

# THE AIR TRAVEL COMPLAINTS COMMISSIONER'S REPORT



January 2002 to June 2002



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# Office des transports du Canada



#### Canadian Transportation Agency

Commissaire aux plaintes relatives au transport aérien

Air Travel Complaints Commissioner

December 2002

The Honourable David M. Collenette, P.C., M.P. Minister of Transport
Transport Canada Building — Place de Ville
330 Sparks Street
Ottawa, ON K1A 0N5

Dear Minister:

Pursuant to section 85.1 of the *Canada Transportation Act*, I have the honour of presenting to you the Air Travel Complaints Commissioner's Report for the period from January 1, 2002 to June 30, 2002.

Yours sincerely,

Liette Lacroix Kenniff
Commissioner

Encl.

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#### **COMMISSIONER'S MESSAGE**

During more than 35 years in the air travel industry, I have had the good fortune of being directly involved in airline customer service, from making reservations, issuing tickets and checking in baggage to choosing the design of the cabin environment, the meal contents and the types of wine to be offered; for Canadian markets as well as for long haul flights to Europe and Asia.



I headed projects designed to enhance the product offerings and bring corrective action to systems or procedures that caused irritants for the customers. I also spent a few years as Manager of Customer Relations listening to passenger complaints and finding ways to make things right when the airline dropped the ball. I have now come full circle and the lessons I gleaned from working within the airlines now serve me on the outside looking in. For instance, I know that airline passenger satisfaction can only be achieved when some basic needs are met:

- easy access to information on ticket cost and conditions:
- reasonably short line-ups to check in baggage;
- seats with enough leg room; and
- baggage delivered shortly after arrival and in good condition.

But more importantly, even if all of these basic needs are met, the attitude of the front line staff is the determining factor. A surly check-in agent, an unsmiling flight attendant or an uncaring baggage claims representative will remain foremost in the passenger's memory and influence the choice of airlines in the future or even whether to fly at all. Regrettably, complaints on the attitude of the airline staff still rank high on the list of complaints received.

The attitude of the front line staff is especially critical when unforeseen situations arise. The way the airline handles delays, re-routings and cancellations determines whether they will retain the good will of their clients, or prompt them to submit claims to the airline and complaints to the Air Travel Complaints Commissioner.

Complaints about the lack of information during irregular operations are numerous. Information breeds confidence, but silence breeds fear, as evidenced in the complaints

received from passengers on seriously delayed flights. When a flight is delayed, passengers want to know why. Keeping them informed goes a long way to making the long wait more acceptable. Conversely, a lack of proper communications during delays will inevitably create frustration and anger and give vise to claims and complaints.

This report, the fourth since the creation of the Office of the Air Travel Complaints Commissioner in July 2000, is based on complaints gathered during the mandate of my predecessor, Bruce Hood. During his tenure, the Canadian Transportation Agency team built a responsive and efficient complaint handling system to ensure that every complaint is handled with sensitivity and fairness. I am indebted to the members of the Agency's Complaints Investigation Division that kept the system running smoothly during the transition period between the end of Mr. Hood's term on July 31, 2002, and my appointment effective October 1, 2002.

Although there is every indication that this office has had a positive impact on air carriers in terms of their attention to the treatment and resolution of customer complaints, the constant flow of passenger complaints continues. It would be difficult to produce data that would allow us to gauge the degree of satisfaction of the travellers with any amount of accuracy. To date, and contrary to their neighbours in the United States, Canadian carriers are not required to make available the figures that would allow us to measure customer satisfaction based on a comparison of

the number of passengers carried and the number of mishaps reported, such as delays, baggage mishandlings, denied boardings and employee attitude. However, the Office of the Air Travel Complaints Commissioner has received close to 5,000 complaints. That gives me a strong indication that there is still a lot of room for improvement. Thus, our work continues.

Where regulations, policies and tariffs tell the carriers how to compensate customers when baggage is lost or damaged, no such cut-and-dried rules tell them how to make things right with customers who have been badly treated. This is where the Air Travel Complaints Commissioner's office has been most effective. Not only have initial settlements offered from the airlines been increased in many cases following the Commissioner's intervention, but trends identified and reported by the Office of the Air Travel Complaints Commissioner have prompted many corrective actions to systemic problems on the part of the airlines.

My goal is to resolve complaints from airline passengers, to continue to monitor the airline performance using complaints I receive as a gauge, for lack of more concrete data, and to continue to recommend changes that will improve the airline passenger's level of satisfaction.

Liette Lacroix Kenniff

#### **INTRODUCTION**

## The Office of the Air Travel Complaints Commissioner

The Office of the Air Travel Complaints Commissioner was created in July 2000 in response to concerns about the quality of air travel in Canada that arose during the restructuring of the industry. It acts as an impartial third party in the settlement of disputes between consumers and air carriers that operate to, from and within Canada.

The Commissioner's office is part of the Canadian Transportation Agency, a quasijudicial administrative tribunal that requlates various modes of transportation under federal jurisdiction, including air, rail and marine as well as accessibility to these services by people with disabilities. The Agency has the powers and rights of a superior court and can issue binding decisions in the handling of complaints that involve a possible contravention of various regulations that govern such areas as pricing, tariffs, unruly passengers and reduced services. However, the Commissioner does not have the authority to impose a settlement on either party.

Under Section 85.1 of the *Canada Transportation Act*, the Commissioner's principal responsibilities are to review and expedite the resolution of a broad range of air travel complaints. Complaints received by the Commissioner are compiled and analysed in biannual reports. The reports include the number and nature of consumer complaints involving air travel, the manner in which the complaints were handled, and any systemic problems the Commissioner identifies within the air travel industry.

The majority of complaints received by the Commissioner deal with such issues as the quality of service provided by air carriers, baggage handling and flight schedules.

Air carriers operating within Canada are largely deregulated and, for the most part, are free to adopt whatever pricing structure and terms and conditions of carriage they see fit. However, their terms and conditions of carriage must be clear, reasonable and not unduly discriminatory.

Carriers operating international services to and from Canada operate in a somewhat more restrictive environment, as they have to respect a number of bilateral air service agreements and inter-carrier agreements. Even so, international carriers also enjoy considerable flexibility in determining which terms and conditions of carriage to apply. However, their terms and conditions of carriage must also be clear, just and reasonable.

An air carrier's tariff must set out not only its fares, rates and charges, but also its terms and conditions of carriage. Carriers must abide by these at all times. If a carrier loses a passenger's luggage, for example, it must compensate that passenger according to the rules governing lost luggage that are set out in its tariff. Carriers must also make these tariffs available to the public upon request.



A significant number of disputes investigated by the Commissioner stem from a misapplication or misunderstanding of a particular tariff provision, by a carrier's own front line employees.

Supported by staff from the Agency's Complaints Investigation Division, the Commissioner may seek assistance from other Agency-based personnel for legal advice or for guidance on specific issues such as tariff and pricing matters.

Complaints that deal in whole or in part with issues that fall under the jurisdiction of other government departments or agencies, such as safety, transportation policy or anti-competitive behaviour, are forwarded to the appropriate authorities. In cases of overlapping issues within one complaint, the Commissioner separates the part or parts that pertain to her mandate and passes the remaining issues to the relevant authority.



The Commissioner's complaint handling process is structured to give air carriers an opportunity to resolve as many disputes as possible without outside intervention.

Accordingly, the Commissioner recommends that a dissatisfied customer first contact the air carrier with a written complaint. If a consumer sends a complaint directly to the Commissioner without first writing to the carrier, the complaint is forwarded to the carrier with a request that it deal with the complaint within 60 days and advise the Commissioner of the results of its efforts. These complaints are referred to as Level I Complaints. While the number of Level I Complaints is quite high, each complaint requires relatively little staff involvement.

If a carrier fails to respond to a complaint within the established deadline or if a complainant is not satisfied with the carrier's response, the complaint will be referred to senior Complaints Investigation staff in the Commissioner's office who will attempt to negotiate a resolution to the complaint that is satisfactory to both the complainant and the air carrier. These complaints are referred to as **Level II Complaints**. As much as possible, the investigation of complaints is conducted in an informal, co-operative and non-confrontational manner. Where these efforts prove unsatisfactory, the Commissioner will review the file personally and may choose to intervene with the carrier if she believes that a complaint has not been dealt with appropriately. This approach has proven to be a very effective way to resolve many disputes.



In certain instances, the Commissioner may choose to refer complaints to the Canadian Transportation Agency. The Agency has the authority to compel carriers to respect their terms and conditions of carriage as set out in their tariffs. It may also order a carrier to compensate a passenger for his or her out-of-pocket expenses if these arose as a result of the carrier's failure to respect its tariff. However, the Agency cannot order any compensation for pain and suffering, stress, loss of enjoyment, loss of income, etc. These are issues that can only be resolved by the civil courts.

#### Contacting the Commissioner

Complainants who have contacted the carrier first and are not satisfied with the carrier's reply are asked to submit a formal written complaint to the Commissioner by regular mail or facsimile, or by completing a complaint form on the Agency's Web site (www.cta.gc.ca).

Anyone seeking information about the Commissioner's complaint process may call a toll-free call centre (1-888-222-2592) that is staffed by bilingual agents. More than 9,300 consumers telephoned the call centre between July 5, 2000, and June 30, 2002.

Information about the Air Travel Complaints Commissioner and the complaints handling process is available on the Agency's Web site (www.cta.gc.ca). The site provides access to helpful publications and links to the air travel industry, including telephone and fax numbers and addresses of customer service representatives of various carriers.



#### **FINDINGS**

Given the complexities of the air travel industry in general, the changing environment and the unique characteristics that colour our own Canadian circumstance in particular, it is often difficult to draw comparisons based on statistics alone. At the same time, the data gathered by the Commissioner's office in each of the four reporting periods since July 2000 offer valuable insight into what Canadians expect and deserve from the air carriers with which they fly and upon which they depend.

Complaint levels have decreased since the time of peak turmoil in the Canadian air travel industry, which for the purpose of this report is reflected in the second reporting period between January and June 2001. Then, the focus of deep consumer dissatisfaction was Air Canada, as the national carrier struggled to absorb the significantly different corporate and operational culture it inherited when it acquired Canadian Airlines International in December 1999. Today, with approximately 70 per cent of the Canadian air travel market, Air Canada continues to be the subject of more com-

#### Complaint Types

**Level I:** dissatisfied customer complains directly to the Commissioner without writing to the carrier first.

plaints than all other air carriers combined.

**Level II**: dissatisfied customer complains to the Commissioner after a carrier fails to respond to a complaint **or** if the customer is not satisfied with the response.

Statistics compiled over the two-year period reveal several interesting facts. Of the 4,950 complaints received from July 5, 2000 to June 30, 2002:

- 91 per cent of the total number of complaints received were lodged against 15 of the 80 air carriers included in the report.
- 67 per cent of the total number of complaints received concerned Air Canada and its regional affiliates.
- 42 per cent of the total number of complaint issues involved quality of service; 20 per cent flight schedules; and 11 per cent baggage.
- 81 per cent of the total number of complaint files received by the Commissioner since July 5, 2000 were closed by June 30, 2002.
- In 64 per cent of the closed Level II cases, the complainant was judged to be either fully or partially satisfied with the result obtained.

Some interesting facts emerge from a comparison of the complaints received in the first and second years of the Commissioner's mandate, i.e. between the periods July 2000 to June 2001 and July 2001 to June 2002:

 The number of complaints decreased by 20 per cent, from 2,745 complaints in the first year to 2,205 complaints in the second year.



- The number of issues within the complaints decreased by 49 per cent, from 7,486 issues in the first year to 3,782 in the second year.
- Issues involving quality of service dropped by 60 per cent, from 3,374 in the first year to 1,338 in the second year.
- Decreases also occurred in almost all categories of issues, including a 45 per cent drop in flight schedule issues and a 48 per cent drop in complaints about baggage handling.

Of the complaints involving Air Canada and its affiliates during the two reporting intervals:

- The number of complaints decreased by 26 per cent, from 1,913 complaints in the first year to 1,424 in the second year.
- Only 3 per cent involved the carrier's regional affiliates.
- The number of issues within the complaints decreased by 50 per cent, from 5,389 in the first year to 2,684 in the second year.
- Issues involving quality of service dropped by 60 per cent, from 2,434 issues in the first year to 970 issues in the second year.
- Decreases also occurred in almost all categories of issues, including a
   49 per cent drop in flight schedule issues;
   47 per cent in baggage issues; and
   50 per cent in complaints involving Aeroplan.

#### The Fourth Period

The following tables include not only the number and nature of complaints sent by air travellers to the Commissioner between January 1, 2002 and June 30, 2002, but also the comparable statistics for the three previous reporting periods. With few exceptions, the notes that follow the tables refer to the fourth reporting period.

The statistics in these tables may differ slightly from those that appeared in the Commissioner's first three reports. These minor variances result from the dynamic nature of the complaints database, which tracks complaints on the basis of their current status. Where this status has changed since the previous report (for example a Level I complaint has now migrated to Level II), the statistics represent the complaints' current status.



#### Reporting Periods

First: July 2000 – December 2000

Second: January 2001 – June 2001

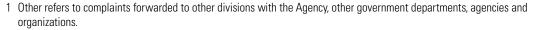
Third: July 2001 – December 2001

Fourth: January 2002 - June 2002

#### Number of Complaints Received

A breakdown of complaints received by the Commissioner between January 1 and June 30, 2002, in relation to the total number of complaints received in each of the three previous reports.

Period	Level I	Level II	Other <sup>1</sup>	Total
First	658	389	117	1,164
Second	902	530	149	1,581
Third	759	278	143	1,180
Fourth	620	257	148	1,025
Total	2,939	1,454	557	4,950





- With the exception of the second reporting period, the number of complaints received in each of the four reporting periods has been roughly the same.
   However, slightly fewer complaints were received in the fourth period than in the three preceding reporting periods.
- Of the 1,025 complaints received during the fourth period, 25 per cent were Level Il Complaints requiring a full investigation by the Commissioner and Complaints Investigations staff; 60 per cent were Level I Complaints which had not yet been addressed by the carrier; and the remaining 14 per cent concerned issues that fell outside the Commissioner's jurisdiction and were passed along to the relevant authorities.

#### Complaints by Carrier

A breakdown of the number of complaints concerning the 15 most frequently named carriers, including domestic and international carriers between July 2000 and June 2002.

Carrier	Number	Percentage
Air Canada	3,216	65.0%
Air Transat	385	7.8%
Canada 3000	378	7.6%
Air Canada Regional	122	2.5%
Royal Aviation	104	2.1%
Skyservice Aviation	63	1.3%
KLM Airlines	39	0.8%
American Airlines	34	0.7%
Air France	31	0.6%
United Airlines	27	0.5%
British Airways	25	0.5%
WestJet	25	0.5%
Lufthansa	19	0.4%
LACSA	18	0.4%
Northwest Airlines	18	0.4%
All Other Carriers	446	9.0%
Total	4,950	100.0%

• The largest number of complaints received in all four reporting periods concerned Air Canada and its affiliates (67 per cent overall and 71 per cent during the fourth reporting period).

#### Complaint Issues – All Carriers

A breakdown of issues raised in complaints concerning all carriers.

Issues	First	Second	Third	Fourth	Total
Quality of Service	1,512	1,862	828	510	4,712
Schedule	636	818	489	310	2,253
Baggage	392	423	235	191	1,241
Ticket	145	250	229	195	819
Frequent Flyer Program	109	228	92	76	505
Reservations	105	241	85	73	504
Denied Boarding	108	169	97	93	467
Safety	66	145	66	43	320
Fares	70	67	49	27	213
Charges	15	19	20	13	67
Cargo	24	18	9	5	56
Unruly Passenger	11	24	13	8	56
Unaccompanied Minors	12	11	15	1	39
Allergies	2	2	9	1	14
Smoking	1	1	0	0	2
Total	3,208	4,278	2,236	1,546	11,268



- 14 per cent of the total number of complaint issues raised were registered in the fourth period, as compared to 38 per cent in the peak period between January and June 2001.
- Quality of service issues represented 33 per cent of the total number of issues raised in the fourth period, followed by flight schedules at 20 per cent, ticketing at 13 per cent and baggage handling at 12 per cent.

If employees aren't familiar with the rules that govern how they should conduct their business, how can a carrier penalize a customer? In any case, a little leniency goes a long way.

While on a two-week return trip via Ottawa and Toronto, a Calgary-based frequent flyer was refused a requested change of flight by Air Canada on the grounds that her excursion fare required a Saturday stay-over. The woman explained that she wanted to fly from Ottawa to Toronto a day earlier than scheduled so she could accompany her visiting father and spend the evening with him in Toronto before he returned to Glasgow. She was told that her only recourse was to buy another full fare ticket. Deciding to forego the extra \$400 charge, the passenger said goodbye to her father in Ottawa.

Her trip home to Calgary from Toronto a few days later was beset by problems. Arriving at the airport, she was offered an earlier flight. Her aircraft was forced to turn back twice because of mechanical problems before passengers were finally switched to another aircraft that took off that evening. "I, like other passengers, did not take issue with the fact we were inconvenienced," the passenger complained in a letter to Air Canada. "I understand that some delays, complications and mistakes will arise and are unavoidable. It would have just been nice if your airline had shown me the same consideration when I needed assistance."

An investigation by the Commissioner's office determined that Air Canada personnel had misinformed the passenger and that she should have been given the requested change on the Ottawa-Toronto portion of her ticket without penalty. Her trip, including the stopovers in the two cities, spanned two Saturdays and therefore satisfied the Air Canada's minimum stay requirement. Air Canada responded with a \$300 travel voucher.



#### Complaint Issues - Air Canada

A breakdown of issues raised in complaints concerning Air Canada and its affiliates.

Issues	First	Second	Third	Fourth	Total
Quality of Service	1,156	1,278	534	436	3,404
Schedule	485	504	256	250	1,495
Baggage	290	287	154	149	880
Ticket	102	190	133	151	576
Frequent Flyer Program	108	223	92	73	496
Reservations	84	178	49	60	371
Denied Boarding	71	132	68	85	356
Safety	24	69	39	26	158
Fares	59	59	42	21	181
Cargo	18	18	7	5	48
Charges	4	12	14	12	42
Unruly Passenger	8	11	7	5	31
Unaccompanied Minors	9	7	8	1	25
Allergies	2	1	6	1	10
Total	2,420	2,969	1,409	1,275	8,073



- 82 per cent of the total issues raised in complaints during the fourth period, or 1,275 of 1,546, were complaints concerning Air Canada.
- 34 per cent of the issues in complaints concerning Air Canada in the fourth period involved quality of service, followed by 20 per cent for flight schedules; 12 per cent for ticket issues; 12 per cent for baggage; 7 per cent for denied boarding; and 6 per cent for Aeroplan.
- The number of issues involving complaints about tickets, at 151, was the third most frequently named issue, replacing baggage handling, at 149, for the first time in four reporting periods.

#### As the passenger says, partnership is more than sharing the profits.

As a birthday surprise, a Vancouver couple bought their son a non-refundable ticket home on a September 19th United Airlines flight from Philadelphia arranged through the carrier's partner, Air Canada. Shaken by the September 11 events, their son cancelled the flight with the assurance from United that a full refund of the \$600 fare was registered by computer link with its partner and would appear on his father's next credit card statement. When two statements appeared without the credit, the father called Air Canada and was told that the information was no longer in the computer. Telephoning again at the end of December, he was told that the refund notice, as well as the records of all previous communication, had once again vanished from the files. Each Air Canada representative "although courteous, has sidestepped or been unable to effectively action the assured refund," the father wrote in a complaint that was forwarded to the Commissioner. "It would appear that the affiliation between Air Canada and United Airlines extends only as far as the issuance of a ticket, but to no further responsibility to the customer beyond that."

The complaint became a matter for the Commissioner when Air Canada finally refused the man's request for a refund on the grounds that exceptions to the normal restrictions on cancelled tickets were granted only for flights from September 11 to September 14. The Commissioner's office contacted United and was told that under the carrier's policy the Canadian passenger was eligible for a full refund. After Air Canada was informed of its partner's differing view, the full amount was credited to the father's credit card.



## Complaint Issues – Other Canadian Carriers

A breakdown of issues raised in complaints concerning Canadian carriers other than Air Canada and its affiliates.

Issues	First	Second	Third	Fourth	Total
Quality of Service	234	474	222	23	953
Schedule	100	257	200	26	583
Baggage	41	77	41	11	170
Ticket	17	41	69	17	144
Frequent Flyer Program	0	2	0	0	2
Reservations	14	49	33	3	99
Denied Boarding	20	20	23	1	64
Safety	34	68	25	6	133
Fares	6	6	5	4	21
Cargo	6	0	2	0	8
Charges	6	6	5	1	18
Unruly Passenger	3	11	6	0	20
Unaccompanied Minors	2	4	6	0	12
Allergies	0	1	1	0	2
Smoking	0	1	0	0	1
Total	483	1,017	638	92	2,230



## Complaint Issues – Foreign Carriers

A breakdown of issues raised in complaints concerning foreign carriers licenced by the Canadian Transportation Agency.

Issues	First	Second	Third	Fourth	Total
Quality of Service	118	101	68	49	336
Schedule	49	56	30	33	168
Baggage	60	56	38	30	184
Ticket	23	19	26	25	93
Frequent Flyer Program	1	2	0	2	5
Reservations	7	12	3	10	32
Denied Boarding	17	15	6	7	45
Safety	8	8	2	10	28
Fares	5	2	2	2	11
Charges	5	1	1	0	7
Unruly Passenger	0	2	0	3	5
Unaccompanied Minors	1	0	1	0	2
Allergies	0	0	2	0	2
Smoking	1	0	0	0	1
Total	295	274	179	171	919



#### Quality of Service Issues

A breakdown of complaint issues involving quality of service.

Issues	First	Second	Third	Fourth	Total
Lack of Communication	503	524	230	123	1,380
Attitude	367	482	205	125	1,179
Telephone Delays	181	204	42	26	453
Line-ups/Waiting	180	148	63	56	447
Complaint Handling	71	182	96	48	397
Meals	94	145	69	60	368
Other	51	103	98	57	309
Equipment	65	74	25	15	179
Total	1,512	1,862	828	510	4,712



- 33 per cent of the total complaint issues during the fourth reporting period involved quality of service.
- 25 per cent of quality of service issues of the fourth period involved complaints about the attitude of carrier personnel, followed by 24 per cent for lack of communication and 12 per cent for the quality of meals.

Mistakes are made. But refusing to either acknowledge them from the outset or compensate for the error only compounds the insult to a customer.

A Toronto business executive who booked a return flight with Air Canada to Vancouver for the Christmas holidays decided before she left to pay a change fee of \$107 to extend her trip by a week. When she arrived at the Vancouver airport to return home, she was told that the computer had not registered her name for the overbooked flight. Placed on standby with more than 30 other passengers, she managed to catch a flight four hours later. Claiming that she had been told in Toronto that she had a window seat on the original flight, the passenger appealed to Air Canada for a refund in two letters but was turned down each time.

On her behalf, the Commissioner's office pointed out to the carrier that the passenger was entitled to a refund since evidently she paid for a service she did not receive. Air Canada apologized for the error and issued a refund. Thanking the Commissioner's office for waking "the sleeping giant," the passenger noted that "it speaks volumes as to the concern (Air Canada's) superiors have to the welfare of their customers that the only way they will respond to legitimate complaints is at the time of an intervention of another agency."

## Complaints Closed

A breakdown of complaints closed by the Commissioner.

Periods	Level I	Level II	Other <sup>1</sup>	Total
First	345	56	88	489
Second	800	126	136	1,062
Third	779	440	116	1,335
Fourth	632	321	185	1,138
Total	2,556	943	525	4,024

- 1 Other refers to complaints forwarded to other divisions with the Agency, other government departments, agencies and organizations.
- 64 per cent of all of the complaints that have been closed were resolved by the carriers when the complaint was first brought to their attention (Level I).
- 23 per cent of all complaints closed to date required the direct intervention of the Commissioner and/or the Complaints Investigation staff in order to effect a resolution.



Lost or delayed luggage can ruin a vacation. Not knowing what your own obligations are to compensate a customer in such circumstances can ruin a reputation.

A British couple, planning "a once-in-a-lifetime holiday with friends" to celebrate their mutual 40<sup>th</sup> wedding anniversaries, booked a September cruise in Alaska a year in advance. Meeting their friends in Toronto, the two couples took an early morning Air Transat flight to Vancouver and boarded the ship. Once settled in their cabin, they discovered that two pieces of luggage containing all of their belongings were missing. As a goodwill gesture, the cruise company issued a \$100 credit for on-board shops as well as free dry-cleaning and laundry services, even though the delivery of luggage was the responsibility of the air carrier. Unable to find appropriate replacements in the ship's clothing shop, the couple spent a day scouring stores in Juneau while other passengers enjoyed shore excursions. Distraught, they were also unable to attend the Captain's Party because they were missing their formal wear. The two suitcases were delivered on board six days after the couple arrived in Vancouver — a day before the end of the cruise.



Dissatisfied with the settlement of \$300 that Air Transat sent three months later, the couple contacted the Commissioner's office for help. Air Transat had calculated the compensation rate at \$25 a day per bag for out-of-town passengers, after a 24-hour waiting period and up to a maximum of \$175 a bag. However, the Commissioner's office determined that Air Transat's tariff called for a maximum of \$750 per passenger. Accordingly, Air Transat reimbursed the couple for 75 per cent of the purchases made in Juneau and on the cruise ship, for a total settlement of \$1,400.

#### Satisfaction

A breakdown of the level of complainant satisfaction achieved in the resolution of a complaint.

Satisfaction <sup>1</sup>	First	Second	Third	Fourth	Total
Fully	45	78	164	148	435
Partially	3	17	79	71	170
Not	8	31	198	101	338
Total	56	126	441	320	943

- 1 The reported satisfaction rate for Level II Complaints is based on the complainants' assessment of the results obtained by the Air Travel Complaints Commissioner. At the time that Level I Complaints are sent to the carrier for direct reply, the complainant is requested to advise the Air Travel Complaints Commissioner if he or she is not satisfied with the results obtained. In the absence of any written advice to the contrary, the complainant is deemed to be satisfied with the results obtained. However, Level I responses are reviewed by staff to ensure that they are timely, reasonable and complete. Where one or more of these criteria are not met, or where the complainant advises the Commissioner's office in writing that he or she is not satisfied, the complaint is transferred to Level II.
- The majority of complainants, 68 per cent, were either fully or partially satisfied with the outcome of complaints handled by the Commissioner's office during the fourth reporting period.



# Merit A breakdown of the Commissioner's assessment of the merit of the complaints closed.

Merit	First	Second	Third	Fourth	Total
Full	50	103	354	226	733
Partial	3	15	59	72	149
No	3	8	28	22	61
Total	56	126	441	320	943

- 94 per cent of the complaints handled and closed by the Commissioner's office were judged by the Commissioner and her staff to have a reasonable basis for the complaint.
- Conversely, only 6 per cent of all complaints received were judged by the Commissioner and her staff to be frivolous or vexatious.

## Flight Schedule Issues

A breakdown of complaint issues that involve flight schedules.

Issues	First	Second	Third	Fourth	Total
Cancellation	187	168	201	63	619
Delay	352	485	213	186	1,236
Revised	97	165	75	61	398
Total	636	818	489	310	2,253

## Baggage Issues

A breakdown of complaint issues that involve baggage handling.



Issues	First	Second	Third	Fourth	Total
Damaged	49	70	45	34	198
Delayed	200	220	111	102	633
Excess	14	21	6	6	47
Liability	10	8	5	3	26
Lost	114	95	60	44	313
Size Limits	5	9	8	2	24
Total	392	423	235	191	1,241

## Frequent Flyer Program Issues

A breakdown of complaint issues that involve frequent flyer programs.

Issues	First	Second	Third	Fourth	Total
Points Redemption	33	73	38	20	164
Reservations	21	72	7	19	119
Space Available	18	21	8	11	58
Other	37	62	39	26	164
Total	109	228	92	76	505

#### A reward program defeats its purpose if it is poorly executed.

Using his Aeroplan reward points, a Winnipeg man tried to book three one-way Air Canada economy flights for a 10-day visit with his daughter in Vancouver before traveling on to Los Angeles. Informed that his 25,000 Aeroplan air miles only covered a return fare from Winnipeg to Vancouver, the man was told he had to purchase a \$400 ticket for the Vancouver-Los Angeles portion of the trip. In a letter of complaint to Air Canada, his daughter wrote that the entire trip should have been covered by air miles and demanded a reimbursement for her father. With no reply to his daughter's letter, the passenger accepted a "compensation bonus" of 1,000 air miles, but only as a partial payment. Not satisfied with Air Canada's response and upset that she had not received a reply to her own letter after five months, the man's daughter contacted the Commissioner for help.

In two separate letters, the Commissioner's office asked Air Canada to disclose how many air miles were required for the entire trip as well as how many seats were allocated to Aeroplan on each of the three one-way flights. The carrier confirmed that the circle flight required 25,000 points but did not divulge the number of Aeroplan seats and stated that the case was closed because the passenger had accepted compensation. After a lengthy intervention, Air Canada's Aeroplan Centre apologized to the passenger and his daughter in writing and agreed to credit the man's account with an additional 9,000 air miles the total of which, at an estimated 4 cents an air mile, was the equivalent of a \$400 ticket.



Remedies

A breakdown of the types of remedies sought by complainants.

Types	First	Second	Third	Fourth	Total
Air Carrier Policy Change	14	95	94	86	289
Apology	221	293	164	79	757
Compensation	486	599	297	182	1,564
Consideration for Future Travel (Points/voucher)	93	126	81	41	341
Explanation	451	617	292	247	1,607
Refund	152	298	302	96	848
Regulatory Change	16	14	13	11	54
Total	1,433	2,042	1,243	742	5,460

## Complaints by Province or Territory

A breakdown of complaints received by province or territory.

	First	Second	Third	Fourth	Total
Alberta	148	209	148	126	631
British Columbia	159	291	193	192	835
Manitoba	39	49	47	36	171
New Brunswick	17	24	14	17	72
Newfoundland	26	27	25	29	107
Northwest Territories	2	5	3	3	13
Nova Scotia	27	52	36	21	136
Nunavut	1	2	3	5	11
Ontario	577	741	474	384	2,176
Prince Edward Island	6	1	3	7	17
Quebec	81	84	89	75	329
Saskatchewan	15	31	23	29	98
Yukon	1	9	8	6	24
United States	49	33	35	25	142
International	16	23	24	23	86
Unknown	0	0	55	47	102
Total	1,164	1,581	1,180	1,025	4,950



## Complaints Received by Month

A breakdown of complaints received between July 5, 2000, and June 30, 2002.

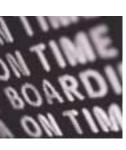
Month	Level I	Level II	Other	Complaints Rec'd
July 2000	106	44	11	161
August 2000	218	108	51	377
September 2000	103	76	19	198
October 2000	101	50	13	164
November 2000	79	61	12	152
December 2000	51	50	11	112
January 2001	176	99	35	310
February 2001	144	79	26	249
March 2001	136	95	31	262
April 2001	188	98	31	317
May 2001	147	93	15	255
June 2001	111	66	11	188
July 2001	129	61	9	199
August 2001	138	61	27	226
September 2001	107	30	22	159
October 2001	120	47	34	201
November 2001	138	47	27	212
December 2001	127	32	24	183
January 2002	157	55	34	246
February 2002	115	45	19	179
March 2002	97	47	20	164
April 2002	96	38	41	175
May 2002	88	49	25	162
June 2002	67	23	9	99
Total	2,939	1,454	557	4,950



## Complaints Closed by Month

A breakdown of complaints closed between July 5, 2000, to June 30, 2002.

Month	Level I	Level II	Other	Complaints Closed
July 2000	1	2	3	6
August 2000	1	2	1	4
September 2000	16	6	7	29
October 2000	114	12	46	172
November 2000	115	15	16	146
December 2000	98	19	16	133
January 2001	81	19	35	135
February 2001	50	13	26	89
March 2001	175	29	27	231
April 2001	144	22	18	184
May 2001	147	15	16	178
June 2001	203	28	14	245
July 2001	88	51	19	158
August 2001	102	14	13	129
September 2001	168	70	23	261
October 2001	93	86	16	195
November 2001	180	135	16	331
December 2001	148	85	30	263
January 2002	105	52	23	180
February 2002	90	57	25	172
March 2002	105	65	47	217
April 2002	79	56	25	160
May 2002	130	46	50	226
June 2002	123	44	13	180
Total	2,556	943	525	4,024



#### **RECOMMENDATIONS**

In search of constructive ways to improve Canadian air travel, previous reports of the Air Travel Complaints Commissioner offered a series of recommendations based on complaints received between July 2000 and December 2001. A survey of more than 100 industry and consumer stakeholders in the spring of 2002 indicated that an overwhelming majority of respondents found that these recommendations not only helped to identify issues of concern but, in most cases, supplied suggested remedies that benefit consumers and carriers alike.

After a review of the recommendations and findings that inspired them, I endorse my predecessor's efforts to find workable solutions to individual and systemic problems affecting air travel within, to and from Canada.

In particular, I agree with the previous Commissioner that:

- Air carriers need to review their customer service standards to ensure that they
  adequately meet customer needs in a consistent and publicly transparent manner.
- Air carriers should disclose their performance indicators on a regular basis, such as: the on-time performance records; the number of delayed, damaged and lost luggage per 100,000 passengers; denied boardings per 100,000 passengers; the number of passengers carried; and the number of seats designated for seat sales by market segment.
- Air carriers need to provide customers with easy and accessible ways to register complaints, comments and opinions.
- The authority of the Air Travel Complaints Commissioner should be expanded to include responsibility for air travel-related complaints concerning such issues as airport signage and facilities and airline advertising practices.
- Consumers need to empower themselves by being aware of their responsibilities as air travellers and by speaking up when a carrier does not live up to its own responsibilities and commitments.



Although this report is based on complaints gathered before my mandate, I have identified additional recommendations that stem from the issues raised by airline passengers.

Accordingly, I recommend that:

#### 1. Air carriers should show the true cost of the ticket.

Passengers have every right to know exactly how much they will have to pay when they consider the purchase of a ticket. Too often, the fare of a lifetime in a splashy advertisement turns out to be either the same price or even higher than the carrier's regular fares or a competitor's price once undisclosed taxes and fees are added. Ticket prices, no matter the destination or the type of seat offered, should be clear, straightforward and all-inclusive.

#### Air carriers should avoid advertising that can be misleading.

Some carriers have been advertising fares each way when the actual ticket can only be purchased on a round-trip basis. They show the equivalent of half the round-trip, thus leading customers to believe that they can actually get a cheap one-way fare when they cannot. Instead, the real fare for the trip is double what the advertising reads.

#### 3. Air carriers should publicly and prominently display the carrier's limits of liability.

Traditionally, conditions of carriage and limits of liability with respect to baggage and denied boarding were printed on the passenger ticket or on the ticket jacket that passengers kept with them during the whole trip. With the growing popularity of electronic tickets, this information is no longer provided in a manner that attracts the passenger's attention.

To remedy this situation and to ensure passengers are made aware of these very important limitations, air carriers should display their conditions and limitations prominently so that they can be seen by the passengers before they check-in for their flights.



## 4. Air Carriers should compensate passengers when they downgrade them from a full-service to a no-frills type of service.

The traditional full-service flights offer a range of amenities such as express check-in, seat selection, meals, bar service, and a seat pitch that promises comfortable leg room.

In an effort to match the competition in certain popular markets, the carriers have recently introduced no-frills types of services. To cut costs, the airlines have reduced the seat pitch to a minimum and done away with labor-intensive and costly amenities such as free meals, advance seat selection and bar service. This allows them to offer the lowest possible airfares on the same route at a considerable discount.

The advertising is clear. The potential customer is forewarned that the lower priced 'airline' offers less service for a rock-bottom price. Unfortunately, when problems arise, the high-end customers who have paid for the 'full service' are sometimes redirected to the 'no-frills' aircraft as an alternative to waiting for the next 'full-service' flight.

Passengers have complained to the airline. They felt they should have been compensated when they ended up on a no-frills flight through no fault of their own. The carriers' position is that the conditions of contract stipulate that the carrier undertakes to carry them from their origin to their destination, period. Amenities such as comfort, meals and seat selections are not included in the price of the ticket. In one response I read, the carrier said: "While we understand the inconvenience of transferring from a full service Air Canada flight to a Tango operated flight... Any meals or in-flight amenities provided on Air Canada are complimentary and not included in the price of an economy class ticket."

I agree with the frustrated customers and feel that a transfer from a full-service to a no-frills is similar to downgrading from first class to economy class. The airline should treat this as an 'involuntary downgrade' and refund the equivalent of the price difference between what was paid and the value of the no-frills flight on which the customer wound up travelling.



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Japan Airlines Company	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
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Labrador Airways	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
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Mesa Airlines	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1	
Mexicana	-	1	-	-	1	1	-	-	-	1	2	-	-	-	2	
Multiple Air Carriers	-	2	-	-	2	-	-	-	-	-	2	1	3	-	6	
No Specific Carrier Identified	-	-	-	-	-	-	-	-	1	1	-	-	-	1	1	
Northwest Airlines	-	-	-	2	2	-	-	-	1	1	3	1	1	3	8	
Olympic Airways	1	1	-	-	2	-	-	-	-	-	2	1	1	1	5	
Pakistan International	1	-	1	1	3	1	-	-	-	1	1	-	-	1	2	
Provincial Airlines	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1	
Régionnair	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1	
Royal Air Maroc	-	-	-	-	-	-	-	-	1	1	1	2	-	1	4	
Royal Aviation	3	18	-	-	21	8	12	-	-	20	20	50	1	-	71	
Royal Jordanian	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
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Sata Internacional	-	-	-	-	-	-	-	-	-	-	-	-	2	-	2	
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Skyservice Aviation	1	-	-	1	2	2	12	1	-	15	9	2	7	12	30	
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Thai Airways	-	-	-	-	-	1	-	-	-	1	-	-	-	-	-	
Transavia Airlines C.V.	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1	
TWA Airlines	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
United Air Lines	-	1	-	2	3	1	-	-	-	1	1	13	4	1	19	
US Airways	-	-	-	-	-	-	-	-	-	-	3	3	-	-	6	
Virgin Atlantic Airways	-	-	-	-	-	-	-	-	-	-	-	-	1	-	1	
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Total	105	246	86	71	508	66	151	69	34	320	637	819	489	309 2	2,254	

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## **Grand Total**

Aerolineas Argentinas	
, tor ornibuo , trgoritiriuo	6
Agences d'Affrètement	3
Air Afrique	1
Air Canada 7,76	0
Air Canada Regional 31:	3
Air China	5
Air Creebec	4
Air France 60	0
Air Georgian	7
Air India	1
Air Inuit	4
Air Jamaica	1
Air New Zealand	5
Air Pacific	4
Air Transat A.T. 903	2
Alaska Airlines 1:	2
Alitalia 5	1
Alta Flights (Charters)	4
America West Airlines	3
American Airlines 9	0
Ansett Worldwide	6
Austrian Airlines	3
Bearskin Lake Air Service	5
Biman Bangladesh Airlines	1
Bradley Air Services	8
British Airways 50	0
British Midland	6
BWIA	6
Calm Air :	3
Canada 3000 810	6
Canadian Regional Airlines	3
CanJet 1	7
Capital City Air	5
Cathay Pacific Airways 10	0
Central Mountain Air	6
China Airlines	1
China Southern Airlines	3
Continental Airlines 4	8
Corse Air International	2
Cubana 20	0
Czech Airlines	8
Delta Air Lines 1:	3
EgyptAir	4
	1
Emirates Airlines	7

Finnair OYJ	6
Guyana Airways	1
Horizon Air Industries	4
Iberia	1
Iran Air	2
Japan Airlines Company	3
Kelowna	2
KLM Airlines	65
Korean Air Lines Co.	10
Labrador Airways	1
LACSA	53
Lufthansa	37
Malaysian Airlines	2
Malev Hungarian	3
Martinair Holland N.V.	3
Mesa Airlines	1
Mexicana	15
Multiple Air Carriers	35
No Specific Carrier Identified	10
Northwest Airlines	34
Olympic Airways	25
Pakistan International	20
Provincial Airlines	6
Régionnair	1
Royal Air Maroc	19
Royal Aviation	318
Royal Jordanian	2
SABENA	3
Sata Internacional	4
Singapore Airlines	3
Skyservice Aviation	126
SkyWest Airlines	2
Société d'Exploitation AOM	1
Swissair	1
TACA International	12
Thai Airways	3
Transavia Airlines C.V.	1
TWA Airlines	5
United Air Lines	74
US Airways	21
Virgin Atlantic Airways	8
WestJet	33
Total	11,276

