs on board,¹⁰ accessible IFE,¹¹ written confirmation of services¹², and retention of medical information or documents.¹³

For the many of the same reasons cited above, **we also request an equivalent extension of the deadline to provide comments on the draft guidance materials on ATPDR, and that all work on Phase II of ATPDR be halted** until the industry has fully recovered from the devastating effects of COVID-19. Any cost-benefit analysis for Phase II will have to recognise airlines' newly constrained capacity to take on additional costs in the current landscape.

4- Enforcement Leniency

Finally, in addition to the above, **Air Canada requests the implementation of an explicit one-year period of leniency from enforcement action and fines for non-compliance on APPR and ATPDR**, so that our workforce is free to focus on managing the overwhelming crisis at hand without being burdened or slowed by having to balance complex regulatory requirements. The Government of Canada has already established a solid precedent for the type of regulatory relief we are seeking.¹⁴

We have contacted Transport Canada and the Government of Canada with these requests and hope that all branches of government will work together to protect the sustainability of our industry.

We trust that you are sensitive to the importance and urgency of these matters and look forward to the Agency's full support during these exceedingly difficult times. Please do not hesitate to call to discuss if that might be useful.

Sincerely,



David J. Shapiro

cc: The Honorable Minister Marc Garneau, P.C., M.P.
Ferio Pugliese, Senior Vice President, Air Canada Express and Government Relations

¹⁰ S. 43 ATPDR.

¹¹ S. 39 and 81 ATPDR.

¹² S. 58 ATPDR.

¹³ S. 59 ATPDR.

¹⁴ On March 13, 2020 the Department of Finance issued a statement of measures to support the economy and the financial sector. In that document, it said "In the face of current global developments, financial institutions should focus on managing this uncertainty rather than devoting resources to previously announced regulatory changes." It also granted other relief from current regulatory requirements, including lowering the Domestic Stability Buffer requirement for domestic systemically important banks OSFI also announced it will suspend all consultations on regulatory matters. <https://www.canada.ca/en/department-finance/news/2020/03/canada-outlines-measures-to-support-the-economy-and-the-financial-sector.html>

Amanda Hamelin

From: Marcia Jones
Sent: Monday, March 23, 2020 1:55 PM
To: Scott Streiner; +_EC
Subject: RE: Items for discussion

Hi, one item below.

Thanks,
Marcia

From: Scott Streiner
Sent: Monday, March 23, 2020 12:25 PM
To: +_EC
Subject: Items for discussion

Hi, all. The final texts of the s.64 decision and statement (unchanged from yesterday) have been approved. Both should issue this afternoon.

Please note that our call today will take place at 2:30 instead of 2, as I have a CCAT Board meeting that's scheduled to end at 2:30. Here are some items for our discussion:

External

- Public messages on service levels
- AT letter: request for additional measures; reply
- Official languages considerations
- [Consultation on ATPDR guidance– signals check](#)

Internal

- Extra projects for staff
- Thursday Members meeting
- Haikus

Feel free to add any other items by "replying all" to this email or in the course of the call.

Thanks,

S

Scott Streiner

Président et premier dirigeant, Office des transports du Canada

Chair and Chief Executive Officer, Canadian Transportation Agency

scott.streiner@otc-cta.gc.ca - Tél. : 819-997-9233 - ATS/TTY: 1-800-669-5575

Amanda Hamelin

Subject: Special EC - COVID19 - Daily updates
Location: (514) 938-6569,,935311571# (then press #)

Start: Mon 3/16/2020 2:00 PM
End: Mon 3/16/2020 2:30 PM
Show Time As: Tentative

Recurrence: Daily
Recurrence Pattern: every day from 2:00 PM to 2:30 PM

Meeting Status: Not yet responded

Organizer: Scott Streiner
Required Attendees: Alysia Lau; Douglas Smith; Lesley Robertson; Liz Barker; Marcia Jones; Mireille Drouin; Sébastien Bergeron; Tom Oommen; Valérie Lagacé
Optional Attendees: Allan Burnside; Simon-Pierre Lessard

Importance: High

Chair's Boardroom & by CBCI teleconference: dial 1 514 938 6569 call ID: 935311571# then # again

Alysia will HOST.

Meeting - Mar. 23

Friday, March 20, 2020 3:40 PM

Attendance

- Scott Streiner
- Liz Barker
- Mireille Drouin
- Doug Smith
- Marcia Jones
- Tom Oommen
- Valérie Lagacé & Simon-Pierre Lessard

- Sébastien Bergeron
- Alysia Lau

Guests

- Tim Hillier

Debriefs

- SS: TC indicated Agency moved faster than they expected. Other travel restrictions expected. Agreement between SS and MK that agencies/departments should not issue piecemeal decisions. Call this evening between TC and Agency officials.

Messaging on CTA services

- SS: Where message says CTA pausing air disputes, should specify that Agency still receiving complaints.
- LB: Maintaining Agency services "to the extent possible" too vague and signaling slowdown of services when not true. Need to be more specific.
- ***TH to revise messaging - continuing normal activity, with exception of... passengers can file complaints, but response times may be different. Do not want to solicit air travel complaints.**

Air carrier requests for additional measures

- SS prepared table comparing AC and AT asks.
- ***Statement that all situations in COVID context = Category 3 should be discussed at Members meeting.**

Official languages considerations

- Official Language Commissioner wrote to all departments/agencies noting some information coming from departments only in one language. Reminder for Agency to be aware.

ATPDR Guidance Consultations

- MJ: Signal check on continuing consultations on ATPDR guidance.
- LB: ***Should not address this until AC request on all APPR/ATPDR is resolved.**

Additional projects for staff

- MD: **Training opportunities**
- TO: DCB staff will focus on catching up on tasks.
- DS: **Gathering information from staff nearing retirement or other long-time Agency employees.**
- LB: **Annotations of other pieces of legislation or regulations.** SS: Challenge is having Legal participate/supervise.
- ***Chair's Office to develop list of projects. Tomorrow: start develop list of staff that would be suitable for each project. Branch Heads should inform managers this is coming.**

Members Committee

- APPR supplementary guidance - MJ: yes, proposed approach to reflect comments SS and LB.
- Low impact amendments package - MJ: Yes, prepared to make presentation.
- **SS to reflect on item 4. Leave on agenda.**
- **LB would like to postpone item 5. Would like more time to re-examine legal opinion.**
- **Stylist options - SPL asking to postpone this item**
- SS: May not need a lot of in camera time - 15 min. + MJ's two items.

Haiku Contest

- SS: How to proceed? ***Should solicit, put it in staff update, Chair's Office to coordinate with Cynthia's team.**
- DS: Suggest managers should share haiku contest, not Chair's Office. SS: Or Social Committee involvement? ***DS to ask Tammy Chrusch if she would like to partner with AL and Comms to develop this.**

Other internal matters

- MD: School closures in Quebec until May 1. Should include this in daily staff update.
- Construction sites will be closed for 3 weeks.
- Year-end contracts: Current situation should not have impact on year-end. Should be normal year-end. Will issue communique to Branch Heads.
- 15 Eddy - will perform preventative bed bug inspections tomorrow.
- DS: Annual report. Directors still working on it but delayed. MJ: Intention is to keep regular sections of AR with additional section on response to COVID-19. Team is on track, looking to move draft along, but checking with TC to discuss delaying of timelines. SS: Should keep AR moving.

Varia

- TO: We received two requests for tariffs information. SS: Summary of what tariffs say about refunds/vouchers. MJ: Asked that tariffs team prioritize WJ, AC and AT tariffs.
- DS: VPN seemed spotty today. We have discussed rotating access to VPN. ***SB to reach out to MD to discuss VPN options.**

Amanda Hamelin

From: Scott Streiner
Sent: Monday, March 23, 2020 2:19 PM
To: +_EC
Subject: Summary of asks
Attachments: Asks.docx

Hi, all. Please have a look at the attached table and let me know during our 2:30 call if you think any key points from either letter have been missed. Thanks.

S

Scott Streiner

Président et premier dirigeant, Office des transports du Canada
Chair and Chief Executive Officer, Canadian Transportation Agency
scott.streiner@otc-cta.gc.ca - Tél. : 819-997-9233 - ATS/TTY: 1-800-669-5575

Item	AT	AC
APPR		Issue a blanket exemption from all APPR, or take the steps below
Classification of flight disruptions	State that all current disruptions are category 3	Same
Refunds	State that no refunds are owed	Same
Vouchers	Signal that vouchers are acceptable in lieu of cash refunds	
Response time	Exempt airlines from the 30 day timeline	Same
Alternative travel arrangements	Exempt airlines from any obligation to provide alternative travel arrangements	Same
April 30	Extend the current exemptions for at least 90 days	Same
Enforcement	Suspend for 1 year	Same
ATPDR		A 90-day or longer delay to the "deadline for compliance" or, at least, to certain provisions

Amanda Hamelin

From: Sébastien Bergeron
Sent: Monday, March 23, 2020 8:59 PM
To: +_EC
Subject: EC March 23 - Decisions and Follow-ups

Dear colleagues,

Please find below the list of decisions and follow-up actions for today EC. If you notice something missing from the list or have a different recollection of a deliverable or decision, please let us know.

EC Member(s) Tasked	EC Decision(s)	Deliverable(s)	Expected Deadline
Chair's Office	-	<ul style="list-style-type: none">• Compile list of additional research projects that can be allocated staff during telework period.• <i>*Branch Heads should inform and begin canvassing managers for staff that could work on these projects.</i>	March 24
	-	<ul style="list-style-type: none">• Circulate updated Members Committee agenda.	March 24
	-	<ul style="list-style-type: none">• Coordinate with Social Committee and Comms to set up internal haiku contest.	This week
Marcia	-	<ul style="list-style-type: none">• Comms to revise public messaging on Agency service delivery during COVID-19 pandemic.	March 24
	<ul style="list-style-type: none">• ATPDR guidance consultation process will be reviewed after the Agency addresses requests from air carriers regarding regulatory obligations.	-	-
Mireille	-	<ul style="list-style-type: none">• Examine options to support VPN capacity (e.g. rotating VPN access) during telework period.	This week

Sébastien Bergeron

De : Sébastien Bergeron
Envoyé : 20 mars 2020 19:28
À : +_EC
Objet : EC March 20 - Decisions and Follow-ups

Dear colleagues,

Please find below the list of decisions and follow-up actions for today EC. If you notice something missing from the list or have a different recollection of a deliverable or decision, please let us know.

EC Member(s) Tasked	EC Decision(s)	Deliverable(s)	Expected Deadline
All Branch Heads	-	<ul style="list-style-type: none">Prepare list of potential projects to assign to staff during teleworking period.	March 23/24
	-	<ul style="list-style-type: none">Identify annual publications and reports that the Agency should continue to monitor and work on.Marcia – includes Annual ReportChair's Office to compile a list → Please send your items to Alysia in advance if possible.	March 25
Chair's Office	-	<ul style="list-style-type: none">Work with Mireille and Comms to create internal "teleworking haiku" competition for staff on The Hub.	Next week
Marcia	-	<ul style="list-style-type: none">Comms will work with ATC and other groups to post public messaging on website to communicate delivery of Agency services during COVID-19:<ul style="list-style-type: none">The Agency is continuing to deliver its services to the extent possible.	As soon as feasible

		<ul style="list-style-type: none"> o Complaints can continue to be filed with the Agency; however, there may be a longer response time. o Dispute proceedings involving airlines have been temporarily suspended. 	
		<ul style="list-style-type: none"> • Comms will update the Agency's helplines and other public-facing platforms to reflect the above messaging. 	
Mireille	-	<ul style="list-style-type: none"> • Daily staff update – Include acknowledgment of challenges staff facing working from home e.g. child care 	March 20
	<ul style="list-style-type: none"> • The Agency is not invoking the BCP at this time, but should prepare itself for the possibility. • The BCP will be invoked in extraordinary circumstances (e.g. direction from Central Agencies, unavailability of staff due to sickness). • If the BCP is invoked, the Agency will continue to receive complaints. • If the BCP is invoked, non-critical services will continue to be provided to the extent possible. These will be managed on a day-to-day basis. 	<ul style="list-style-type: none"> • Daily staff update – Inform staff that the Agency has not invoked the BCP and will continue to provide as many of its regular services as possible in the circumstances, but is making preparations should the possibility arise. The BCP would only be invoked in extraordinary circumstances. 	March 20
	-	<ul style="list-style-type: none"> • Update Committee on call with TBS with respect to fiscal year-end contracts. 	March 23/24
Valérie	-	<ul style="list-style-type: none"> • Section 64 of CTA – Examine whether a temporary order can be issued under this provision. 	March 23
	-	<ul style="list-style-type: none"> • Prepare options regarding approaches to VRCPI in context of COVID-19 and possible BCP situation. 	Next week

Sébastien Bergeron

Chef de cabinet | Bureau du président et premier dirigeant

De : Sébastien Bergeron
Envoyé : 20 mars 2020 12:45
À : +_EC <EC@otc-cta.gc.ca>
Objet : *Correction* March 19 EC - Decisions and Follow-ups

Dear colleagues,

Please note below the correction (in red) we've made to the summary of yesterday EC.

Seb

EC Member(s) Tasked	EC Decision(s)	Deliverable(s)	Expected Deadline
All Branch Heads	<ul style="list-style-type: none">Branch Heads seeking approval for staffing actions from EC should:<ul style="list-style-type: none">Consult Mireille and Nadine B. first, andCirculate short e-mail including rationale to EC in advance of meeting.	-	-
Mireille	-	<ul style="list-style-type: none">BCP - Present comms strategy and proposal with respect to non-critical services.	March 20
	<ul style="list-style-type: none">Staff should continue teleworking until further notice.	<ul style="list-style-type: none">Include direction in the daily update that all staff should continue teleworking until further notice.	March 19
	-	<ul style="list-style-type: none">Reach out to TBS on specific concerns requiring flexibility from TBS policies.	As soon as feasible

Tom and Valérie	-	<ul style="list-style-type: none"> Request for exemption from notification period for discontinuance of service – Prepare template draft s. 80 decision incorporating the proposed conditions. No decision has been made on this request. Only Members can make such a decision. 	As soon as feasible
Valérie	-	<ul style="list-style-type: none"> Prepare options for Scott, Liz and Doug with respect to filings received for stayed cases. 	As soon as feasible
	-	<ul style="list-style-type: none"> BCP - Examine whether the Act already allows vessels to operate without coastal trade licences during emergency situations. 	March 20

Sébastien Bergeron

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De : Sébastien Bergeron
Envoyé : 19 mars 2020 15:37
À : +_EC <EC@otc-cta.gc.ca>
Objet : March 19 EC - Decisions and Follow-ups

Dear Colleagues,

Please find below the list of follow-up actions following today EC. If you notice something missing from the list or have a different recollection of a deliverable, please let us know.

EC Member(s) Tasked	EC Decision(s)	Deliverable(s)	Expected Deadline
All Branch Heads	<ul style="list-style-type: none"> Branch Heads seeking approval for staffing actions from EC should: 	-	-

- o Consult Mireille and Nadine B. first, and
- o Circulate short e-mail including rationale to EC in advance of meeting.

Mireille	-	<ul style="list-style-type: none"> • BCP - Present comms strategy and proposal with respect to non-critical services. 	March 20
	<ul style="list-style-type: none"> • Staff should continue teleworking until further notice. 	<ul style="list-style-type: none"> • Include direction in the daily update that all staff should continue teleworking until further notice. 	March 19
	-	<ul style="list-style-type: none"> • Reach out to TBS on specific concerns requiring flexibility from TBS policies. 	As soon as feasible
Tom and Valérie	<ul style="list-style-type: none"> • Request from Air Canada for exemption from notice period for discontinuance of service - Conditions that will be included in exemption are: <ul style="list-style-type: none"> o Air carrier must identify routes that will be discontinued. o Notification period of 2 weeks. o Exemption will only apply during "crisis" period related to COVID-19 pandemic. o Discontinuance of service is not permitted in remote communities where no other transportation service is available. 	<ul style="list-style-type: none"> • Prepare draft s. 80 decision with the proposed conditions. 	As soon as feasible
Valérie	-	<ul style="list-style-type: none"> • Prepare options for Scott, Liz and Doug with respect to filings received for stayed cases. 	As soon as feasible
Valérie	-	<ul style="list-style-type: none"> • BCP - Examine whether the Act already allows vessels to operate without coastal trade licences during emergency situations. 	March 20

Sébastien Bergeron

Chef de cabinet | Bureau du président et premier dirigeant
Office des transports du Canada | Gouvernement du Canada
sebastien.bergeron@otc-cta.gc.ca | Tél. 819-712-0827

Chief of Staff | Office of the Chair and Chief Executive Officer
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Sebastien.bergeron@otc-cta.gc.ca | Tél. 819-712-0827

De : Sébastien Bergeron
Envoyé : 18 mars 2020 16:31
À : +_EC <EC@otc-cta.gc.ca>
Objet : EC - March 18 : follow-up actions

Dear Colleagues,

Please find below the list of follow-up actions following today EC. If you notice something missing from the list or have a different recollection of a deliverable, please let us know.

EC Member(s) Tasked	Expected Deadline	Deliverable
Marcia	March 19	<ul style="list-style-type: none">• Call major air carriers (top 5) and air transport associations (NACC, ATAC) to explain Agency's order to suspend air-related proceedings.
Mireille	March 18	<ul style="list-style-type: none">• Send message to affected staff and managers - permitting staff who need VPN access to enter the Agency offices if they wish by COB March 20.<ul style="list-style-type: none">○ Their manager must be present.○ Staff must maintain 2 metres of distance between themselves and other staff.
	March 19	<ul style="list-style-type: none">• Ensure daily COVID-19 updates are <i>e-mailed</i> to all staff. Mention that VPN should be used for work purposes only (no streaming of anything, except if it is absolutely necessary).
	March 19 (if possible)	<ul style="list-style-type: none">• Prepare list of EC decision points on various aspects of the BCP.
	March 20	<ul style="list-style-type: none">• Provide list of all staff phone numbers to EC members.

- Provide options to constrain Air Canada exemption from/reduction of notice period related to discontinuance of service.
-

Sébastien Bergeron

Chef de cabinet | Bureau du président et premier dirigeant
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Chief of Staff | Office of the Chair and Chief Executive Officer
Canadian Transportation Agency | Government of Canada
Sebastien.bergeron@otc-cta.gc.ca | Tél. 819-712-0827

De : Scott Streiner <Scott.Streiner@otc-cta.gc.ca>

Envoyé : 18 mars 2020 15:48

À : +_EC <_EC@otc-cta.gc.ca>

Objet : For tomorrow

Hi, all. One more thing occurred to me after we hung up. Liz mentioned identifying activities for those unable to do much "normal" work, and we then focused on staff in Paul's area who don't have MyKey. I wonder if this is something we should consider more generally. Are there, for example, research projects we could ask some employees to undertake while they're at home? Please reflect on this and we can discuss tomorrow, along with the other items we identified today.

FYI, I've asked Seb and Alysia to email a short list of follow-up actions after each of our daily teleconferences, since it can be a little harder to keep track during a call than a face-to-face meeting. Of course, if you notice something missing from the list or have a different recollection of a deliverable, you should let them know.

My draft blog (still just in my head!) will come later today.

Thanks,

S

Scott Streiner

Président et premier dirigeant, Office des transports du Canada
Chair and Chief Executive Officer, Canadian Transportation Agency
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Subject:

FW: EC June 18- Decisions and Follow-ups





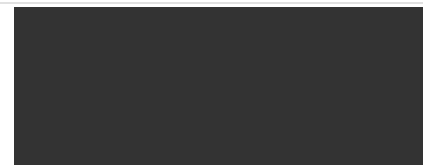








































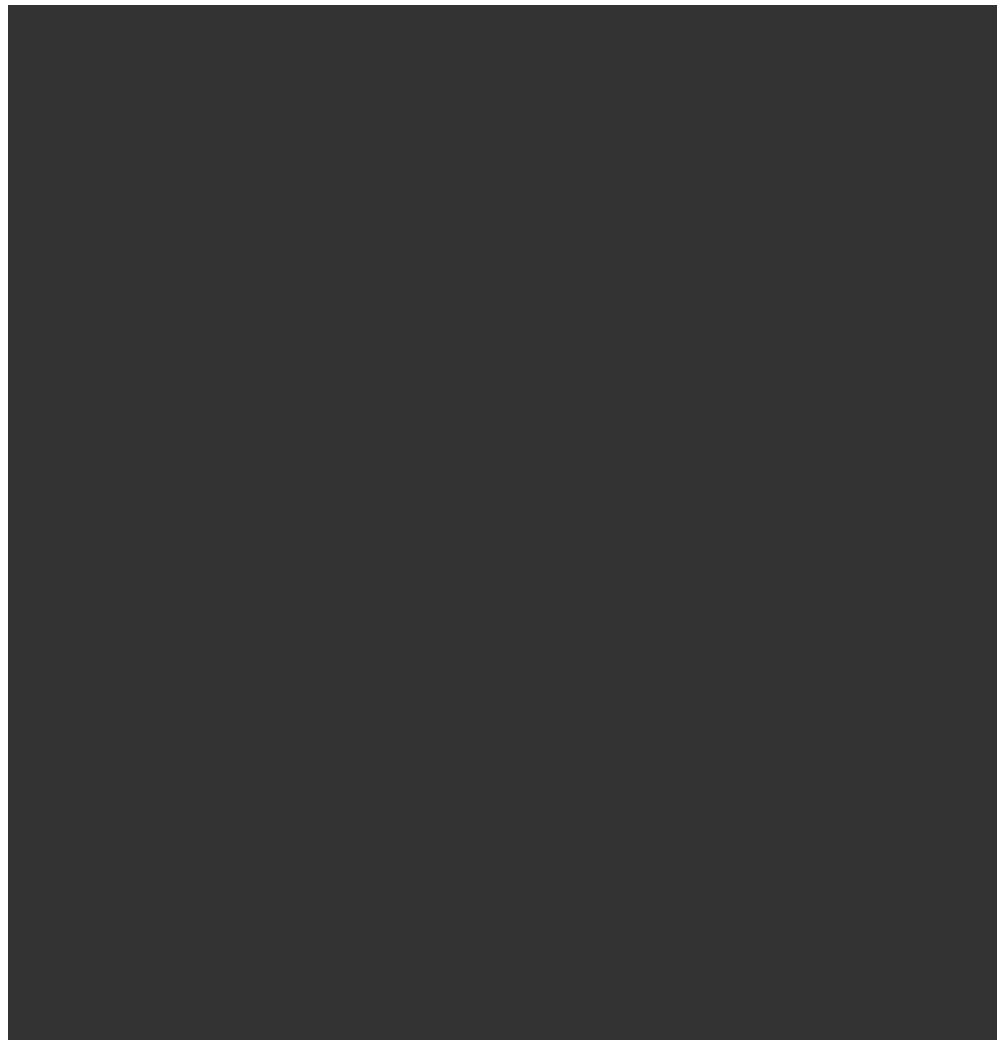
















De : Sébastien Bergeron
 Envoyé : 23 mars 2020 20:59
 À : +_EC <EC@otc-cta.gc.ca>
 Objet : EC March 23 - Decisions and Follow-ups

Dear colleagues,

Please find below the list of decisions and follow-up actions for today EC. If you notice something missing from the list or have a different recollection of a deliverable or decision, please let us know.

EC Member(s) Tasked	EC Decision(s)	Deliverable(s)	Expected Deadline
Chair's Office	-	<ul style="list-style-type: none"> Compile list of additional research projects that can be allocated staff during telework period. *Branch Heads should inform and begin canvassing managers for staff that could work on these projects. 	March 24
	-	<ul style="list-style-type: none"> Circulate updated Members Committee agenda. 	March 24
	-	<ul style="list-style-type: none"> Coordinate with Social Committee and Comms to set up internal haiku contest. 	This week
Marcia	-	<ul style="list-style-type: none"> Comms to revise public messaging on Agency service delivery during COVID-19 pandemic. 	March 24
	<ul style="list-style-type: none"> ATPDR guidance consultation process will be reviewed after the Agency 	-	-

addresses requests from air carriers regarding regulatory obligations.

Mireille	-	<ul style="list-style-type: none"> Examine options to support VPN capacity (e.g. rotating VPN access) during telework period. 	This week
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De : Sébastien Bergeron
Envoyé : 20 mars 2020 19:28
À : +_EC <EC@otc-cta.gc.ca>
Objet : EC March 20 - Decisions and Follow-ups

Dear colleagues,

Please find below the list of decisions and follow-up actions for today EC. If you notice something missing from the list or have a different recollection of a deliverable or decision, please let us know.

EC Member(s) Tasked	EC Decision(s)	Deliverable(s)	Expected Deadline
All Branch Heads	-	<ul style="list-style-type: none"> Prepare list of potential projects to assign to staff during teleworking period. 	March 23/24
	-	<ul style="list-style-type: none"> Identify annual publications and reports that the Agency should continue to monitor and work on. Marcia – includes Annual Report Chair's Office to compile a list → Please send your items to Alysia in advance if possible. 	March 25
Chair's Office	-	<ul style="list-style-type: none"> Work with Mireille and Comms to create internal "teleworking haiku" competition for staff on The Hub. 	Next week
Marcia	-	<ul style="list-style-type: none"> Comms will work with ATC and other groups to post public messaging on website to communicate delivery of Agency services during COVID-19: <ul style="list-style-type: none"> The Agency is continuing to deliver its services to the extent possible. Complaints can continue to be filed with the Agency; however, there may be a longer response time. 	As soon as feasible

		<ul style="list-style-type: none"> o Dispute proceedings involving airlines have been temporarily suspended. • Comms will update the Agency's helplines and other public-facing platforms to reflect the above messaging. 	
Mireille	-	<ul style="list-style-type: none"> • Daily staff update – Include acknowledgment of challenges staff facing working from home e.g. child care 	March 20
	<ul style="list-style-type: none"> • The Agency is not invoking the BCP at this time, but should prepare itself for the possibility. • The BCP will be invoked in extraordinary circumstances (e.g. direction from Central Agencies, unavailability of staff due to sickness). • If the BCP is invoked, the Agency will continue to receive complaints. • If the BCP is invoked, non-critical services will continue to be provided to the extent possible. These will be managed on a day-to-day basis. 	<ul style="list-style-type: none"> • Daily staff update – Inform staff that the Agency has not invoked the BCP and will continue to provide as many of its regular services as possible in the circumstances, but is making preparations should the possibility arise. The BCP would only be invoked in extraordinary circumstances. 	March 20
	-	<ul style="list-style-type: none"> • Update Committee on call with TBS with respect to fiscal year-end contracts. 	March 23/24
Valérie	-	<ul style="list-style-type: none"> • Section 64 of CTA – Examine whether a temporary order can be issued under this provision. 	March 23
	-	<ul style="list-style-type: none"> • Prepare options regarding approaches to VRCPI in context of COVID-19 and possible BCP situation. 	Next week

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De : Sébastien Bergeron
Envoyé : 20 mars 2020 12:45
À : +_EC <EC@otc-cta.gc.ca>
Objet : *Correction* March 19 EC - Decisions and Follow-ups

Dear colleagues,

Please note below the correction (in red) we've made to the summary of yesterday EC.

EC Member(s) Tasked	EC Decision(s)	Deliverable(s)	Expected Deadline
All Branch Heads	<ul style="list-style-type: none"> Branch Heads seeking approval for staffing actions from EC should: <ul style="list-style-type: none"> Consult Mireille and Nadine B. first, and Circulate short e-mail including rationale to EC in advance of meeting. 	-	-
Mireille	-	<ul style="list-style-type: none"> BCP - Present comms strategy and proposal with respect to non-critical services. 	March 20
	<ul style="list-style-type: none"> Staff should continue teleworking until further notice. 	<ul style="list-style-type: none"> Include direction in the daily update that all staff should continue teleworking until further notice. 	March 19
	-	<ul style="list-style-type: none"> Reach out to TBS on specific concerns requiring flexibility from TBS policies. 	As soon as feasible
Tom and Valérie	-	<ul style="list-style-type: none"> Request for exemption from notification period for discontinuance of service – Prepare template draft s. 80 decision incorporating the proposed conditions. No decision has been made on this request. Only Members can make such a decision. 	As soon as feasible
Valérie	-	<ul style="list-style-type: none"> Prepare options for Scott, Liz and Doug with respect to filings received for stayed cases. 	As soon as feasible
	-	<ul style="list-style-type: none"> BCP - Examine whether the Act already allows vessels to operate without coastal trade licences during emergency situations. 	March 20

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De : Sébastien Bergeron
Envoyé : 19 mars 2020 15:37
À : +_EC <EC@otc-cta.gc.ca>
Objet : March 19 EC - Decisions and Follow-ups

Dear Colleagues,

Please find below the list of follow-up actions following today EC. If you notice something missing from the list or have a different recollection of a deliverable, please let us know.

EC Member(s) Tasked	EC Decision(s)	Deliverable(s)	Expected Deadline
All Branch Heads	<ul style="list-style-type: none"> Branch Heads seeking approval for staffing actions from EC should: <ul style="list-style-type: none"> Consult Mireille and Nadine B. first, and Circulate short e-mail including rationale to EC in advance of meeting. 	-	-
Mireille	-	<ul style="list-style-type: none"> BCP - Present comms strategy and proposal with respect to non-critical services. 	March 20
	<ul style="list-style-type: none"> Staff should continue teleworking until further notice. 	<ul style="list-style-type: none"> Include direction in the daily update that all staff should continue teleworking until further notice. 	March 19
	-	<ul style="list-style-type: none"> Reach out to TBS on specific concerns requiring flexibility from TBS policies. 	As soon as feasible
Tom and Valérie	<ul style="list-style-type: none"> Request from Air Canada for exemption from notice period for discontinuance of service - Conditions that will be included in exemption are: <ul style="list-style-type: none"> Air carrier must identify routes that will be discontinued. Notification period of 2 weeks. Exemption will only apply during "crisis" period related to COVID-19 pandemic. Discontinuance of service is not permitted in remote communities where no other transportation service is available. 	<ul style="list-style-type: none"> Prepare draft s. 80 decision with the proposed conditions. 	As soon as feasible
Valérie	-	<ul style="list-style-type: none"> Prepare options for Scott, Liz and Doug with respect to filings received for stayed cases. 	As soon as feasible
Valérie	-	<ul style="list-style-type: none"> BCP - Examine whether the Act already allows vessels to operate without coastal trade licences during emergency situations. 	March 20

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De : Sébastien Bergeron
Envoyé : 18 mars 2020 16:31
A : +_EC <EC@otc-cta.gc.ca>
Objet : EC - March 18 : follow-up actions

Dear Colleagues,

Please find below the list of follow-up actions following today EC. If you notice something missing from the list or have a different recollection of a deliverable, please let us know.

EC Member(s) Tasked	Expected Deadline	Deliverable
Marcia	March 19	<ul style="list-style-type: none">Call major air carriers (top 5) and air transport associations (NACC, ATAC) to explain Agency's order to suspend air-related proceedings.
Mireille	March 18	<ul style="list-style-type: none">Send message to affected staff and managers - permitting staff who need VPN access to enter the Agency offices if they wish by COB March 20.<ul style="list-style-type: none">Their manager must be present.Staff must maintain 2 metres of distance between themselves and other staff.
	March 19	<ul style="list-style-type: none">Ensure daily COVID-19 updates are <i>e-mailed</i> to all staff. Mention that VPN should be used for work purposes only (no streaming of anything, except if it is absolutely necessary).
	March 19 (if possible)	<ul style="list-style-type: none">Prepare list of EC decision points on various aspects of the BCP.
	March 20	<ul style="list-style-type: none">Provide list of all staff phone numbers to EC members.
Tom and Valérie	March 19	<ul style="list-style-type: none">Provide options to constrain Air Canada exemption from/reduction of notice period related to discontinuance of service.

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De : Scott Streiner <Scott.Streiner@otc-cta.gc.ca>
Envoyé : 18 mars 2020 15:48

À : +_EC < EC@otc-cta.gc.ca >

Objet : For tomorrow

Hi, all. One more thing occurred to me after we hung up. Liz mentioned identifying activities for those unable to do much "normal" work, and we then focused on staff in Paul's area who don't have MyKey. I wonder if this is something we should consider more generally. Are there, for example, research projects we could ask some employees to undertake while they're at home? Please reflect on this and we can discuss tomorrow, along with the other items we identified today.

FYI, I've asked Seb and Alysia to email a short list of follow-up actions after each of our daily teleconferences, since it can be a little harder to keep track during a call than a face-to-face meeting. Of course, if you notice something missing from the list or have a different recollection of a deliverable, you should let them know.

My draft blog (still just in my head!) will come later today.

Thanks,

S

Scott Streiner

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