

MOVING AHEAD

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CANADIAN TRANSPORTATION AGENCY

Inside

Chairman's Message 1

The Accessible
Transportation Directorate
Has a New Director. 3

Transport Canada
Announces Access to
Travel Web Site. 4

Mediation: A Complaint
Resolution Option. 5

Issues that Have
Triggered Complaints 8

Greater Toronto Airports
Authority Accessibility
Training Program 10

Volunteers with Disabilities
Help Marine Atlantic. 14

Marine Atlantic –
Who We Are 16

Focus on Accessible
Transportation 19

Web Resources 20

How to Contact Us 20



CHAIRMAN'S MESSAGE



Marian Robson

One of the cornerstones of the Agency's efforts to remove barriers has been initiatives designed to empower passengers with disabilities to take control of their travel experience. I believe that providing people with information and facilitating opportunities for its use does much to contribute to customer satisfaction. The success of the *Taking Charge of*

the Air Travel Experience – A Guide for Persons with Disabilities Publication proves this point. More than 40,000 Canadians with disabilities have obtained this travel tool for use in arranging necessary services when travelling by air. Hopefully, these 40,000 plus Canadians have had a more enjoyable trip thanks to the Agency's efforts.

Despite the best efforts of service providers to meet the travel needs of customers with disabilities, problems do arise. The Agency's complaint resolution service provides the opportunity for third party review of these difficulties. Yet, some travellers have indicated

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that they do not wish to enter into this formal process, but would still like their concerns addressed.

Mediation, a new alternative in our Agency toolbox of services, will meet this need. We're not suggesting mediation instead of our formal process in every case; rather, we're indicating that if a certain case lends itself to mediation, and if both parties would like to proceed, then we think that mediation offers advantages in particular situations. I should also mention that if mediation is unsuccessful, the formal Agency complaint resolution process is still available to the complainant.

The use of mediation is very much part of a Government of Canada-wide direction applied to the area of accessible transportation. We have done a lot of research with other federal and provincial tribunals and have found, in most cases, that there has been a tremendous success rate with mediation in a whole variety of areas. I'd like to emphasize that we are fully committed to fulfilling our

legal authorities under the Canada Transportation Act, but we are also looking at alternative ways for resolving disputes.

Our mandate provides us with an opportunity to play a dynamic role in improving access to transportation services through a range of initiatives such as regulations and codes of practice, monitoring activities, complaints resolution, education and liaison activities. Our citizen-centred focus to meeting these challenges has uniquely equipped the Agency to play a role as an effective mediator in accessible transportation matters. If you have a concern or difficulty that you would like examined through the mediation process, you can contact the Agency and request this new service. Or, if you have already filed a complaint with the Agency and would like to try this method, please feel free to contact us again. ♦

The Accessible Transportation Directorate Has a New Director

On April 2, 2002, Kim Rochon became the Accessible Transportation Directorate's new Director. Kim is a native of Ottawa, Ontario, and has a Bachelor of Commerce degree from Carleton University.

During nearly nineteen years with the Agency and its predecessors, Kim has held a variety of positions including most recently, Chief of Staff to the Chairman.

She brings to the position demonstrated strength as a mediator, communicator, plus an intimate knowledge of the Canadian Transportation Agency. She has provided advice and recommendations on the application of



Kim Rochon

transportation legislation and regulations, resolved disputes in railway infrastructure applications, managed human and financial resources, mediated a transportation dispute and developed guidelines to replace regulations which involved consultations with rail carriers and municipal representatives.

Kim looks forward to working with the community of persons with disabilities and their related associations, the transportation

industry, and the Agency's Accessible Advisory Committee to ensure that the federally-regulated transportation network in Canada is accessible. ♦



Transport Canada Announces Access to Travel Web Site

www.accesstotravel.gc.ca

Transport Minister David Collenette announced the launch of the Access to Travel Web site on April 4, 2002. This site is designed to provide centralized and accessible information on transportation and travel services to persons with special needs.

“I am pleased to announce this Web site which will make accessible transportation in Canada more user friendly,” said Mr. Collenette. “It is important that we provide all Canadians with the most efficient and accessible transportation system possible.”

Consultations conducted by Transport Canada with special needs travellers found that Canadians and international travellers with disabilities face certain challenges when travelling within Canada. Differences in accessible transportation services

between communities, and a lack of accessible information on these services, create difficulties for some travellers. This Web site addresses these issues by providing a Canadian Web-based accessible travel information system.



The site includes information on bus, rail, air and ferry transportation, government programs and policies, local public and private transportation, and links to other accessible transportation sites.

It was developed in partnership by the Government of Canada, several provincial governments, and not-for-profit organizations.

Although the site caters to persons with disabilities, it also provides information that is relevant to caregivers and families of persons with disabilities. Seniors and other travellers with special needs will also find the infor-

mation and links on the site useful in planning their trips.

The Access to Travel Web site is an evolving resource with the goal of providing “one-stop” information on travel across Canada for those with special needs.

“This Web site is a good resource for people with special needs. It simplifies the process of gathering information and planning trips,” added Mr. Collenette. “Moreover, it affirms the Government of Canada’s commitment to building a more inclusive society.” ♦

Mediation: A Complaint Resolution Option

by Chris Stark

Mediation is a new avenue of dispute resolution available through the Canadian Transportation Agency. Recently implemented by the Accessible Transportation Program, mediation is now an option when accessible transportation complaints are filed. By enabling consumers and transportation service providers to have the control and flexibility to develop creative solutions to problems that may not be available through a more formal adjudicative complaint resolution process, mediation can result in improved service.

The parties to the mediation ultimately determine the outcome. Mediation empowers them with a confidential process that is flexible and non-confrontational. It allows

each side to be exposed to the perspective of the other party, identify facts, check assumptions, exchange ideas, recognize common ground and test possible solutions. This is accomplished, with the guidance of the mediator, in a controlled yet informal setting that maintains a balance between parties of differing strengths.

The goal of this simple voluntary process is to quickly and collaboratively achieve satisfaction and benefits for both the consumer and the service provider. Because the participants are joint problem-solvers, instead of adversaries, mediation has an impressive track record for resolving disputes amicably. The confidential environment of a mediation



allows parties to openly express their views and helps them to develop better understanding, sometimes the greatest barrier to overcome. Assisted by the mediator, the parties work together to devise solutions tailored to the specifics of a situation and reach an agreement, usually through one or two sessions.

To ensure that its mediation process would properly accommodate the needs of all participants, the Agency examined mediation models used by other Canadian and American regulatory bodies, prior to implementing this initiative. One of these organizations, the United States Department of Justice, which administers the Americans with Disabilities Act (ADA), cited many success stories from its mediation program.

For example, in Virginia, a wheelchair user complained that a condominium sales office did not have an accessible entrance. As a result of mediation, the condominium builder agreed to renovate the sales office entrance, making it accessible. The builder also agreed to implement several other policies including providing auxiliary aids and services to ensure effective communications, making informational videos available upon request and providing a method for

requesting any other accommodation that a person with a disability might require. In addition to these policy changes and improvements, the builder agreed to make a generous donation to a disability rights organization and paid compensation to the complainant.

In another example, a Michigan court was compelled to change when a person with a hearing disability complained that the court failed to provide a qualified sign language interpreter during crucial proceedings. In mediation, the court agreed to provide a qualified sign language interpreter for the complainant, on request, with three days notice. The court also agreed to engage in a process of self-evaluation to achieve compliance with all the other provisions of the ADA.

A request to mediate is all that is required to initiate this process at the Agency. Upon receipt of such a request, Agency staff assess the willingness of the other party to participate. Once both parties have expressed a desire to mediate, a specially trained Agency representative is appointed to mediate the dispute between the consumer and the transportation service provider.

The mediator meets with the parties in an informal setting. Acting as a neutral, the mediator's role is to focus the discussions on interests, not positions. The mediator opens the lines of communication, provides feedback on ideas generated, and encourages parties to fully examine all options presented. The mediator is also able to provide information pertaining to the Canada Transportation Act and regulations and codes of practice administered by the Agency. In addition, the mediator may also make the parties aware of the possible outcomes that could be achieved through the Agency's traditional dispute resolution process, based on existing precedents. The goal of the mediator is always to facilitate the resolution of the complaint to the satisfaction of all parties, in a fair and equitable manner.

Representation by an attorney is permitted, but not required, in mediation. When the parties are successful in reaching a mutually agreeable resolution, the mediator assists the parties to draft an agreement by preparing minutes of settlement. This summary



is ratified by the parties and forms the basis for the agreement.

In situations where a full resolution is not achieved, the issues that remain unresolved can be referred back to the Agency to be handled through the formal adjudicative process. When this occurs, the mediator, bound by the confidential nature of the mediation session, cannot discuss any part of the file with his or her colleagues. The mediator is excluded from the case when it goes before the Agency and cannot be compelled to produce information or to testify regarding information obtained during mediation. None of the material discussed during the mediation will be disclosed or used in arriving at a formal decision.

The Agency, in its role as a quasi-judicial body, is committed to enhancing the service it provides by seeking new ways to resolve disputes. Mediation creates a climate of understanding and mutual respect for the dignity and worth of each person. It allows individuals and carriers to participate, collaboratively, in the



removal of undue obstacles in Canada's federally regulated transportation system. Mediation enhances dialogue with Canadians and produces citizen-centered

solutions that uphold the legislative goal: a transportation system without undue obstacles to the mobility of persons with disabilities. ♦

Issues That Have Triggered Complaints

Seating issues continued to be a significant aspect of many complaints the Agency reviewed and investigated. One such complaint involved the charging of a fee for seat selection. In this case, the Agency found that the advance seat selection fee imposed on the applicant by Skyservice for a seat he needed due to his disability constituted an undue obstacle to his mobility. The Agency ordered Skyservice to amend its policy on advance seat selection in its service manual to clearly state that, once advised of a person's disability, the advance seat selection fee is automatically waived by its Advance Seating Group. Skyservice was also required to provide a copy of its amended policy to the Agency, and to issue a bulletin to its service personnel summarizing the incident and emphasizing the importance of adhering to this amended policy.

The Agency received a complaint about the level of assistance provided by WestJet during boarding when a person with a disability travelled between Edmonton and Kelowna. The Agency found that this level of assistance constituted an undue obstacle to his mobility. WestJet was required to provide a copy of its training program for customer and flight attendants for the assistance of travellers with disabilities and the training records of the customer service agent(s) who assisted the applicant. WestJet also had to submit proposed amendments to its training program for flight attendants to expand on the services they might be called upon to provide to persons with disabilities during the boarding process.

Another complaint concerned difficulties encountered by an air passenger who travelled with a stretcher. Air Canada ramp and in-

flight personnel did not remove the stretcher from its frame, they did not provide the ambulance attendants with the appropriate assistance to ensure that the applicant would be boarded onto the aircraft in accordance with the carrier's policy, and they did not offer the stretcher's side extensions to the applicant. The Agency determined that these occurrences constituted undue obstacles to this traveller's mobility. The Agency directed Air Canada to provide a copy of training records for both the ramp personnel and the in-flight crew who were involved with the applicant's boarding, along with an excerpt of its latest training manual for ramp operations and in-flight employees relating to the carriage of passengers on stretchers. The carrier was instructed to amend its In-Flight Publication 356 to include particular instructions for DC-9 aircraft, as well as information on removing a stretcher from its frame to offer the passenger added comfort, and to provide the Agency with a copy of the amended publication. Finally, Air Canada was ordered to issue a bulletin to its ramp and in-flight personnel summarizing the incident and reminding them of the importance of adhering to the carrier's policy, and to provide the Agency with a copy of the bulletin.

Another person who uses a wheelchair filed a complaint about Air Transat's failure to provide assistance to him on his arrival in Montreal, the damage caused to his wheelchair, and the carrier's failure to provide a temporary replacement wheelchair. The Agency determined that these occurrences constituted undue obstacles to his mobility. Air Transat was required to issue a bulletin to employees who handle mobility aids, reminding them of the importance of ensuring that all components of mobility aids arrive at the destination at the same time. The carrier was also instructed to issue specific guidelines to remind airport employees to adhere to Air Transat's policy, which requires that a replacement aid be provided in case of damaged or lost aids. Air Transat had to establish a list of companies that repair and provide replacement aids and distribute it to employees, as well as submit a report outlining corrective measures to take to prevent problems similar to those experienced by the applicant. Finally, Air Transat was instructed to reimburse the passenger for expenses incurred for the repair of his wheelchair and the additional transportation costs incurred for the return trip to France. ♦



Greater Toronto Airports Authority Accessibility Training Program

by Greater Toronto Airports Authority

One of the four pillars under which Greater Toronto Airports Authority (GTAA) operates is customer service. This includes provisions set out to ensure accessibility for all users of the airport. As the air travel industry grows, so does the variety of needs of the travelling public. The GTAA has recognized that, in some situations, travellers with special needs require assistance of a nature that many employees are unprepared for. To ensure that our service extends to these persons, the GTAA introduced accessibility training programs.

The accessibility training program offered to employees and contractors of the GTAA began in the summer of 1996. The program is designed to



instruct front-line staff to provide appropriate transportation and customer services to persons with disabilities. Since its inception, the program has become an integral part of the GTAA's training initiatives and has received a great deal of positive feedback from the participants.

In the transportation industry, it is important to consider the needs of all members of the travelling public but, even more so, travellers who may have special needs. At Toronto's Pearson International Airport, it is essential that everyone has access to any facility or service located at the airport and that employees and contractors are aware and sensitive to the needs of the public. Personnel Training Regulations (PTR) have



been set out by the Canadian Transportation Agency to ensure that those who interact with the public are aware of the needs of travellers with disabilities.

The GTAA has retained the firm Handidactis to facilitate its training program. All GTAA employees who interact with the public, including Passenger Information Representatives, Airport Duty Managers, Terminal Officers and personnel in Groundside Operations receive the training every three years, along with employees in Corporate Affairs and Communications. Every new employee working in these

areas is mandated to undergo this training within 60 days of his or her start date.

Other individuals who operate under the terms of a contract with the GTAA, such as porters, baggage cart employees, commissionaires, limo and taxi drivers, shuttle bus drivers, and city bus drivers, are also required to participate in the accessibility training program. Contractors, excluding porters and baggage cart employees, must arrange their training independent from the GTAA. However, like GTAA employees, these groups must receive refresher training every three years.





The initial training seminar is approximately three hours in length. The facilitator, Lauri Sue Robertson, along with in-house trainers, familiarizes participants with the different types of disabilities and any associated special needs. The trainers also teach participants how to improve the travel experience of clients with disabilities and how to interact and communicate effectively and with sensitivity. A large portion of the training deals with sensitivity issues when working with persons with disabilities. There is a section on vocabulary to familiarize airport employees with appropriate terminology and communication skills. A participant's manual is also supplied as part of the training material.

The facilitator uses a lecture format supported by videos to conduct the sessions. What makes the program particularly effective is that Handidactis employs persons with

disabilities as trainers who have first-hand knowledge with real-life experiences. This knowledge provides credibility and a greater appreciation and understanding by the participants. Hands-on exercises during the training make the experiences of travellers with disabilities more realistic. In one exercise, attendees are given goggles that simulate various visual impairments to familiarize them with some of the barriers faced by a visually impaired person.



As part of the PTR, organizations are required to keep records of staff who have completed the accessibility training. The GTAA is responsible for maintaining these records and for following up when an employee is to receive refresher training. Information from contractors detailing who has participated in the training program is also forwarded to the GTAA to keep files up to date.



Recently, an audit by the Canadian Transportation Agency was conducted on the GTAA's accessibility training program. The inspection concluded that the training complies with the PTR and that the positive attitude displayed by training personnel at the GTAA shows ongoing commitment to maintaining the program's success.



The GTAA takes its accessibility training program very seriously. By providing employees and contractors with the appropriate information needed to serve the public, the GTAA is ensuring a barrier-free environment in and around the airport. The GTAA is recognized within the transportation industry as an organization that is committed to providing excellent service to all of its customers. ♦



Volunteers with Disabilities Help Marine Atlantic

by Wanda Harbin, Marine Atlantic

Striving to meet the customer service needs of all its passengers is a goal of Marine Atlantic. This commitment takes on added importance when a new vessel is introduced.

As part of its commitment to improving accessibility, Marine Atlantic has created an Advisory Committee on Accessibility. The purpose of this committee is to review accessibility issues within Marine Atlantic and institute procedural and structural changes to improve accessibility. With the announcement that the *MV Leif Ericson* had been purchased, the Marine Atlantic Advisory Committee



Jim McDonald

was called upon to play an important role. Giving Marine Atlantic advice about accessibility needs at the design stage helped to ensure that the refitting of the new vessel would follow barrier-free design standards to the greatest extent possible.

Universal design principles were applied to ensure that all passengers could enjoy ship-

board amenities together. Public washrooms were modified to enable use by persons who use wheelchairs. An accessible cabin was constructed, which includes an accessible washroom with a roll-in shower. Wheelchair ramps were installed

where needed throughout the public areas. Most signage was placed at eye level to facilitate ease of reading. Tactile and braille signage is being introduced on the vessel, starting with public washrooms. Tactile markings are being installed on the elevators. Decks will also be announced as the elevator doors open.

The boat is being equipped with sonic and visual alarm systems, as well as close-captioned television. Added lighting is being installed to enhance visibility. Sections of counter tops will be lowered for persons who use wheelchairs. Also, multi-bed sleeping quarters are being equipped with accessible berths to make this service available to passengers with disabilities.

The *MV Leif Ericson* began operation on the Port-aux-Basques – Sydney run on June 2nd, 2001. It has a Gross Registered Tonnage of 18,523 tonnes and will carry 500 passengers and up to 300 autos

or 75 trucks at 17 knots. As with the Marine Atlantic Superferries, the *Caribou* and the *Joseph and Clara Smallwood*, it has two high head-room decks and roll-through loading. It also has stabilizers, bow thrusters and an ice-class hull.

In March 2002, the committee toured the *MV Leif Ericson* to observe first-hand the results of their work. During the tour of the vessel, members could see the results of their many hours of work and discussion with staff. The partnership between consumers and service providers has made a positive difference.

“Promoting service for all, benefits all,” said Co-Chair Jim McDonald of St. John’s. “I am particularly encouraged by the introduction of some tactile signage on this vessel. Access to this type of information enhances independent travel.” ♦



Marine Atlantic – Who We Are

by Wanda Harbin, Marine Atlantic

Marine Atlantic Inc. is a Canadian federal Crown corporation that operates ferries across the Cabot Strait between the island of Newfoundland and mainland Canada, according to contracts in place with Transport Canada. The ferries operate year-round on the 96 nautical mile route between Port-aux-Basques, Newfoundland and North Sydney, Nova Scotia and during the summer on the 280 nautical mile route between Argentia, Newfoundland and North Sydney.

The Cabot Strait and southern coast of Newfoundland are home to a variety of marine wildlife, including seals, whales, dolphins and seabirds. During the year-round crossings between Port-aux-Basques and North Sydney and, the additional Argentia to North Sydney crossings during the summer season, it is frequently possible to view several examples of local wildlife while en route.

Marine Atlantic's mission is to provide customers with a safe, environmentally responsible and quality Newfoundland-mainland ferry service in a reliable, courteous and cost-effective manner. As part

of its mission, the following accessibility features are being put into service throughout the system:

Signage: Appropriate informational signage

can be found at key points, within the terminals and on board the ferries. All signage is placed for maximum readability and is in both official languages.

Chair-lift equipped passenger bus: Each of Marine Atlantic's passenger shuttle buses, utilized to transport passengers without vehicles from the terminals to the vessels, are fully equipped with wheelchair lift units to assist passengers who use wheelchairs. In addition, their friendly



and cooperative staff have been trained in the use of these lifts.

Passenger areas & cafeteria:

Most general passenger areas, including the cafeteria, are designed to be completely accessible to persons with disabilities.

Elevators: Terminals are equipped with passenger elevators providing access to all floors of the terminal building. In addition, each vessel has passenger elevators that provide accessibility to all lower decks, including vehicle decks. In conditions of extreme weather, passenger elevators on the vessels may be unavailable due to safety regulations.

Manual Wheelchairs: Each terminal and vessel is equipped with a manual wheelchair. These wheelchairs are available to customers upon request.

Cabins: As well as the one adapted cabin on the *MV Leif Ericson*, both the *MV Caribou* and *MV Joseph and Clara Smallwood* feature two adapted cabins designed to meet the accessibility requirements of persons with disabilities. These cabins include

wider doorways, increased floor space, accessible controls and outlets, and a fully accessible washroom. Also included are flashing lights for persons who are deaf.

Public washrooms: Each vessel and terminal building offers wash-room facilities designed to be accessible by persons with disabilities.

Staff training: All Marine Atlantic staff are fully aware of the standards detailed in the Code of Practice on Ferry Accessibility for Persons with Disabilities. Also, all staff have been trained in sensitivity issues.

As Marine Atlantic receives over 400,000 reservation calls each year, passengers with disabilities are encouraged to identify their needs at the time of booking. For operational reasons, some services require advance arrangements or have specific requirements. For example, persons needing to park their vehicles close to the elevators on the vehicle decks are asked to check in 90 minutes prior to departure, to ensure advanced boarding.



“Getting the service right for each individual passenger is important to us at Marine Atlantic,” said Wanda Harbin, Chair of the Marine Atlantic Committee. “We’re working hard with the community of persons with disabilities to make sure their voyages are enjoyable. The advisory committee is an important part of this effort. Committee members will be asked to help us design a new customer service pamphlet, and to arrange for persons with disabilities to participate in employee training programs. With this hands-on approach, Marine Atlantic is striving to offer the best possible service to all.”

Questions?

Any questions, or comments, regarding accessibility or concerning Marine Atlantic’s adapted cabins can be directed to the knowledgeable staff at any of the terminal buildings or the toll-free reservation number: 1-800-341-7981 or Toll Free Hearing Impaired TTY Line: 1-877-820-9252

Web site: www.marine-atlantic.ca

Focus on Accessible Transportation



Employees of the Accessible Transportation Directorate

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It has arrived! An easy way to keep up to date on the Canadian Transportation Agency's accessible transportation activities.

You can now subscribe to an announcement service that will automatically send you electronic notifications each time something new is released by the Agency on accessible transportation. You will receive current information about decisions issued as a result of complaints, newsletters, publications, and opportunities for you to provide

your comments on Agency proposed regulations and codes of practice.

Our subscription page allows you to receive information on all Agency activities or on your particular areas of interest, such as accessible transportation, air, rail, or marine.

To receive timely, useful information automatically, visit the Canadian Transportation Agency's Web site at www.cta.gc.ca and join our growing list of subscribers by activating the subscription link. ♦



WEB RESOURCES

The Government of Ontario presents extensive resources and information for business and service providers on workplace diversity and creating accessibility for people with disabilities.

www.equalopportunity.on.ca

A centre for independent living on the world wide web, serving people with disabilities, their friends, families and our community.

www.taconicresources.net/acctrav.htm

TRAVEL WITH CONFIDENCE



The right information and advice can help you take charge of the travel experience.

That's why the Canadian Transportation Agency has produced **TAKING CHARGE OF THE AIR TRAVEL EXPERIENCE – A Guide for Persons with Disabilities**. The guide offers useful information and helpful tips to help make your travelling easier.

Contact the Agency for your complimentary copy. The guide is available as a booklet, on audio cassette, computer disk, and in braille. You can also find the guide on the Internet at www.cta.gc.ca.

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