

## Meredith Desnoyers

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**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

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

**Meeting Status:** Accepted

**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.

## **Meredith Desnoyers**

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**From:** Scott Streiner  
**Sent:** Tuesday, March 24, 2020 1:31 PM  
**To:** +\_EC  
**Subject:** Items for today

As usual, please "reply all" with any additional items.

### External

- Two decisions + statement

### Internal

- Projects list
- Members committee
- Performance evaluation/talent management timelines
- TBS call

### **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

## Meredith Desnoyers

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**From:** Sébastien Bergeron  
**Sent:** Tuesday, March 24, 2020 5:48 PM  
**To:** +\_EC  
**Subject:** EC March 24 - Decisions and Follow-ups  
**Attachments:** RDIM-2127396-CTA Additional Research Projects for Staff-2.DOCX.DRF

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.

Attached, you'll find the draft list of research projects for staff that we've been discussing today. In the coming days, we will confirm 1) whether projects 1 and 3 should be combined ; and 2) which BH should lead on items where no lead has been identified.

<b>EC Member(s) Tasked</b>	<b>EC Decision(s)</b>	<b>Deliverable(s)</b>	<b>Expected Deadline</b>
<b>All Branch Heads</b>	-	<ul style="list-style-type: none"><li>Canvass managers for staff that could work on additional projects (list attached) based on the following factors: 1) time available, 2) possession of skills and expertise, and 3) relevance to further skills and professional development.</li></ul>	March 26
	-	<ul style="list-style-type: none"><li>Send any feedback regarding Agency responses to COVID-19 to Sébastien.</li></ul>	-
<b>Marcia</b>	<ul style="list-style-type: none"><li>Committee will discuss Agency's public complaints dashboard at a future meeting.</li></ul>	-	-
<b>Mireille</b>	-	<ul style="list-style-type: none"><li>Prepare messaging to managers indicating first steps (e.g. gathering information from staff) to preparing performance reviews.</li></ul>	March 25
	-	<ul style="list-style-type: none"><li>Prepare proposal with respect to Chair's Awards process.</li></ul>	TBC by Mireille

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**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.

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

- ATPDR guidance consultation process will be reviewed after the Agency addresses requests from air carriers regarding regulatory obligations.

<b>Mireille</b>	-	<ul style="list-style-type: none"> <li>• Examine options to support VPN capacity (e.g. rotating VPN access) during telework period.</li> </ul>	This week
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### Sébastien Bergeron

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**De :** Sébastien Bergeron

**Envoyé :** 20 mars 2020 19:28

**À :** +\_EC <[EC@otc-cta.gc.ca](mailto: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
<b>All Branch Heads</b>	-	<ul style="list-style-type: none"> <li>• Prepare list of potential projects to assign to staff during teleworking period.</li> </ul>	March 23/24
	-	<ul style="list-style-type: none"> <li>• Identify annual publications and reports that the Agency should continue to monitor and work on.</li> <li>• <b>Marcia</b> – includes Annual Report</li> </ul>	March 25

		<ul style="list-style-type: none"> <li>• <b>Chair's Office</b> to compile a list → <b>Please send your items to Alysia in advance if possible.</b></li> </ul>	
<b>Chair's Office</b>	-	<ul style="list-style-type: none"> <li>• Work with Mireille and Comms to create internal "teleworking haiku" competition for staff on The Hub.</li> </ul>	Next week
<b>Marcia</b>	-	<ul style="list-style-type: none"> <li>• 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"> <li>○ The Agency is continuing to deliver its services to the extent possible.</li> <li>○ Complaints can continue to be filed with the Agency; however, there may be a longer response time.</li> <li>○ Dispute proceedings involving airlines have been temporarily suspended.</li> </ul> </li> <li>• Comms will update the Agency's helplines and other public-facing platforms to reflect the above messaging.</li> </ul>	As soon as feasible
<b>Mireille</b>	-	<ul style="list-style-type: none"> <li>• Daily staff update – Include acknowledgment of challenges staff facing working from home e.g. child care</li> </ul>	March 20
		<ul style="list-style-type: none"> <li>• The Agency is not invoking the BCP at this time, but should prepare itself for the possibility.</li> <li>• The BCP will be invoked in extraordinary circumstances (e.g. direction from Central Agencies, unavailability of staff due to sickness).</li> <li>• If the BCP is invoked, the Agency will continue to receive complaints.</li> <li>• 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.</li> </ul>	March 20
	-	<ul style="list-style-type: none"> <li>• Update Committee on call with TBS with respect to fiscal year-end contracts.</li> </ul>	March 23/24

<b>Valérie</b>	-	<ul style="list-style-type: none"> <li>Section 64 of CTA – Examine whether a temporary order can be issued under this provision.</li> </ul>	March 23
	-	<ul style="list-style-type: none"> <li>Prepare options regarding approaches to VRCPI in context of COVID-19 and possible BCP situation.</li> </ul>	Next week

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**De :** Sébastien Bergeron  
**Envoyé :** 20 mars 2020 12:45  
**À :** +\_EC <[\\_EC@otc-cta.gc.ca](mailto:_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.

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EC Member(s) Tasked	EC Decision(s)	Deliverable(s)	Expected Deadline
All Branch Heads	<ul style="list-style-type: none"> <li>Branch Heads seeking approval for staffing actions from EC should:               <ul style="list-style-type: none"> <li>Consult Mireille and Nadine B. first, and</li> </ul> </li> </ul>	-	-

- Circulate short e-mail including rationale to EC in advance of meeting.

<b>Mireille</b>	-	<ul style="list-style-type: none"> <li>• BCP - Present comms strategy and proposal with respect to non-critical services.</li> </ul>	March 20
	<ul style="list-style-type: none"> <li>• Staff should continue teleworking until further notice.</li> </ul>	<ul style="list-style-type: none"> <li>• Include direction in the daily update that all staff should continue teleworking until further notice.</li> </ul>	March 19
	-	<ul style="list-style-type: none"> <li>• Reach out to TBS on specific concerns requiring flexibility from TBS policies.</li> </ul>	As soon as feasible
<b>Tom and Valérie</b>	-	<ul style="list-style-type: none"> <li>• 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.</li> </ul>	As soon as feasible
<b>Valérie</b>	-	<ul style="list-style-type: none"> <li>• Prepare options for Scott, Liz and Doug with respect to filings received for stayed cases.</li> </ul>	As soon as feasible
	-	<ul style="list-style-type: none"> <li>• BCP - Examine whether the Act already allows vessels to operate without coastal trade licences during emergency situations.</li> </ul>	March 20

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**De :** Sébastien Bergeron  
**Envoyé :** 19 mars 2020 15:37  
**À :** +\_EC <[EC@otc-cta.gc.ca](mailto: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.

<b>EC Member(s) Tasked</b>	<b>EC Decision(s)</b>	<b>Deliverable(s)</b>	<b>Expected Deadline</b>
<b>All Branch Heads</b>	<ul style="list-style-type: none"> <li>• Branch Heads seeking approval for staffing actions from EC should:               <ul style="list-style-type: none"> <li>○ Consult Mireille and Nadine B. first, and</li> <li>○ Circulate short e-mail including rationale to EC in advance of meeting.</li> </ul> </li> </ul>	-	-
<b>Mireille</b>	-	<ul style="list-style-type: none"> <li>• BCP - Present comms strategy and proposal with respect to non-critical services.</li> </ul>	March 20
	<ul style="list-style-type: none"> <li>• Staff should continue teleworking until further notice.</li> </ul>	<ul style="list-style-type: none"> <li>• Include direction in the daily update that all staff should continue teleworking until further notice.</li> </ul>	March 19
	-	<ul style="list-style-type: none"> <li>• Reach out to TBS on specific concerns requiring flexibility from TBS policies.</li> </ul>	As soon as feasible
<b>Tom and Valérie</b>	<ul style="list-style-type: none"> <li>• 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"> <li>○ Air carrier must identify routes that will be discontinued.</li> <li>○ Notification period of 2 weeks.</li> <li>○ Exemption will only apply during "crisis" period related to COVID-19 pandemic.</li> <li>○ Discontinuance of service is not permitted in remote communities where no other transportation service is available.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Prepare draft s. 80 decision with the proposed conditions.</li> </ul>	As soon as feasible

<b>Valérie</b>	-	<ul style="list-style-type: none"> <li>Prepare options for Scott, Liz and Doug with respect to filings received for stayed cases.</li> </ul>	As soon as feasible
<b>Valérie</b>	-	<ul style="list-style-type: none"> <li>BCP - Examine whether the Act already allows vessels to operate without coastal trade licences during emergency situations.</li> </ul>	March 20

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**De :** Sébastien Bergeron  
**Envoyé :** 18 mars 2020 16:31  
**À :** +\_EC <[\\_EC@otc-cta.gc.ca](mailto:_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.

<b>EC Member(s) Tasked</b>	<b>Expected Deadline</b>	<b>Deliverable</b>
<b>Marcia</b>	March 19	<ul style="list-style-type: none"> <li>Call major air carriers (top 5) and air transport associations (NACC, ATAC) to explain Agency's order to suspend air-related proceedings.</li> </ul>

<b>Mireille</b>	March 18	<ul style="list-style-type: none"> <li>• 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"> <li>○ Their manager must be present.</li> <li>○ Staff must maintain 2 metres of distance between themselves and other staff.</li> </ul> </li> </ul>
	March 19	<ul style="list-style-type: none"> <li>• 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).</li> </ul>
	March 19 (if possible)	<ul style="list-style-type: none"> <li>• Prepare list of EC decision points on various aspects of the BCP.</li> </ul>
	March 20	<ul style="list-style-type: none"> <li>• Provide list of all staff phone numbers to EC members.</li> </ul>
<b>Tom and Valérie</b>	March 19	<ul style="list-style-type: none"> <li>• Provide options to constrain Air Canada exemption from/reduction of notice period related to discontinuance of service.</li> </ul>

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**De :** Scott Streiner <[Scott.Streiner@otc-cta.gc.ca](mailto:Scott.Streiner@otc-cta.gc.ca)>

**Envoyé :** 18 mars 2020 15:48

**À :** +\_EC <[\\_EC@otc-cta.gc.ca](mailto:_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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## Projects for CTA Staff 2020

<u>Project</u>	<u>Details</u>	<u>BH Lead</u>	<u>Timeline</u>	<u>Current Staff</u>	<u>New Assigned Staff</u>
<b>Regular Projects</b>					
1. ATIP Requests	▪	Valérie		▪	▪
2. Website modernization	▪ Includes training to create accessible documents and materials	Marcia	Medium-term	▪	▪
<b>Special Projects</b>					
1. Inventory of lead Agency decisions	▪ Key Agency decisions in accessibility	Marcia		▪ Tracy Wilcox (lead) ▪ Valérie Sicard ▪ Junior CEAT staff	▪
	▪ Key Agency decisions in other areas	Doug	Pilot phase start April 14	▪	▪ ADR and DAD – 4-5 staff
2. Annotations of legislation and regulations	▪ Part V of the <i>Canada Transportation Act</i>	Marcia		▪ Tracy Wilcox (lead) ▪ Valérie Sicard ▪ Junior CEAT staff	▪ Alysia Lau
	▪ Other acts and regulations	Doug		▪	▪
3. Headnotes for Agency decisions	▪ Accessibility decisions	Marcia		▪ Tracy Wilcox (lead) ▪ Valérie Sicard ▪ Junior CEAT staff	▪
	▪ Other Agency decisions	Doug		▪	▪
<b>Projects for Future Consideration</b>					

<u>Project</u>	<u>Details</u>	<u>BH Lead</u>	<u>Timeline</u>	<u>Current Staff</u>	<u>New Assigned Staff</u>
1. Summary and analysis of major Canadian air carrier tariffs	<ul style="list-style-type: none"> <li>▪ For Air Canada, Air Transat, WestJet, Swoop, Sunwing, Porter, Flair - provide a summary and analysis of their tariff provisions</li> </ul>	Tom		<ul style="list-style-type: none"> <li>▪ Moira Reid (lead)</li> <li>▪ Legal: Émilie Gravelle</li> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪ DRB staff</li> </ul>
2. Enhancing search tool for Agency decisions on website	<ul style="list-style-type: none"> <li>▪ Tag additional search fields in Agency decisions to enhance search results</li> </ul>	Marcia		<ul style="list-style-type: none"> <li>▪</li> </ul>	<ul style="list-style-type: none"> <li>▪</li> </ul>

Ongoing staff tasks/responsibilities:

- Online training (mandatory and recommended)
- Clean-up of email accounts

## **Meredith Desnoyers**

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**From:** Scott Streiner  
**Sent:** Tuesday, March 24, 2020 5:09 PM  
**To:** Valérie Lagacé  
**Cc:** Marcia Jones; Sébastien Bergeron; Tom Oommen; Liz Barker  
**Subject:** Decisions

Hi, Valerie. What time do you think the two decisions drafted today will be ready for issuance tomorrow?

We'll want all three decisions plus the statement "push button ready" so they can be released more or less simultaneously.

S

## Meredith Desnoyers

---

**From:** Scott Streiner  
**Sent:** Tuesday, March 24, 2020 5:31 PM  
**To:** Valérie Lagacé  
**Cc:** Marcia Jones; Sébastien Bergeron; Tom Oommen; Liz Barker  
**Subject:** RE: Decisions

OK. Let's make sure everything is teed up for a smooth release of the three decisions + statement at 2 tomorrow.  
Thanks.

----- Original message -----

**From:** Valérie Lagacé  
**Date:** 2020-03-24 5:27 p.m. (GMT-05:00)  
**To:** Scott Streiner  
**Cc:** Marcia Jones , Sébastien Bergeron , Tom Oommen , Liz Barker  
**Subject:** RE: Decisions

Patrice said she would be ready by 2 pm. Our plan is to start by issuing on the web and send communications to parties starting by air carrier.

Valérie

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**De :** Scott Streiner  
**Envoyé :** 24 mars 2020 17:09  
**À :** Valérie Lagacé  
**Cc :** Marcia Jones ; Sébastien Bergeron ; Tom Oommen ; Liz Barker  
**Objet :** Decisions

Hi, Valerie. What time do you think the two decisions drafted today will be ready for issuance tomorrow?  
We'll want all three decisions plus the statement "push button ready" so they can be released more or less simultaneously.

S



## Meredith Desnoyers

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**From:** Valérie Lagacé  
**Sent:** Tuesday, March 24, 2020 5:28 PM  
**To:** Scott Streiner  
**Cc:** Marcia Jones; Sébastien Bergeron; Tom Oommen; Liz Barker  
**Subject:** RE: Decisions

Patrice said she would be ready by 2 pm. Our plan is to start by issuing on the web and send communications to parties starting by air carrier.

Valérie

---

**De :** Scott Streiner  
**Envoyé :** 24 mars 2020 17:09  
**À :** Valérie Lagacé  
**Cc :** Marcia Jones ; Sébastien Bergeron ; Tom Oommen ; Liz Barker  
**Objet :** Decisions

Hi, Valerie. What time do you think the two decisions drafted today will be ready for issuance tomorrow?

We'll want all three decisions plus the statement "push button ready" so they can be released more or less simultaneously.

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## Meredith Desnoyers

---

**From:** Sébastien Bergeron  
**Sent:** Tuesday, March 24, 2020 6:02 PM  
**To:** Scott Streiner; Liz Barker  
**Cc:** Alysia Lau  
**Subject:** FW: Summary of Canadian Carriers tariff provisions relates to refunds.  
**Attachments:** RDIM-2127771-Air\_Carrier\_Refund\_Policies\_in\_various\_scenarios\_\_due\_to\_Covid\_19-4.DOCX.DRF

Scott, Liz:

See below and attached.

Seb

Sent from my Bell Samsung device over Canada's largest network.

----- Original message -----

**From:** Moira Siân Reid  
**Date:** 2020-03-24 6:00 PM (GMT-05:00)  
**To:** Tom Oommen , Marcia Jones  
**Cc:** John Touliopoulos , Jordan Doyle , Caitlin Hurcomb , Christine Dwyer , Sébastien Bergeron , Valérie Lagacé  
**Subject:** Summary of Canadian Carriers tariff provisions relates to refunds.

Good evening all,  
Please find attached, a table which communicates the top 5 Canadian carriers' tariff provisions which set out their policies on refunds under different scenarios. The exercise has required the pouring over multiple lengthy contracts which are, at times, not absolutely clear. We have endeavored to do our very best to ensure the accuracy of this information. The interpretation of some of the provisions may differ from the views of the Agency in relation to any matter before it. If you have any questions about the information contained in the document, please do not hesitate to contact us.

Kind regards, Moira

Moira Reid

Gestionnaire / Manager

Division des Tariffs et de la Recherche/ Tariffs and Research Division

L'Office des Transport du Canada / The Canadian Transportation Agency

[moira.reid@otc-cta.gc.ca](mailto:moira.reid@otc-cta.gc.ca)

## AIR CARRIER REFUND POLICIES BASED ON THEIR TARIFF PROVISIONS

Refund Scenario	Air Canada		WestJet		Air Transat			Sunwing		Porter		
	Domestic	International	Domestic	International	Domestic	Trans border	International	Domestic	International	Domestic	International	Transborder
Flight Cancellation for Situations Outside the Carriers Control  Carrier caused (APPR does not prescribe a refund to the passenger)	Yes  Subject to applicable fare rule cancellation penalties and change fees.	Yes  Subject to applicable fare rule cancellation penalties and change fees	No  (Notwithstanding the absence of a refund provisions under these circumstances, passengers may seek a voluntary refund from the carrier – see below)	Yes  Full Refund	Yes  Full refund  Option of future travel voucher at the passenger's discretion.	Yes  Full refund  Option of future travel voucher at the passenger's discretion.	Yes  Full refund  Option of future travel voucher at the passenger's discretion.	Yes  Full Refund	Yes  Full Refund	No (with one exception)  Porter has 4 different fare types: 1 non-refundable under all circumstances, 2 non-refundable but Porter will provide the passenger with a future travel credit only, and 1 fare type (the Freedom Fare) which completely refundable for cash.	No (with one exception)  Porter has 4 different fare types: 1 non-refundable under all circumstances, 2 non-refundable but Porter will provide the passenger with a future travel credit only, and 1 fare type (the Freedom Fare) which completely refundable for cash.	No (with one exception)  Porter has 4 different fare types: 1 non-refundable under all circumstances, 2 non-refundable but Porter will provide the passenger with a future travel credit only, and 1 fare type (the Freedom Fare) which completely refundable for cash.
Refusal to Transport  (force majeure) (government order) (safety) or (passenger refused transportation due to their health/medical condition)	Yes  Subject to applicable fare rule cancellation penalties and change fees	Yes  Subject to applicable fare rule cancellation penalties and change fees	Yes  Full Refund	Yes  Full Refund	No	No	No	Yes  Full Refund	Yes  Full Refund	Yes  Full Refund	Yes  Full Refund	Yes  Full Refund
Passenger decision to cancel their flight voluntarily	Yes  Subject to applicable fare rule cancellation penalties and change fees.	Yes  Subject to applicable fare rule cancellation penalties and change fees	Yes,  Subject to applicable fare rule cancellation penalties and change fees.	Yes  Subject to applicable fare rule cancellation penalties and change fees..	Yes  Subject to applicable fare rule cancellation penalties and change fees.	Yes  Subject to applicable fare rule cancellation penalties and change fees.	Yes  Subject to applicable fare rule cancellation penalties and change fees.	Yes  Subject to applicable fare rule cancellation penalties and change fees.	No	No (with one exception)  Porter has 4 different fare types: 1 non-refundable under all circumstances, 2 non-refundable but Porter will provide the passenger with a future travel credit only, and 1 fare type (the Freedom Fare) which completely refundable for cash.	No (with one exception)  Porter has 4 different fare types: 1 non-refundable under all circumstances, 2 non-refundable but Porter will provide the passenger with a future travel credit only, and 1 fare type (the Freedom Fare) which completely refundable for cash.	No(with one exception)  Porter has 4 different fare types: 1 non-refundable under all circumstances, 2 non-refundable but Porter will provide the passenger with a future travel credit only, and 1 fare type (the Freedom Fare) which completely refundable for cash.

## AIR CARRIER REFUND POLICIES BASED ON THEIR TARIFF PROVISIONS

### General Comments:

- Refund is typically in the original form of payment unless otherwise noted above.
- Refund will be provided for unused portion of travel itinerary. Partially travelled itineraries will be repriced based on the transportation actually used and the value of a refund determined afterwards..

### \*Force Majeure Clauses in the tariff which may override tariff obligations

- Air Canada's tariffs contain a provision which disclaims liability in the case of flight cancellation which occurred as a result of force majeure. But, we are of the view that Air Canada would treat a cancellation in this respect as a passenger voluntarily cancelling their flight.
- WestJet's tariffs contain a provision which disclaims liability in the case of flight cancellation which occurred as a result of force majeure. However WestJet, tariffs are not clear in the same way Air Canada has made the same statement. WestJet conflates the use of the term 'force majeure' and 'outside the carrier's control' and what it understands to be a 'schedule irregularity for which it believes that APPR would not apply. This terminology appears throughout the carriers tariff which makes its interpretation challenging in certain situations. WestJet seems to equate a force majeure situation to be a situation outside the carrier's control as defined by the APPR.
- Air Transat has a broad and categorical statement in its domestic, trans border and international tariffs that states the carrier is not responsible for any of its tariff obligations set out in the tariff in the case of force majeure situations.
- Sunwing's tariffs do not invoke force majeure to limit the carriers tariff obligations.
- Porter's tariffs do not invoke force majeure to limit the carriers tariff obligations.