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CANADA

TOWARDS ACCESSIBLE AIR TRANSPORTATION IN CANADA

**Report of the Standing Committee on Transport,
Infrastructure and Communities**

Peter Schiefke, Chair

**DECEMBER 2024
44th PARLIAMENT, 1st SESSION**

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NOTICE TO READER

Reports from committees presented to the House of Commons

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

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THE STANDING COMMITTEE ON TRANSPORT, INFRASTRUCTURE AND COMMUNITIES

has the honour to present its

TWENTY-FIRST REPORT

Pursuant to its mandate under Standing Order 108(2), the committee has studied accessible transportation for persons with disabilities and has agreed to report the following:

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SUMMARY

In November 2023, the Standing Committee on Transport, Infrastructure and Communities (the committee) decided to undertake a study on accessible air transportation in Canada for persons with disabilities. The committee held four meetings on this subject and heard from air passengers in Canada, organizations representing persons with disabilities and passengers' rights, air service providers, and federal organizations.

Some witnesses spoke about various barriers faced by persons with disabilities when they travel by air in Canada. Discussions mostly centered on the barriers faced by people who travel with a mobility aid and those with a visual impairment. The shared responsibility between airport operators and air carriers in looking after passengers with disabilities during their travel journey was also discussed, as was the impact that has on those passengers. Some witnesses suggested that just one employee should be responsible for assisting a passenger with a disability throughout their entire travel journey. Some witnesses also proposed that air service providers improve their communication, especially when it comes to the assistance services offered or when a problem arises during the travel journey. Witnesses also talked about the accessibility of aircraft, particularly the washrooms, call buttons, and the entertainment system.

During the study, various witnesses shared travel experiences they had where their mobility aids were damaged, destroyed, or left behind at their point of departure. They called for mobility aids to be considered an extension of their bodies, rather than luggage, and for air service providers to make a greater effort to ensure that their employees are trained to be more sensitive to this. Some witnesses also reiterated the importance of air service providers working with persons with disabilities on all of the elements that contribute to the travel experience, whether it be employee training, the development of accessibility plans and programs to improve the travel journey, or even the design of aircraft.

Some witnesses stated that, when they travel by air, their experience can vary depending on the airport, the air carrier or even the staff on duty and that there is a lack of consistency in accessibility procedures across Canadian airspace. Some witnesses also criticized the lack of publicly available data in Canada concerning complaints filed with air service providers and incidents for which no complaint was filed. Certain witnesses felt that more transparency would provide more accurate insight on the recurring issues and would help to determine whether the current legislative and regulatory measures regarding accessibility are sufficient and properly enforced. In that regard, some

witnesses recommended that the Canadian Transportation Agency strengthen its oversight with respect to air service providers and that it impose deterrent monetary penalties when a provider fails to meet its accessibility obligations.

LIST OF RECOMMENDATIONS

As a result of their deliberations committees may make recommendations which they include in their reports for the consideration of the House of Commons or the Government. Recommendations related to this study are listed below.

Recommendation 1

That the Government of Canada officially recognize the overwhelming and systemic nature of inaccessibility for persons with disabilities in the Canadian air travel sector.

Recommendation 2

That the Government of Canada direct the Canadian Transportation Agency to require airports to establish easily-accessible check-in desks at their entrances that provide curbside assistance to air passengers with disabilities regardless of which air carriers they are using.

Recommendation 3

That the Government of Canada ensure airports and air carriers make their online content more accessible to passengers with disabilities.

Recommendation 4

That the Government of Canada require airports and air carriers to use various communication formats (sign language, braille, electronic, telephone, audio, signage, visual, paper, etc.) to reach passengers with disabilities.

Recommendation 5

That the Canadian Transportation Agency ensure that air carriers directly alert, via several accessibility means of communication throughout the booking and travel process, the services that they offer to persons with disabilities, announcements regarding health and safety, changes to flights, available dispute resolution services, and how to access those services.

Recommendation 6

That the Government of Canada direct the Canadian Transportation Agency to require air carriers and airports to (a) establish accessible hotlines by which passengers with disabilities can relay complaints, make requests, seek immediate help, and ask questions; and (b) submit to the regulator aggregated reports on issues passengers identify via such hotlines.

Recommendation 7

That the Government of Canada and the Canadian Transportation Agency develop standardized practices for the handling and storage of all types of accessibility devices and that air carriers be required to store and pack the accessibility devices of passengers with disabilities in a manner that prevents them from being damaged.

Recommendation 8

That the Government of Canada require air carriers to repair or replace, at their cost, any accessibility device that is lost or damaged, as soon as possible.

Recommendation 9

That, with regard to accessibility in commercial aircraft, Transport Canada develop standards for passengers with disabilities, such as

- that their wheelchairs be able to enter and be appropriately and safely positioned and locked in place for the duration of the trip;**
- that washrooms be adapted to passengers with disabilities;**
- that call buttons be within reach of passengers with disabilities;**
- that braille signage be available on board; and**
- that change tables be large enough to accommodate infants and toddlers.**

Recommendation 10

That the Government of Canada direct the Canadian Transportation Agency to (a) establish working groups to identify physical barriers on aircraft and inform regulatory standards for aircraft design; (b) ensure these groups include representatives from air carriers, aircraft manufacturers, air carriers staff, accessibility device manufacturers, and persons with disabilities, including those who use accessibility devices; and (c) commit to making aircraft accessible by establishing clear plans to remove barriers identified by the working groups.

Recommendation 11

That the Government of Canada require that air carriers ensure trained employees help passengers with disabilities safely board, find their seat and move between their accessibility device and their seat.

Recommendation 12

That air carriers, specifically national air carriers that operate in Canada, train employees on accessibility needs on a regular basis, at least once in a 12-month period.

Recommendation 13

That the Government of Canada introduce an Airline Passengers with Disabilities Bill of Rights, as exists in other jurisdictions such as the United States, to codify the rights and treatment due to persons with disabilities travelling by air in Canada.

Recommendation 14

That the Government of Canada hold true to its promise of “nothing about us without us” by engaging in meaningful consultation with persons with disabilities prior to developing legislation, regulations, guidelines or policies that affect persons with disabilities.

Recommendation 15

That the Government of Canada require all parties operating within the air travel sector, including air carriers, airports and CATSA, to regularly engage in

meaningful consultation with a diverse panel of persons with disabilities to (i) identify, rectify and prevent barriers; and (ii) develop and implement improved employee and executive training programs.

Recommendation 16

That the Government of Canada develop standard requirements for the contents of accessibility plans created by all parties in the air travel sector, including air carriers, airports, and CATSA.

Recommendation 17

That the Government of Canada require airports to develop a consistent complaints reporting process, and require that complaints received via this process be reported to the Canadian Transportation Agency.

Recommendation 18

That the regulator develop a standardized and accessible complaints system specifically for accessibility-related complaints, separate from the existing complaints mechanism for all air passenger complaints. This system should ensure that when making a complaint, a passenger is able to reach a readily available contact who has knowledge of accessibility and human rights topics.

Recommendation 19

That the Government of Canada require that air carriers set up a complaint handling process that uses an easily accessible means of communication and that is managed by individuals who have received accessibility and human rights training.

Recommendation 20

That the Government of Canada require air carriers to report all complaints they receive to the Canadian Transportation Agency, in the same way air carriers operating in the United States are required to report complaints to the Federal Aviation Authority, and that an aggregated report of the data obtained from these reports be made available to the public.

Recommendation 21

That the Government of Canada require the public agency that regulates air carriers' disability accessibility to periodically conduct unannounced inspections (including "secret shopper" audits) of the supports and services that air carriers provide to air passengers with disabilities, and make the results and findings thereof publicly available.

Recommendation 22

That the Canadian Transportation Agency strengthen its oversight of air service providers' compliance with the requirements of the *Accessible Transportation for Persons with Disabilities Regulations* and that it impose deterrent monetary penalties in cases of non-compliance.

Recommendation 23

That the Government of Canada work toward the prohibition of requiring medical documentation to access accommodations, unless deemed necessary for safety purposes.



TOWARDS ACCESSIBLE AIR TRANSPORTATION IN CANADA

INTRODUCTION

In 2019, the [Accessible Canada Act](#) came into force with the goal of making Canada barrier-free in areas of federal jurisdiction by 2040. One of the priority areas covered by the *Accessible Canada Act* is transportation, including air transportation. Recently, there have been several reports of persons with disabilities being subjected to unacceptable treatment while travelling with Canadian air carriers. These include passengers having to exit a plane without proper assistance and wheelchairs being damaged or not being transported to the passenger's destination. In light of these reports, the Standing Committee on Transport, Infrastructure and Communities (the committee) adopted the following [motion](#) on 20 November 2023:

That, given multiple recent reports of persons with disabilities facing discrimination and unacceptable treatment while travelling with Canadian airlines, and that Air Canada admitted it violated Canadian disability regulations; that, pursuant to Standing Order 108(2), the committee undertake a study on the state of accessible transportation for persons with disabilities on Canadian airlines and the Accessible Transportation for Persons with Disabilities Regulations; that the committee invite the Minister of Transport, the Chief Executive Officers of Air Canada and WestJet, the Auditor General of Canada, experts and other stakeholders; that the committee hold a minimum of three meetings and report its finding and recommendations to the House; and that the government table a comprehensive response to the report.

On 9 April 2024, the committee adopted a [motion](#) to extend the study by at least one meeting in order to hear testimony from persons with disabilities who have lived experience and from organizations that represent them. The committee heard 28 witnesses and received seven briefs. The following sections report on discussions held with air passengers in Canada, organizations representing persons with disabilities and passenger's rights, air service providers and federal organizations.



BACKGROUND

“[W]hat you’re hearing is just the tip of the iceberg when it comes to people with disabilities travelling. Time and time again, if you were to go into airports, you would see on a frequent basis individuals and families with disabilities encountering issues with the airports and travelling because of various things like their equipment and how they’re going to deal with their children or themselves when there are diverse issues.”

Max Brault,

Senior Consultant, As an Individual

The 2022 Canadian Survey on Disability revealed that 27% or nearly eight million Canadians aged 15 and over had at least one disability that limited their daily activities. Of these, 20% were considered to have a severe disability and 21% very severe. Disabilities related to pain, flexibility, mobility, and mental health were the most common.¹ The survey also revealed that 72% of persons with disabilities encountered one or more of the 27 barriers to accessibility touching on the *Accessible Canada Act* (ACA) priority areas such as built environment, communication, online services and behaviours.²

In Canada, human rights are governed by federal, provincial and territorial legislation. Federally, the *Canadian Charter of Rights and Freedoms* (the Charter) guarantees that everyone “has the right to the equal protection and equal benefit of the law without discrimination,” including discrimination based on mental or physical disability.³ The *Canadian Human Rights Act* (CHRA) also protects against discrimination on certain grounds, including physical and mental disability, for people in Canada who are

1 Statistics Canada, “[A demographic, employment and income profile of persons with disabilities aged 15 years and over in Canada, 2022](#),” Reports on Disability and Accessibility in Canada, May 2024.

2 Statistics Canada, [Canadian Survey on Disability, 2017 to 2022](#), News release, 1 December 2023.

3 Section 15 (equality rights), [Canadian Charter of Rights and Freedoms](#) (the Charter), Part I of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982* (U.K.), 1982, c. 11. Section 1 of the Charter states that the rights and freedoms set out in it are guaranteed “subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.” Brendan Naef and Mayra Perez-Leclerc, [Legislative Summary of Bill C-81: An Act to ensure a barrier-free Canada](#), Publication No. 42-1-C81-E, Library of Parliament, 12 December 2018.

employed by or receive services from entities under federal jurisdiction.⁴ In addition to the Charter and the CHRA, other federal statutes in specific areas protect people in Canada against discrimination.⁵

In 2010, Canada ratified the United Nations [*Convention on the Rights of Persons with Disabilities*](#), which sets out measures for States Parties to take to ensure that persons with disabilities can fully exercise their rights.⁶ Canada also acceded in 2018 to the [*Optional Protocol to the Convention on the Rights of Persons with Disabilities*](#), which sets out procedures to strengthen the implementation of the Convention.⁷

Accessible Canada Act

In 2019, the ACA came into force with the goal of making Canada barrier-free in areas of federal jurisdiction, including transportation, by 1 January 2040.⁸ The ACA aims to prevent, identify and remove barriers in seven priority areas.⁹ The preamble to the ACA refers to the rights set out in the Charter and the CHRA, and to Canada’s commitments as a State Party to the Convention. Some of the ACA’s provisions are the creation of the position of Chief Accessibility Officer, the establishment of [*Accessibility Standards Canada*](#), and the requirement that organizations regulated by the ACA prepare and publish accessibility plans. In the case of air carriers and other federally regulated transportation service providers, administration of the ACA is the responsibility of the Canadian Transportation Agency (CTA). Under section 63 of the ACA, the CTA issued the [*Accessible Transportation*](#)

4 Section 15(2) (accommodation of needs) of the *Canadian Human Rights Act* (CHRA) specifies that federal employers or service providers must accommodate the needs of individuals covered by the CHRA unless a “*bona fide occupational requirement*” or “*bona fide justification*” applies. In that case, the person who would have to accommodate those needs must establish that they “impose undue hardship ... considering health, safety and cost.” [*Canadian Human Rights Act*](#), R.S.C. 1985, c. H-6.

5 Brendan Naef and Mayra Perez-Leclerc, [*Legislative Summary of Bill C-81: An Act to ensure a barrier-free Canada*](#), Publication No. 42-1-C81-E, Library of Parliament, 12 December 2018, and Mayra Perez-Leclerc, “[Update — Federal Legislation affecting People with Disabilities: Where We Are Today](#),” *HillNotes*, Library of Parliament, 3 December 2018.

6 Robert Mason, Laura Munn-Rivard and Julian Walker, [*The United Nations Convention on the Rights of Persons with Disabilities: An Overview*](#), Publication No. 2013-09-E, Library of Parliament, 25 November 2021.

7 Employment and Social Development Canada, [*Canada accedes to the Optional Protocol to the United Nations Convention on the Rights of Persons with Disabilities*](#), News release, 3 December 2018.

8 Section 5 (Purpose of Act), [*Accessible Canada Act*](#), S.C. 2019, c. 10.

9 *Ibid.*



[Planning and Reporting Regulations](#) (ATPRR) in 2021, which set out the planning and reporting requirements that apply to transportation service providers.¹⁰

Canada Transportation Act

Part V of the [Canada Transportation Act](#) deals with the transportation of persons with disabilities. Under section 170(1), the CTA may “make regulations for the purpose of identifying or removing barriers or preventing new barriers ... in the transportation network under the legislative authority of Parliament.” In 2019, the CTA made the [Accessible Transportation for Persons with Disabilities Regulations](#) (ATPDR), which apply to large transportation service providers in federally regulated modes of transportation, including major airlines and airport operators.¹¹ The ATPDR also set out requirements for the Canadian Air Transport Security Authority (CATSA) and the Canada Border Services Agency.¹² The ATPDR include requirements for services, communications, equipment and training.

[France Pégeot](#), Chair and Chief Executive Officer of the CTA, said that the ATPDR are the CTA’s “most important regulations on accessibility” and that they were “developed out of previous CTA decisions, regulations and codes of practice.” She said that the ATPDR set out several requirements for transportation service providers, including the following:

[P]rovide assistance to persons with disabilities in boarding, locating their seats and transferring between a mobility aid and a seat; accept and safely transport mobility aids;

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- 10 As per the Canadian Transportation Agency’s “Accessible Transportation Planning and Reporting Regulations Highlights” document, the ATPRR apply to four categories of transportation service providers, including publicly owned transportation service providers, such as the Canadian Air Transport Security Authority (CATSA), and large and small private sector transportation service providers, such as airports and airlines. Canadian Transportation Agency, [Accessible Transportation Planning and Reporting Regulations Highlights](#).
- 11 A large air carrier transported a worldwide total of 1,000,000 passengers or more during each of the two preceding calendar years. Section 25(2), [Accessible Transportation for Persons with Disabilities Regulations](#), SOR/2019-244. According to the CTA guide for transportation service providers covered by the [Accessible Transportation for Persons with Disabilities Regulations](#) (ATPDR), large Canadian air carriers must follow certain requirements in Parts 1, 2 and 3 of the ATPDR, while large foreign air carriers operating flights to or from Canada must follow certain requirements in Parts 1 and 2. Operators of airports covered by the ATPDR must meet certain requirements in Parts 1 and 4. Canadian Transportation Agency, [Transportation Service Providers Covered by the Accessible Transportation for Persons with Disabilities Regulations: A Guide](#).
- 12 According to the CTA guide for transportation service providers covered by the ATPDR, CATSA and the Canada Border Services Agency must meet the requirements of Parts 1 and 5 of the ATPDR. Ibid.

and provide temporary replacements and repairs, if required, due to delays or damage.¹³

[Ms. Pégeot](#) also told the committee that the ATPDR contain what she described as “world leading” provisions, such as buffer zones in the case of allergies and the “one person, one fare” principle, which will be discussed later in this report.

During his appearance, [Gabriel Reznick](#), staff lawyer, ARCH Disability Law Centre, pointed out the following sections in the ATPDR:

Under the ATPDR, section 2 states that regulations have no effect on existing legal obligations, including the “duty to accommodate under the *Canadian Human Rights Act*.” In addition section 2.1 of the ATPDR states that the “Regulations are to be interpreted as requiring that persons with disabilities be treated with dignity.”

In their [brief](#), ARCH Disability Law Centre states that, under sections 2 and 2.1 of the ATPDR, transportation service providers “must not interpret the regulations in any way that violates their obligations under the [CHRA].” ARCH Disability Law Centre wrote that they learned that air carriers are using the ATPDR “to minimise their legal obligation to accommodate persons with disabilities” and that they believe the Government of Canada and the CTA should reaffirm “the ATPDR’s clear direction that airlines must comply with the accessibility regulations and, in doing so, confirm that passengers with disabilities have the right to be accommodated on an individual basis and with dignity.”

Report of the Office of the Auditor General of Canada

During her appearance before the committee, [Karen Hogan](#), Auditor General of Canada, Office of the Auditor General (OAG), presented the findings that emerged from the March 2023 report on accessible transportation for persons with disabilities.¹⁴ The report focused specifically on the efforts of VIA Rail, CATSA and the CTA to improve accessibility for travelers within Canada. Overall, [Ms. Hogan](#) said her office had found that all three organizations had taken steps to “identify, remove, and prevent transportation barriers,” although there is still much more work to do.

As for CATSA, the OAG said that the Crown corporation needed to improve the accessibility of its online information, adjust accessibility training for certain groups of personnel, and improve its analysis of complaint data to better identify and prevent

13 Canadian Transportation Agency, [Accessible Transportation for Persons with Disabilities Regulations Highlights](#).

14 Office of the Auditor General of Canada, [Accessible Transportation for Persons With Disabilities](#), Report 1 in *2023 Reports 1 to 4 of the Auditor General of Canada*.



barriers. In the case of the CTA, the OAG recommended the implementation of additional oversight approaches to help identify accessibility barriers. The OAG noted in its report that CTA inspections focused more on how services were designed, rather than on actual service delivery. During her appearance, [Ms. Hogan](#) made the following remark:

On paper, it might look like the service was really well laid out and designed, but it's the actual implementation and lived experience of a person with a disability that needs to be looked at, so we recommended that they look more at the sort of operating implementation.

In its report, the OAG also asked the CTA to obtain more information on the number and nature of accessibility complaints filed with transportation service providers.

Lastly, [Ms. Hogan](#) said the OAG had recommended that the organizations involved broaden their consultations with persons with disabilities, improve the accessibility of their online content and use complaint data to identify, learn about and prevent barriers.

Lived Experiences

[Michael Rousseau](#), President and Chief Executive Officer, Air Canada, told the committee that the airline received nearly 1.3 million “special assistance requests” from passengers in 2023. He said that in about 0.15% of instances involving passengers requiring wheelchairs and mobility devices, passengers reported negative experiences, and about 100 accessibility complaints were filed with the CTA. Mr. Rousseau said that the “vast majority” of passengers “had a positive experience,” although he added that the number of incidents should not be minimized, nor should the serious impacts of the disruptions on the individuals involved. [Mr. Rousseau](#) and [Kerianne Wilson](#), Director, Customer Accessibility, Air Canada, explained that when there are accessibility-related complaints, the customers affected are contacted to understand their concerns and the impact that the incident has had on them.

Similarly, [Alexis von Hoensbroech](#), Chief Executive Officer, WestJet Airlines, said that in 2023, WestJet had received over 260,000 “requests for special services related to a disability,” with wheelchair-related services accounting for the vast majority of them. He said that in 99.9% of cases, “those guests had a good experience,” for a total of about 200 complaints. That said, [he](#) stressed that a single mobility aid that does not make it to its destination “is one too many,” and that when an incident does occur, the airline goes through its internal processes to fully understand what happened and “[work] through what [they] can do to improve this.” [Andrew Gibbons](#), Vice-President, External Affairs, WestJet Airlines, added that “this is a continuous improvement and continuous learning exercise.”

During their testimony, some witnesses cautioned that the events reported by persons with disabilities in the media are just the tip of the iceberg and do not provide an accurate picture of the extent of the barriers experienced by persons with disabilities in the Canadian air travel ecosystem.¹⁵ [Heather Walkus](#), National Chair, Council of Canadians with Disabilities, said that she could not remember one trip where there was not an issue such as either almost missing her flight or being “parked somewhere.”

[David Lepofsky](#), Chair, Accessibility for Ontarians with Disabilities Act Alliance (AODA Alliance), said that while he does not have problems every time he flies, he always has to “be ready for the worst” and that [he](#) “[dreads] entering Canadian airspace.” He added that he has not filed complaints for 99.9% of the incidents he has run into, believing the process to be too time-consuming. [Max Brault](#), Senior Consultant, appearing as an individual, estimates that for 40% of his travels, he experiences issues with his wheelchair, from damage to outright loss. Wanting to illustrate that “for passengers that experience hardship,” each incident is one too many, [Maayan Ziv](#), Chief Executive Officer, AccessNow, asked the committee to consider the following:

If we were not talking about disability and any person was permitted to say that for the majority of flights, all passengers travel just fine and once in awhile—excuse my language—we decapitate their legs, but it’s only once in awhile, what type of sacrifice would we be accepting?

As for CTA-imposed fines, [Ms. Pégeot](#) said that fines imposed for accessibility complaints totalled \$146,000 in 2022–2023, and it was confirmed in correspondence to the committee that to date (March 2024) they total \$540,500 for 2023–2024. The heaviest fine was around \$100,000, and [Ms. Pégeot](#) explained that the CTA progressively increases fines. In the case of a repeat offence, the amount increases, to a maximum of \$250,000.¹⁶

Although many of the barriers experienced by people with different types of disabilities will be discussed later in this report and other experiences will be mentioned, here are some of the experiences involving mobility aids that were shared with the committee:

15 Standing Committee on Transport, Infrastructure and Communities (TRAN), *Evidence*, 44th Parliament, 1st Session: [Accessibility for Ontarians with Disabilities Act Alliance](#) [AODA Alliance] (Brief); [Council of Canadians with Disabilities](#) [CCD] (Brief); [David Lepofsky](#) (Chair, AODA Alliance); [Heather Walkus](#) (National Chair, CCD); [Michelle Hewitt](#) (Chair, Disability Without Poverty); [Max Brault](#) (Senior Consultant, As an Individual); [Maayan Ziv](#) (Chief Executive Officer, AccessNow) and [Stéphanie Cadieux](#) (Chief Accessibility Officer, Office of the Chief Accessibility Officer, Department of Employment and Social Development [OCAO]).

16 Canadian Transportation Agency, [Violations and assigned severity levels – Accessibility](#).



- [Stéphanie Cadieux](#), Chief Accessibility Officer, Office of the Chief Accessibility Officer, Department of Employment and Social Development, told the committee that on one flight home to Vancouver, her wheelchair was not on board. Although she was able to retrieve it the next day, she described the experience of not having her wheelchair as traumatic.
- [Michelle Hewitt](#), Chair, Disability Without Poverty, told the committee that while boarding a flight from Vancouver to Florida in 2013, her wheelchair was destroyed when it fell from the freight elevator. Once she arrived at her destination, she was initially provided with a manual wheelchair, which did not provide the same degree of autonomy. A few days later a power wheelchair was found, but it was the wrong size, leaving her with chronic hip pain to this day. Upon her return home, she was provided with another, more suitable power wheelchair, but it did not work very well. It took her three months to receive a new wheelchair that was the right size and worked well. As for the impact of this incident, she said the following:

That one small action of not securing my chair in that elevator cost me my dignity and independence for months and shook my confidence. It stopped me from attending my father's funeral and still causes me physical pain now.

- [Ms. Ziv](#) told the committee about her trip from Toronto to Tel Aviv in 2022, when her power wheelchair was damaged beyond repair. She said that it was the second time her wheelchair was a total loss due to air carrier negligence. She said that “[e]ach occurrence has left [her] physically and emotionally shattered, with effects that linger and compound over time.”

ACCESSIBILITY BARRIERS

“[What is needed] are data at a much more granular level and publicly available; air passenger protections specific to accessibility issues; training to focus on customer service; and an inclusive culture and mobility aid handling—finding ways to get it right every single time.”

Stéphanie Cadieux,

Chief Accessibility Officer, Office of the Chief Accessibility Officer,
Department of Employment and Social Development

Ms. Cadieux told the committee that accessibility is complex, as no two people are the same. This means that the focus should not just be on issues concerning mobility aids, but on all aspects of the experience of travellers with disabilities.¹⁷

Travel Journeys

Monette Pasher, President, Canadian Airports Council, told the committee that airport operators “are responsible from the curb to the check-in counter. Then the airlines and their partners are responsible from the check-in counter to the plane.”¹⁸

To facilitate the travel journeys of persons with disabilities, Kurush Minocher, Executive Director, Customer Experience and Airline Relations, Greater Toronto Airports Authority, and Tamara Vrooman, President and Chief Executive Officer, Vancouver Airport Authority, both presented various initiatives in place at their respective airports. For Toronto Pearson International Airport, Mr. Minocher spoke about a monthly guide dog familiarization program and the Aira and BlindSquare apps for passengers with a visual impairment. For Vancouver International Airport, Ms. Vrooman told the committee about private single-stall washrooms that include in particular adult-size benches for

17 The term “disability” includes “physical, mental, intellectual, cognitive, learning, communication and sensory impairment[s] – or a functional limitation – whether permanent, temporary or episodic in nature, or evident or not, that, in interaction with a barrier, hinders a person’s full and equal participation in society.” Employment and Social Development Canada, *Consulting persons with disabilities*. Over the course of its study, the committee mostly heard testimony about the barriers faced by people who travel with a mobility aid and those with a visual impairment.

18 Canadian Transportation Agency, *Transportation Service Providers Covered by the Accessible Transportation for Persons with Disabilities Regulations: A Guide*.



changing and a partnership with the Canucks Autism Network to prepare families for the travel journey.

Similarly, [Ms. Pasher](#) told the committee that assistance services offered upon arrival at the airport vary from one airport to another; some have 24-7 access, while others have an intercom to request support. In their [brief](#), the AODA Alliance said that for “any airport where the check-in desk is difficult to reach from the front door,” there should be a counter for persons with disabilities close to the main entrance.

[Ms. Vrooman](#) said that at Vancouver International Airport, a program was launched to accompany passengers who need assistance through to check-in. She said that employees have been specially trained to identify passengers who need assistance or to ask them privately if they need help.

[Mr. Lepofsky](#) said that during a travel journey he feels like he is “being passed like a baton.” [Ms. Walkus](#) said that sometimes for persons with disabilities, “there are four or five people involved” during their travel journey. Being handed from one employee to another means that they are in the airport for a longer period of time. [Ms. Walkus](#) had the following to say about her travel experience:

The way they move us is really demeaning. Sometimes you have to climb up onto a golf cart that, physically, you may not be able to get up on. They put their hands on your hips and they push you up onto it. Then when you get to the other end, they might park you somewhere and you have to wait for a person to show up with a wheelchair. Then that person will take you to another section where they drop you off again.

In their [brief](#), the Council of Canadians with Disabilities (CCD) wrote that the assistance provided does not always meet the actual needs of passengers with disabilities. CCD gave the example of a passenger who requested the assistance of a sighted guide and was offered a wheelchair. Similarly, in their [brief](#), the Canadian National Institute for the Blind (CNIB) criticized airport or airline personnel for sometimes insisting that passengers who are blind or low vision use a wheelchair. CNIB also wrote that sometimes staff “[handle] a passenger’s white cane or guide dog without consent.”

In their [brief](#), the AODA Alliance wrote that except where impossible to do so, the air carrier should have one individual staff member assist a passenger with disabilities during their entire journey through the airport. [Paul Lupien](#), Chair, Confédération des organismes de personnes handicapées du Québec, and [Robert Fenton](#), Board Chair, CNIB, supported the idea of having passengers with disabilities assisted by the same person. Mr. Fenton said that it may be frustrating for passengers with disabilities to always have to redescribe their needs every time there is a transfer of responsibility from one staff member to another. [He](#) said the following about the travel experience:

[T]hat everywhere along the journey, passengers with disabilities need, one, to be treated with dignity at all times and, two, to be able to exercise that degree of independence they wish to exercise as part of their travel journey.

This is what's missing in all of this. All of that independence, as we're passed from person to person to person, is taken away from us. I'm going to put it as directly as I can. We're treated like cargo, and that's not acceptable.

We're passengers, just like everyone else.

[Mr. Lepofsky](#) also said that he has been left in waiting areas with no employees nearby to provide him with an estimate of how long he would have to wait or to offer him any other type of assistance, saying that he once thought he had been forgotten. CNIB wrote in their [brief](#) that passengers with sight loss are sometimes left “at their gate without assistance for extended periods of time in advance of departure.” The AODA Alliance suggested that when persons with disabilities are brought into a waiting area, an airport or air carrier staff member should be stationed there at all times to provide assistance if required.

On the subject of responsibility being shared among various stakeholders, [Mr. von Hoensbroech](#) said that things are different in Europe, where regulations were introduced about 15 years ago making airport operators responsible for services related to passengers with disabilities from end to end:

This took a lot of complexity out of the system—there were no more handover points, no different parties handling wheelchairs and doing all the logistics around it—and this has dramatically improved the end-to-end airport experience at European airports.

On the European model, [Ms. Pasher](#) said that the Canadian Airports Council is looking at “everything to see what those options and best practices are,” but they also need to look at “what's working well here now,” adding that Toronto Pearson International Airport “has a seamless experience that does work well.”

On a different note, the Coalition of Persons with Disabilities Newfoundland and Labrador, George Power and Chris Bussey raised concerns in their [brief](#) about emergency response capabilities in the Canadian airport system and urge the committee to recognize “the crucial link between accessible air transportation and safe egress for passengers, particularly those with disabilities.”

Communications

The ATPDR contains provisions dealing with the obligations of transportation service providers to communicate information to persons with disabilities. The providers must publish information about the assistance services they offer, their obligations under the



ATPDR, and the process for accessing their complaint resolution services on their website.¹⁹ They also must be able to share information about their services and facilities with the public through a variety of communication formats (electronic format, audio, visual, paper, etc.) when requested.

[Mr. Minocher](#) told the committee that information about the programs and services available at Toronto Pearson International Airport is on their website, which is accessible for all. [Ms. Pasher](#) said that information on the assistance services available is on the airports' websites as well. [Ms. Vrooman](#) said that Vancouver International Airport recently included "key boarding announcements in sign language at all of our boarding gates."

In their [brief](#), CCD wrote that there continue to be certain communication gaps, including "the inability of ticket agents, accessibility support persons, and flight attendants to be able to communicate" in sign language and "the lack of technology that could convey information and 'emergency' information to Deaf, low vision and blind people" in airport and inflight announcements.

In their [brief](#), the AODA Alliance wrote that air carriers should be required to provide information about available supports and services in a number of formats, including by e-mail, in paper format with the ticket, or through audio or text announcements in airports. This was echoed by CNIB, who wrote in their [brief](#) that information about flights, including delays, and safety information should also be presented in a variety of formats. In addition, the AODA Alliance called for airports and air carriers to operate a helpline for persons with disabilities so that they can seek help and file complaints. During his appearance, [Mr. Lepofsky](#) stressed the importance of this hotline or one-stop shop so that people and the staff members who assist them can get support quickly from someone able to address the issue at hand.

As mentioned earlier, the OAG recommended in their March 2023 report that CATSA improve the accessibility of its online content. During her appearance, [Nada Semaan](#), President and Chief Executive Officer, CATSA, assured the committee that the issues with the CATSA website would be addressed and that "these improvements will be completed by March 31, 2024." [She](#) gave as an example the webpages dealing with waiting times and what passengers can bring, which are now accessible.

19 If there is no website, the information must be published in another way that is accessible to the travellers. Canadian Transportation Agency, [Communicating with Persons with Disabilities: A Guide](#).

Sharing of Passenger Information

In their [brief](#), CNIB wrote that when passengers with disabilities wish to request accessibility-related services, they must submit documentation in advance outlining their medical conditions and accommodation needs.²⁰ CNIB wrote that documentation requirements vary by air carrier, some of them asking for documentation from a physician, which may come at a cost to the passenger, and the submission process is not always accessible. CNIB wrote that “[o]nly one form of documentation should be required, which must be available in an accessible format and linked to the passenger’s airline account.”

Although a provision in the ATPDR requires airlines to offer to retain documents submitted as part of an accessibility-related service request in the passenger’s file for a minimum of three years,²¹ CNIB complained in their brief that “passengers are often unaware of the requirement, and are not appropriately informed by carriers of the option to have their information retained.” CNIB believes that instead of offering to retain this documentation, carriers should retain it unless the passenger requests otherwise. CNIB argued in their brief that an “opt-out model is ideal to ensure passengers’ rights to privacy are protected while reducing administrative barriers for passengers who are blind, Deafblind, or have low vision.”

[Ms. Semaan](#) told the committee that air carriers do not provide CATSA with personal information, including requests for assistance, about the passengers who buy plane tickets from them. When asked about the possibility of increased sharing of passenger information among air carriers and airports, [Ms. Pasher](#) reiterated that there is a system in place to help passengers when they show up at the airport, although she did agree that more data sharing among the parties involved in the travel journey is “always helpful.” In their [brief](#), CNIB wrote that information disclosed by people who are blind, low vision, or Deafblind when booking a ticket or submitting a request for accommodations should be available to all transportation service providers that will be interacting with these individuals during their travel journey to ensure that their staff are equipped to meet the needs of these individuals.

Mobility Aids

It was pointed out several times during the committee’s study that mobility aids are not to be considered luggage, but rather extensions of the body of the people that use

20 Canadian Transportation Agency, [Advance Notice/Supporting Documentation Requesting Services for Persons with Disabilities: A Guide](#).

21 Ibid.



them.²² [Ms. Cadieux](#) pointed out that “[a]ll too often when something goes wrong—a mobility aid is lost or damaged—there is very little empathy from staff and no understanding that it isn’t a piece of lost luggage.” The ATPDR include provisions for transporting mobility aids and other assistive devices. Carriers must allow the person to keep their mobility aid for as long as possible, assist them when they are no longer independently mobile, transport mobility aids as priority baggage and take measures when the mobility aid is damaged, destroyed or lost, such as providing a temporary replacement mobility aid.²³

[Mr. Brault](#) told the committee that the human rights he has as an individual “need to be given to my wheelchair, which means that when my wheelchair is damaged—if any accessible equipment is damaged—it is inherently a human rights issue.”

Regarding the responsibility shared between airports and air carriers for transporting baggage, [Ms. Vrooman](#) gave the following explanations:

The airport provides the infrastructure that takes the baggage, when you drop it off, through to the apron, where it’s then picked up by the baggage and ground handlers and loaded onto the aircraft. On the way out, when baggage is unloaded, it’s the responsibility of the baggage handlers—who are contracted by airlines—to take that baggage from the aircraft and load it through onto the carousel.

[Ms. Vrooman](#) said that mobility aids are often transported independently from baggage and “not put through the regular baggage system, by the airlines themselves.”

According to [Gábor Lukács](#), President, Air Passenger Rights, aircraft are not equipped to transport mobility aids in the cabin, which he believes would be “the perfect solution.”

[Mr. von Hoensbroech](#) said that while some big aircraft in the WestJet fleet may have “a lot of room on the passenger level for mobility aids,” relatively small regional turboprop airplanes do not have space in the passenger cabin but do have room in the hold.

[Mr. von Hoensbroech](#) also told the committee that WestJet is working on a process that will provide passengers with confirmation that their mobility aid is on board the aircraft. He also said that WestJet will ensure that mobility aids throughout its network are packed properly. As for Air Canada, [Mr. Rousseau](#) said that mobility aids are put in the cabin when possible, or else they are placed in the hold, either in a separate

22 TRAN, *Evidence*: [Gábor Lukács](#) (President, Air Passenger Rights); [Cadieux](#) (OCAO); [Hewitt](#) (Disability Without Poverty); [Brault](#) (As an Individual); [Ziv](#) (AccessNow) and [Paul Lupien](#) (Chair, Confédération des organismes de personnes handicapées du Québec).

23 Carriers can refuse to transport a mobility aid for various reasons, for example if the baggage hold is too small, and must offer other transportation options with the same carrier to the same destination. Canadian Transportation Agency, [Travelling with Mobility Aids and other Assistive Devices: A Guide](#).

compartment or packed separately, depending on the aircraft. [He](#) also said that mobility aid tracking in real time was incorporated into the Air Canada app.

Regarding the possibility of allowing persons with disabilities to remain seated in their wheelchairs on board aircraft, [Mr. Brault](#) noted that progress is being made in terms of how to keep them in place, and that locking mechanisms are available. He said that he believes that this goal is achievable, although it will require communication between the designers of airplanes and the designers of the equipment themselves. [Ms. Hewitt](#) encouraged a paradigm shift so that “we’re not thinking of air travel as something where absolutely every plane has to be completely full” and to think about passengers and “how we’re going to accommodate them.”

Aircraft

The ATPDR contain technical requirements for air carriers regarding equipment and facilities such as lifts, ramps, stairs, on-board signage and entertainment systems.²⁴ The ATPDR also include technical requirements for accessible washrooms, with some exceptions, particularly in the case of aircraft with only one aisle. In their [brief](#), CCD called on air carriers to add accessible aircraft to their fleet so that persons with disabilities could remain in their own wheelchairs when travelling and use the washrooms on board.

During his appearance, [Mr. Lepofsky](#) explained that aircraft are increasingly equipped with touch screens that are not accessible to people who are blind, an issue also raised by [Mr. Fenton](#). In their [brief](#), the AODA Alliance called for the enactment of new accessibility standards to require call buttons for flight attendants and “controls for adjusting one’s seat” to be accessible, rather than touch screen buttons. [CNIB](#) also raised the issue of tactile, braille and large-print row markers “often not present” on new aircraft.

[Mr. Lupien](#) raised the following situation:

Another obstacle is the impossibility of using the toilet inside airplanes. Unfortunately, airplane wheelchairs cannot fit into this space. Even if we could get the wheelchair in, the door wouldn’t close. This is a real problem for us. If other passengers have the right to go to the toilet, why can’t we?

On the subject of aircraft accessibility, [Ms. Cadieux](#) said that she had spoken with manufacturers and that they were working on it, but she said that she believed the demand must come from the air carriers – those who buy the aircraft – and that

²⁴ Canadian Transportation Agency, [*Transportation Service Providers Covered by the Accessible Transportation for Persons with Disabilities Regulations: A Guide*](#).



governments must “signal that this is important and will be a requirement down the line,” especially given how long it takes to implement this type of infrastructure modification, which Ms. Cadieux said could take 10 to 15 years. She said the U.S. has already told air carriers “that accessible washrooms will be required on single-aisle aircraft in the future.” On this issue, [Mr. Rousseau](#) said that Air Canada was working with Boeing and Airbus on design modifications so that future and existing aircraft would have more accessible washrooms.

Allergies and Food

In their [brief](#), Food Allergy Canada stated that specific measures are included in the ATPDR to support the inclusion of persons with disabilities due to severe allergies, referring to the establishment of a buffer zone around the passenger’s seat and cleaning protocols.²⁵ However, Food Allergy Canada said that the level of information provided by Canadian carriers on their policies and procedures for accommodating people with disabilities due to severe allergies varies. For example, the organization wrote that “it is unclear under what circumstances passengers require prior disclosure of their allergy” or what medical documentation is required. Food Allergy Canada has also called for a review of the training provided to the staff of carriers in order to “address gaps in staff understanding and knowledge of food allergy.”

In their [brief](#), Celiac Canada wrote about how challenging it is for people with celiac disease to access gluten-free food during flights, both in Canada and abroad. The organization made a number of recommendations, such as improving the range of gluten-free dishes on offer, improving the labelling of food products on flights and in airports to identify gluten-free options, and implementing training programs to raise awareness about dietary restrictions among staff who interact with passengers.

Training and Employees

The ATPDR contain provisions for developing and implementing training programs for transportation service providers in assisting persons with disabilities.²⁶ Staff members²⁷

25 Canadian Transportation Agency, [Severe allergies: A Guide](#).

26 Canadian Transportation Agency, [Personnel Training for the Assistance of Travellers with Disabilities: A Guide](#).

27 This includes third parties who have entered into an agreement or arrangement with the transportation service providers to provide services on its behalf. Ibid.

must take initial job-specific training within 60 days of assuming their functions and receive refresher training at least once every three years.

According to [Ms. Hogan](#), given that staff change frequently and move on to different positions and that there may be fleet or equipment changes, “there is likely a need for training on a much more regular basis than just once every three years.” In their [brief](#), the AODA Alliance recommended that airlines assign “staff on a fulltime basis, not a rotating basis, to assist air passengers with disabilities.”

[Ms. Semaan](#) told the committee that CATSA’s managers and screening officers are all trained in accessibility and, as far as the officers are concerned, they are “not allowed on the floor until [they have had their] full training on accessibility.” [She](#) added that they are, among other things, “trained to observe proactively if somebody may need assistance.” [She](#) also said that CATSA’s decision-makers and management have only a “very short time frame” once they are hired to take accessibility training and that they must take refresher training every year. [Ms. Semaan](#) also said that CATSA has established a new contract for its suppliers that includes a new role that they call a “facilitator,” who is responsible for helping passengers, including those with disabilities, through security screening.

[Mr. von Hoensbroech](#) said that WestJet employees who interact with passengers are trained, as well as “every employee or supplier that is handling equipment.” He underlined that the training content depends on the employee’s duties, although everyone receives awareness training. [He](#) said that he believed that the training level of WestJet staff is good, but acknowledged that the training might need to be clearer as to “what kind of devices and what sizes and weights can actually fly on a particular aircraft type and which ones cannot” in order to prevent devices from being handled in a way that can cause damage. Regarding staff composition, [Mr. von Hoensbroech](#) assured the committee that WestJet has a diverse workforce. In correspondence to the committee, WestJet submitted that, based on voluntary declarations, 1.9% of management and 1.9% of staff were persons with disabilities.

Similarly, [Mr. Rousseau](#) told the committee that Air Canada employees, international contractors and the management team are highly aware of the needs of passengers with disabilities. He said that Air Canada’s “10,000 airport employees will receive extra disability-related instruction as part of a new recurrent annual training program.” [He](#) said that the training will focus on two areas: process, which is “what has to happen to ensure the customer has a positive experience,” and sensitivity, basically “the needs of that customer and the fact that the mobility aid is critical to that customer.” In terms of staff composition, [Mr. Rousseau](#) said and later confirmed in correspondence to the



committee that about 5% of management and 2.2% of employees voluntarily self-identify as persons with disabilities.

[Mr. Minocher](#) said that the Greater Toronto Airports Authority is “constantly” increasing the number of persons with disabilities within its organization, and [Ms. Vrooman](#) said that the Vancouver Airport Authority attempts to hire a percentage of persons with disabilities “same as or greater than is present in the population.”

[Ms. Cadieux](#) said that while training and retraining are important, “ultimately it comes down to that human element, and that customer service mentality.” [She](#) gave as an example a situation where on a recent trip, while waiting for the crew to load her wheelchair onto the plane, she heard the baggage handlers on the bridge say something like “What’s taking so long? Why don’t they just strap the wheelchair on top of the plane like they do with bikes on cars?” She said that it is “that kind of insensitivity that allows for mobility aids to be tossed, dropped and left behind.” Similarly, [Ms. Ziv](#) called for a cultural shift toward greater empathy, and [Ms. Hewitt](#) called for increased awareness-raising among air service providers’ staff to ensure that the experience of persons with disabilities is more consistent from flight to flight.

IMPLEMENTATION

“[W]e need proper accountability to demonstrate exactly how many times and how often this is happening. This is happening every single day, often in silence.

We need to ensure that there is strong regulation so that it is not a suggestion that airlines respond, but so that they have to, every single time. It’s not a courtesy; it is a right that they need to respond to.”

[Maayan Ziv](#),

Chief Executive Officer, AccessNow

During the committee’s study, witnesses discussed various issues surrounding the implementation of accessibility regulations in the Canadian airline industry. [Ms. Walkus](#) criticized a lack of consistency, saying that the experience can vary from one airport to another and depend on the employees at the medical desk. [Mr. Lepofsky](#) added that the experience “varies from day to day and from flight to flight.” [Ms. Ziv](#) said that each flight she takes “feels like a negotiation to secure [her] well-being and [her] safety.” In their

[brief](#), ARCH Disability Law Centre wrote that to ensure accessibility for all, air carriers and airplane manufacturers should “implement a plan for universal design, including in procurement” that would remove all barriers to accessibility. During his appearance, [Mr. Reznick](#) said that this type of plan ensures that airlines “accommodate without the need for individual accommodation.”

In their [brief](#), CCD noted that the OAG’s 2023 report revealed shortcomings in the “implementation of accessibility”, particularly with regard to oversight methods and inspections, and made the following observation:

We must treat the inclusion of all people in the intersectional cross disability and Deaf communities, who use the Federal Transportation System, and the laws and regulations that protect us, as important, essential to Canada and enforce those laws as seriously as inspectors do, to ensure safety with maintenance of all planes, trains, vessels and busses.

[Mr. Lepofsky](#) said that “in the disability world, everybody is well intentioned toward us—but we keep facing the barriers.” As to who is ultimately responsible for ensuring accessible air travel, [he](#) answered as follows:

Number one, it’s with a regulator that’s holding them accountable. Number two, it’s with the CEOs. Number three—and I’m not partisan when I say this—it’s with the right ministers and a government that have the authority to do it.

[Mr. Fenton](#) agreed:

First of all, we need to enforce what we have. We don’t do a very good job at enforcing the regulations and airport human rights obligations. We need to enforce what we have. However, I think that, within some of these sectors, we actually do need to develop new regulations and standards, especially around transportation of mobility devices, security—those kinds of things—to better accommodate people with disabilities, because there are major gaps there.

He added: “so for whatever is developed,” there needs to be “a strong enforcement mechanism” to ensure that persons with disabilities can assert their rights, that decisions are rendered and that sanctions are imposed where appropriate.

During his appearance, [Mr. Lepofsky](#), as well as in the [brief](#) of the AODA Alliance, recommended adopting a bill of rights for passengers with disabilities.²⁸ [Mr. Lepofsky](#) said that instead of containing principles, it should be enforceable and set out a short list

28 Mr. Lepofsky gave as an example the U.S. Airline Passengers with Disabilities Bill of Rights. U.S. Department of Transportation, [Airline Passengers with Disabilities Bill of Rights](#).



of clear rights such as: “The airline shall tell passengers with disabilities what services are available and what number to reach them at.”

Telling the committee that “there are imperfections” and that “things can go wrong,” [Ms. Pasher](#) said that several airports have programs in place that follow “the regulatory requirements established by Transport Canada and the CTA in order to make the passenger journey a better one for people with disabilities” and that “most airports really do go above and beyond the CTA requirements.” She told the committee that Canada’s major airports have the technology and infrastructure “to be some of the most accessible airports in the world.”

For smaller airports, [Ms. Pasher](#) said that while the age of the infrastructure and the costs associated with structural changes can be a challenge, many have nonetheless adopted measures related to technology, signage, pet-friendly facilities, and so forth. She also said that many have adopted initiatives such as Autism Aviators and the Sunflower program.²⁹ [Ms. Pasher](#) told the committee that several regional and smaller airports are working with the Rick Hansen Foundation and going through their audit program, which evaluates “meaningful access based on users’ experience” for people with disabilities.³⁰

[Mr. von Hoensbroech](#) explained that although there can be differences in infrastructure between various Canadian airports and airports abroad, WestJet is taking care to “develop workaround processes that are safe” in order to deliver the same level of service across its network. [Mr. Rousseau](#) said that in foreign airports, “everything is third party contractors” and that to deliver consistent service throughout their network, the focus must really be on “training and ensuring that we have a strong contract that has penalties and standards of care that are consistent with what we’re trying to do in Canada.”

Similarly, [Ms. Semaan](#) affirmed that CATSA has “standard operating procedures throughout all airports” it operates in, regardless of size, and therefore that CATSA provides “a very consistent method” from one airport to the next. [She](#) said that CATSA has procedures for people who require mobility aids and for those with vision loss and hidden disabilities.

In response to a question about the responsibilities of air carriers when an accessibility-related incident occurs outside Canada, [Mr. Lukács](#) said the following:

29 Halifax International Airport Authority, [Autism Aviators](#) and Greater Toronto Airports Authority, [Sunflower Lanyards](#).

30 Rick Hansen Foundation, [RHF Accessibility Programs](#).

In my view, it is immaterial where the incident is taking place as long as it is travel to and from Canada. Air travel does not have jurisdictional borders in the usual sense. A flight starts in Canada and ends somewhere else. The fact is that these are carriers that are licensed to operate to and from Canada, and as a condition of their licences, they have to comply with Canadian law, including Canadian human rights legislation. It is essentially the airline’s responsibility to ensure that its staff members and subcontractors—whoever it is entrusting to handle passengers—are compliant with the Canadian law that airlines are required to comply with.

Consultation and Accessibility Plans

During the committee’s study, witnesses spoke about the consultations that air service providers and the CTA conduct with persons with disabilities when drawing up accessibility plans, developing programs to improve the travel experience and identifying what needs to be addressed during employee training.³¹ [Ms. Hogan](#) told the committee that “one of the key lines is, ‘Nothing without us,’” which was also raised by [Mr. Brault](#) and [Ms. Hewitt](#). [Ms. Ziv](#) said that she would like to see “every single policy, every decision, every training and every single thing that touches [a disabled passenger’s] experience” be co-created with persons with disabilities.

[Ms. Pégeot](#) said that the CTA has an accessibility advisory committee that includes representatives from the transportation industry and persons with disabilities, which makes for good communication and the sharing of advice to improve accessibility. She also said that the CTA works with small transportation service providers and persons with disabilities to understand the accessibility issues involving smaller carriers, something that CCD welcomed in their [brief](#).

CCD wrote that Accessible Standards Canada contracted CCD “to assist it in the development of a Seed Document to help guide the development of a standard on the travel journey.” In addition to these initiatives, CCD believed that collaboration among the communities of persons with disabilities must continue to grow and be strengthened so that they “are involved meaningfully in the work to remove systemic barriers to inclusion, in the federally regulated transportation system.”

[Mr. Lepofsky](#) agreed that setting up advisory committees within the air carriers and the CTA was an excellent idea, but he reiterated that the accessibility barriers have been

31 TRAN, *Evidence*: [Kurush Minocher](#) (Executive Director, Customer Experience and Airline Relations, Greater Toronto Airports Authority [GTAA]); [Tamara Vrooman](#) (President and Chief Executive Officer, Vancouver Airport Authority); [Nada Semaan](#) (President and Chief Executive Officer, Canadian Air Transport Security Authority [CATSA]); [Todd Peterson](#) (Director, Regulatory Affairs, WestJet Airlines Ltd.) and [Michael Rousseau](#) (President and Chief Executive Officer, Air Canada).



known about for a long time and that the solution is “to legislate the requirements effectively and enforce them,” a view shared by [Ms. Walkus](#).

On 18 March 2024, the Government of Canada announced that a National Air Accessibility Summit would take place on 9 May 2024.³² Commenting on this summit, [Mr. Rousseau](#) said that “sharing information, processes and lessons learned is always a positive thing.” [Ms. Walkus](#) said that the disability community “has never been consulted about” this summit. [Mr. Lepofsky](#) agreed that good ideas can come out of such a summit, but he reiterated that the solutions to the accessibility barriers in air travel are known and that “we need action.”

Under the ACA and ATPRR, transportation service providers must prepare and publish accessibility plans in consultation with persons with disabilities, establish feedback processes regarding the plan’s implementation and the barriers encountered by persons with disabilities in their interactions with the providers, and prepare and publish progress reports on the implementation of their plans.³³ The plan must show how providers intend to recognize, prevent and eliminate barriers in six areas, including communications, the built environment and the design and delivery of programs and services. Witnesses representing air service providers spoke to the committee about their accessibility plans.³⁴ [Mr. Fenton](#) said he believed that the air carriers’ plans are based on the current state of affairs and make no mention at all of new technologies that could be introduced. He agreed that the Government of Canada should “develop standards” for what should be in the accessibility plans and that they should also be forward-looking.

Complaint Resolution Services

During the committee’s study, air carriers, airport operators and CATSA officials explained that each of them has a complaints resolution service.³⁵ [Ms. Semaan](#) explained that CATSA follows up on every complaint it receives and is working to

32 Transport Canada, *Improving services for air passengers with disabilities: Transport Canada and Employment and Social Development Canada to hold National Air Accessibility Summit*, News release, 18 March 2024.

33 Canadian Transportation Agency, *Accessible Transportation Planning and Reporting Regulations Highlights*.

34 TRAN, *Evidence*: [Minocher](#) (GTAA); [Alexis von Hoensbroech](#) (Chief Executive Officer, WestJet Airlines Ltd.) and [Rousseau](#) (Air Canada).

35 TRAN, *Evidence*: [Minocher](#) (GTAA); [Vrooman](#) (Vancouver Airport Authority); [Rhoda Boyd](#) (Director, Communications and Passenger Experience, CATSA); [Peterson](#) (WestJet Airlines Ltd.) and [Rousseau](#) (Air Canada).

improve its reporting in order to better analyze the complaint data it receives and identify potential trends.

According to the [AODA Alliance](#) and [Mr. Lepofsky](#), most travellers do not know how or where to file a complaint when an incident occurs. Mr. Lepofsky said that this information should be displayed at airports and on tickets and announced on every flight. [He](#) also called for a fast-service hotline for travellers with disabilities, enabling them to both request services and file complaints.

[Ms. Ziv](#) said that many persons with disabilities do not file complaints when they experience an incident, since they “don’t think there’s any point” and “don’t think they’re protected.” [She](#) also complained that “the onus is on the individual to advocate,” which means that when she travels, she feels as though she has to act like a journalist or lawyer and take several photos of her belongings so that she has the documentation she needs to properly file a claim if something were ever to happen to her mobility aid.

Echoing what the AODA Alliance, Mr. Lepofsky and Ms. Ziv said about the air carriers’ complaint process, ARCH Disability Law Centre recommended in their [brief](#) that each carrier set up a complaint handling process that includes “a readily available contact, operated by persons with knowledge in accessibility and human rights.”

Incident and Complaint Data

During the study, some witnesses expressed dismay about the lack of data available in Canada concerning complaints filed with air carriers and incidents for which no complaint was filed, but that result, for example, in the breakage of a mobility aid.³⁶ As mentioned earlier, in its 2023 report, the OAG recommended that the CTA obtain more information about the number and nature of accessibility complaints lodged with transportation service providers in order to gain a better understanding of the day-to-day experiences of persons with disabilities. [Ms. Hogan](#) explained that in the U.S., air carriers are required to report any complaint or wheelchair damage to the Department of Transportation, whereas in Canada, the CTA is informed only if the passenger decides to file a complaint with the CTA. [Ms. Hogan](#) said that “[n]ot having access to complete

36 TRAN, *Evidence*: [Cadieux](#) (OCAO); [Lukács](#) (Air Passenger Rights) and [Brault](#) (As an Individual).



data ... limits the opportunity to decide if regulations are enough, or if inspections are enough.” She added that this is “even about intersectionality.”³⁷

[Mr. Lepofsky](#) told the committee that having this data would help identify recurring issues and where regulatory action is needed. Similarly, [Ms. Ziv](#) believes that “we need proper accountability to demonstrate exactly how many times and how often this is happening.” In their [brief](#), the AODA Alliance called for the regulator to compile data relating to complaints and requests for assistance “in an anonymized aggregated report” and for the overall results to be made public. [Mr. Brault](#) said that the CTA “should have the power and the strength” to collect this data and make it public on an annual basis.

[Mr. von Hoensbroech](#) expressed support for sharing information on the accessibility complaints filed with the CTA regarding WestJet. [He](#) said there was no need for this sharing to be “regulated,” since WestJet already shares this information with the public when requested. However, [he](#) added that more transparency was also needed from the CTA, which he said “has not always been super transparent about what kinds of complaints there are and what status the complaints sitting with the CTA have.”

[Mr. Rousseau](#) said that while the idea of sharing complaints data with the CTA was worth exploring, it should not be limited to air carriers, but apply to other passenger transportation industries as well. He also said that “the information that’s provided must be provided in a non-punitive manner.”

Canadian Transportation Agency

During her appearance, [Ms. Pégeot](#) said that one of the CTA’s main responsibilities is to “protect the fundamental right of persons with disabilities to an accessible transportation network.” [She](#) explained that not only does the CTA ensure compliance with legislative and regulatory provisions such as the ATPRR and ATPDR, but it is also an administrative tribunal that “[resolves] disputes between regulated industry stakeholders, users of the transportation system, and communities.” [Ms. Pégeot](#) added that the CTA also provides transportation service providers with information, guidelines and training materials.

[Mr. Lepofsky](#), echoing the proposal in the AODA Alliance [brief](#), expressed that there should be a regulatory body other than the CTA to oversee the accessibility of air

37 Intersectionality is about “how different aspects of a person’s identity can impact the way in which they experience barriers to inclusion.” Intersectionality factors include age, race, sex, sexual orientation, income, education and disability. Intersectionality is one of the guiding principles of the Federal Data and Measurement Strategy for Accessibility 2022 to 2027. Employment and Social Development Canada, [A Federal Data and Measurement Strategy for Accessibility 2022 to 2027](#).

transport. [He](#) said that the CTA has been “mandated to regulate airline accessibility ... for decades” and has failed “because they’re too close to the airlines.”

Oversight

As mentioned earlier, the OAG stated in its 2023 report that the inspections carried out by the CTA with a view to identifying and eliminating accessibility barriers focused more on how services are designed rather than on the actual service delivery. [Ms. Pégeot](#) told the committee that the CTA had increased its “enforcement capacity” over the past year, mentioning having “more than tripled the number of inspections” and so far having “increased [administrative monetary penalties] by 270%.” [Mr. Lepofsky](#) said that in order to improve oversight of the services provided by air carriers, the regulator could have secret shoppers on site to audit service delivery.

Penalties

During his appearance, [Mr. Lukács](#) was critical of the ATPDR, saying that while they “codified important principles,” they “were not written with enforcement in mind. They do not stipulate clearly defined, predictable and significant financial consequences for violations, nor do they offer automatic compensation to affected passengers.” [Mr. Lepofsky](#) said that the ATPDR are “more loopholes than rules” and that they “read like they were written by the airlines.”

[Mr. Lukács](#) believes that substantial monetary penalties should be imposed, suggesting, for example, an “automatic and immediate” penalty of over \$100,000 per incident, which could incentivize airlines to work much harder to prevent incidents such as a lost or damaged wheelchair. [He](#) later clarified that if the fine is too small, “it’s just a cost of doing business.” [Ms. Ziv](#) expressed that automatic, harsh penalties are needed in order to “reflect the gravity of every incident where a mobility device is lost or damaged.”

Similarly, [Ms. Walkus](#) said the following about penalties:

The biggest issue is that there are no teeth in it. A fine of \$100,000 to Air Canada is the cost of doing business. They’re not going to change anything, and that money doesn’t come back to the disability community. It goes in government coffers. How is that assisting us to move this forward? We are the poorest group, with the least amount of power, and yet every single case of movement forward has happened because the disability community has moved it forward.

In their [brief](#), CNIB called on the CTA to work with the Government of Canada on the following objective:



[T]o strengthen enforcement of air transportation accessibility requirements, including through more proactive oversight activities and consistent application of monetary and other penalties in cases of non-compliance.

One Person, One Fare

[Ms. Pégeot](#) told the committee that Canada is the only country to have in place the “one person, one fare” rule, which requires airlines to provide additional adjacent seats to persons with disabilities in various circumstances.³⁸ [Mr. Lukács](#) explained the rule as follows:

The one-person-one-fare rule prohibits airlines charging an additional fare if a passenger requires an additional seat for disability-related reasons. This rule is vital for providing equal access to air transportation to passengers who must be accompanied by a support person due to their disability, or who are too large to fit into a single seat or who rely on a service dog.

[Mr. Lukács](#) said that although the rule was imposed by the CTA in 2008 and has been incorporated into the ATPDR, he was critical of the fact that the CTA “excluded international flights from this important rule.”³⁹ [Ms. Pégeot](#) argued that since international air traffic is governed by bilateral agreements between countries that include “a provision ... that says we’re not to regulate ticket prices,” if the CTA imposed the “one person, one fare” rule on international flights, certain countries would likely reject it. She added that, following consultations with Transport Canada and Global Affairs Canada, the decision was made not to regulate in this sense. That said, [Ms. Pégeot](#) maintained that the CTA talks about “one person, one fare” when they attend international forums to encourage other countries to take similar measures.

For [Mr. Lukács](#), “concerns about Canada’s international commitments are devoid of any merit.” He said that Canada has an obligation to “impose requirements on airlines operating to and from its territory to implement article 9 of the UN *Convention on the Rights of Persons with Disabilities* and the right to accessible transportation enshrined therein.”⁴⁰

38 Canadian Transportation Agency, [Additional Seating and the One Person, One Fare Requirement for Domestic Travel: A Guide](#).

39 See sections 31(1) and (2) (No Charge for Required Services) of the [Accessible Transportation for Persons with Disabilities Regulations](#), SOR/2019-244.

40 Article 9 (Accessibility), United Nations, [Convention on the Rights of Persons with Disabilities](#), 13 December 2006.

[Mr. Fenton](#) told the committee that when a passenger travels with a service dog on an international flight, the dog must be placed under the seat occupied by the passenger. He also said that when a passenger takes several flights within a few days, including some international segments, air carriers “take the position that, for the Canadian segments, you’re not entitled to that extra seat.” He said that on a recent trip between Toronto and Calgary, following a stop in Los Angeles, he was not given the additional seat, meaning that he had “a dog, a bag and [himself]” in the same seat.

In their [brief](#), CNIB recommended that air carriers adopt the “one person, one fare” rule for “all flights operating within the federally regulated transportation network in Canada”, including “international routes operated by Canadian airlines, and flights operated by international airlines that are arriving at, or departing from, a Canadian airport.” [Mr. Lukács](#) called for the repeal of section 31(2) of the ATPDR, which restricts application of the rule to domestic flights, and “pass legislation that enshrines the one-person-one-fare rule for all who travel within, to and from Canada.” When asked why the “one person, one fare” rule was not being applied to WestJet’s international flights, [Mr. von Hoensbroech](#) said that while he is not generally opposed to the idea, there needs to be consistency among Canadian and foreign air carriers, which means “an international standard and not a Canadian stand-alone solution.”

Regarding the application of the “one person, one fare” rule, [Ms. Walkus](#) was critical of the inconsistent rules for medical certificates each airline requires from passengers. She also condemned the fact that when passengers request an extra seat due to obesity, carriers can ask them for measurements of their buttocks, which must be approved by a doctor. She called this process “demeaning, embarrassing and expensive.” [She](#) also deplored that taxes are charged for the second seat.

CONCLUSION

During the study, the committee learned that persons with disabilities face numerous barriers when travelling by air in Canada and that these barriers vary depending on the type of disability. Stakeholders pointed out that the incidents reported in the media in recent months are just the tip of the iceberg and called for improvements to various aspects of the travel journey, particularly communications, aircraft accessibility, and the transport of mobility aids. Another issue was the sharing of responsibility among airport operators and air carriers resulting in passengers having to interact with several different people during their travel journey.

Some witnesses also said that their travel journey could vary depending on the airport, the air carrier or even the staff on duty, criticizing inconsistent accessibility procedures



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through Canadian airspace. Lastly, witnesses called on the Canadian Transportation Agency to strengthen its oversight and enforcement capacity with respect to air service providers in order to fulfill one of its main responsibilities, which is to protect the fundamental right of persons with disabilities to accessible transportation services.

APPENDIX A: LIST OF WITNESSES

The following table lists the witnesses who appeared before the committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the committee’s [webpage for this study](#).

Organizations and Individuals	Date	Meeting
Air Passenger Rights Dr. Gábor Lukács, President	2024/02/15	101
Canadian Air Transport Security Authority Louise Alberelli, General Manager, Operational Programs Rhoda Boyd, Director, Communications and Passenger Experience Nada Semaan, President and Chief Executive Officer	2024/02/15	101
WestJet Airlines Ltd. Andrew Gibbons, Vice-President, External Affairs Todd Peterson, Director, Regulatory Affairs Alexis von Hoensbroech, Chief Executive Officer	2024/02/15	101
Canadian Airports Council Monette Pasher, President	2024/02/27	103
Canadian Transportation Agency Tom Oommen, Director General, Analysis and Outreach Branch France Pégeot, Chair and Chief Executive Officer	2024/02/27	103
Department of Employment and Social Development Stephanie Cadieux, Chief Accessibility Officer, Office of the Chief Accessibility Officer	2024/02/27	103

Organizations and Individuals	Date	Meeting
Greater Toronto Airports Authority Kurush Minocher, Executive Director, Customer Experience and Airline Relations	2024/02/27	103
Office of the Auditor General Milan Duvnjak, Principal Susie Fortier, Director Karen Hogan, Auditor General of Canada	2024/02/27	103
Vancouver Airport Authority Tamara Vrooman, President and Chief Executive Officer	2024/02/27	103
Accessibility for Ontarians with Disabilities Act Alliance David Lepofsky, Chair	2024/03/19	105
Air Canada David Rheault, Vice-President, Government and Community Relations Michael Rousseau, President and Chief Executive Officer Tom Stevens, Vice-President, Customer Experience and Operations Strategy Kerianne Wilson, Director, Customer Accessibility	2024/03/19	105
Council of Canadians with Disabilities Heather Walkus, National Chair	2024/03/19	105
As an individual Max Brault, Senior Consultant	2024/04/18	110
AccessNow Maayan Ziv, Chief Executive Officer	2024/04/18	110
ARCH Disability Law Centre Gabriel Reznick, Staff Lawyer	2024/04/18	110
Canadian National Institute for the Blind Robert Fenton, Board Chair	2024/04/18	110
Confédération des organismes de personnes handicapées du Québec Paul Lupien, Chair	2024/04/18	110

Organizations and Individuals	Date	Meeting
Disability Without Poverty Michelle Hewitt, Chair	2024/04/18	110

APPENDIX B: LIST OF BRIEFS

The following is an alphabetical list of organizations and individuals who submitted briefs to the committee related to this report. For more information, please consult the committee's [webpage for this study](#).

Accessibility for Ontarians with Disabilities Act Alliance

ARCH Disability Law Centre

Bussey, Chris

Canadian National Institute for the Blind

Celiac Canada

Coalition of Persons with Disabilities Newfoundland and Labrador

Council of Canadians with Disabilities

Food Allergy Canada

Power, George

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this report.

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos. 101, 103, 105, 110 and 138 to 140](#)) is tabled.

Respectfully submitted,

Peter Schiefke
Chair

Supplementary opinion of the Bloc Québécois to the Report of the Standing Committee on Transport, Infrastructure and Communities (TRAN) on accessibility for persons with disabilities in air transport.

First, the Bloc Québécois would like to thank all the witnesses who participated in this study. Also, hats off to the clerk of the analysts for having masterfully managed the logistics of the meetings and the drafting of the report. All this while knowing how to trace the testimonies reflecting our discussions during the adoption of the report and our recommendations.

The Bloc Québécois firmly believes that the following two recommendations should have been adopted. These recommendations respond to requests from organizations defending people with disabilities:

- 1) That the government impose the “one person, one fare” rule on all flights departing from and heading to Quebec and Canada;
- 2) That the government require airport authorities to have a single person responsible for assisting a passenger with a disability from the moment they enter the terminal until they board the plane and vice versa from the moment they leave the plane until they exit the terminal.

Although we would like to salute the good collaboration that reigned between the parties during the study, we nevertheless deplore that these two recommendations were not adopted even though they are central elements of the demands of the disabled people who came to testify.

We are, of course, in solidarity with people with disabilities who often experience difficult times when they must take a plane. In our opinion, the implementation of these recommendations would have a major impact on the quality of the services offered to them and to which they are entitled to expect.

SUPPLEMENTARY REPORT OF THE NEW DEMOCRATIC PARTY OF CANADA

Accessible air transportation for persons with disabilities

Canada's New Democrats are horrified by Canadian airlines' ongoing mistreatment of persons with disabilities. Over the course of the Committee's study, witnesses with lived experience expressed in no uncertain terms that such mistreatment is far more prevalent than the airlines have lead Canadians to believe, with some witnesses stating they experience major issues as much as [95 percent of the time they travel](#). Airlines have shown that they are unwilling to voluntarily take the concrete actions necessary to ensure people with disabilities can travel with dignity and safety. It is long past time that the federal government stepped up to create a strong policy and enforcement regime to ensure people with disabilities have equitable access to Canada's air transportation system.

The NDP agrees with the findings and recommendations the Committee made in its study on the treatment of people with disabilities by Canadian airlines. The NDP is pleased that so many important recommendations, based on valuable, moving witness testimony were included in the report. This supplementary report seeks to highlight additional recommendations witnesses suggested to better protect the rights, safety and dignity of people with disabilities traveling on Canadian airlines.

1. That the Government of Canada introduce legislation extending the application of human rights law to accessibility equipment, making clear that the harm to a person's accessibility equipment is a human rights violation.

One of the main concerns witnesses brought forward was that their accessibility equipment is treated as baggage, rather than as an extension of their bodies, and that loss of, or damage to, these devices can have severe, long-term mental and physical ramifications. For this reason, witnesses argued that human rights law must be expanded to include accessibility equipment.

"The human rights that I have as an individual need to be given to my wheelchair, which means that when my wheelchair is damaged—if any accessible equipment is damaged—it is inherently a human rights issue. For this reason alone, airlines and the travel industry need to recognize the fact that when I give what is essentially my legs to them, they have to respect it the same way as they would a human body, a person." — [Max Brault, Consultant](#)

The NDP believes this is a fundamental issue when it comes to Canadian airlines' treatment of persons with disabilities. Accessibility equipment is more than just baggage; it allows people

with disabilities the freedom to participate in society. Any harm to such equipment must be treated as a human rights violation. As Mr. Lupien told committee members:

“I don't think that if you were to cut someone's feet off while they were walking, you'd just apologize for cutting them off by accident, and tell them they'd have to spend their vacations without their feet. Breaking our chair is like taking away our legs.” – [Paul Lupien, Chair, COPHAN](#)

2. That the Government of Canada immediately extend the one-person-one-fare rule to international flights departing and entering Canada.

In 2008, the CTA imposed a one-person-one-fare (1P1F) rule on domestic flights in Canada and incorporated it into the Accessible Transportation for Persons with Disabilities Regulations (ATPDR) in 2019. However, this policy does not extend to international flights departing from or entering Canada, presenting a financial barrier for people with disabilities who need to access an additional seat for reasons such as utilizing a service animal, travelling with a support person, or their size. According to [Disability Without Poverty](#), in Canada, people with disabilities are twice as likely to live in poverty than those without disabilities. The [Parliamentary Budget Officer](#) has indicated the poverty line for people with disabilities is approximately 30 percent higher than the standard poverty line, due in part to the increased costs faced by people living with disabilities, such as the additional cost of needing to book an extra seat on a flight. For years, the CTA and the federal government have argued that international obligations prevent them from expanding 1P1F to international flights. However, witnesses argued strongly these obligations do not prevent the government from upholding its duty to ensure accessible transportation for persons with disabilities.

“These concerns about Canada's international commitments are devoid of any merit. Canada is not only entitled but also has an obligation to impose requirements on airlines operating to and from its territory to implement article 9 of the UN Convention on the Rights of Persons with Disabilities and the right to accessible transportation enshrined therein.” – [Gabor Lukacs, President, Air Passenger Rights](#)

3. That the Government of Canada prohibit requiring medical documentation to access accommodations, unless deemed necessary for safety purposes.

New Democrats believe it is important to remove as many barriers preventing people with disabilities from accessing Canada's transportation system as possible. As many witnesses pointed out, a particularly challenging barrier is the medical forms airlines require to access accommodations. Witnesses told the committee each airline has a different form and different requirements to receive accommodations. Airlines do not save the information collected via these forms, meaning persons with disabilities who require accommodations must complete

the required documentation each time they fly. This process can be expensive, time consuming and demeaning. As one witness told the committee:

“At WestJet, when a person is larger than the seats will allow within one person, one fare—that legal fight saw obesity as a disability—the demeaning process is that you have to have your butt measured. You have to put it on paper. A doctor has to sign off on it—try finding a doctor—and then you have to send it in. WestJet has an algorithm that they spent a lot of money on. It is proprietary. They take those numbers and they decide whether or not you get the extra seat. It is demeaning, embarrassing and expensive, and it is why many people with disabilities are not travelling anymore, because they're harmed. They're harmed through the process.” – Heather Walkus, National Chair, Council of Canadians with Disabilities

At a time when fewer and fewer Canadians have access to a family doctor, requiring people with disabilities to find a doctor willing to fill out each airline’s medical forms, usually at a cost, and forcing them to hand their personal medical information over to the airlines, is unreasonable and unnecessary. Not only does it place harmful barriers in the path of people with disabilities, but it is also a privacy infringement.

4. That the Canadian Transportation Agency work with air carriers, airport operators and persons with disabilities towards requiring that a single employee, trained to work with passengers with disabilities, assists each person with a disability from the time they arrive at the airport until they board the aircraft and from when they disembark until they leave the airport.

Several witnesses noted the problematic ongoing practice of transferring people with disabilities who require assistance between several different staff members [“like a baton”](#) as they move through an airport. Witnesses told the Committee this practice often leaves people in vulnerable situations: alone with no help for extended periods, unable to use the bathroom, unsure when or if another staff member is coming to help them with the next portion of their journey. They are usually forced to re-explain their necessary accommodations to each new employee.

“I personally have spent four hours parked at a gate waiting for a flight. No one comes to see me. There's no way to contact anyone. I have to go to the washroom. I can't get something to eat. I cannot use any of the airport services. We're moved like luggage from one end to the other.” – Heather Walkus, National Chair, Council of Canadians with Disabilities

“Every time we're passed from one person to another, we have to redescribe our bags. We have to redescribe the various services we need or things we need to do. We have to retrain people on what sort of assistance we may or may not require. We are dealing with people with different levels of skill and different levels of training.[...] There's nothing more frustrating than being handed off after you go through security, not

knowing that the security agents have moved your bags to various terminals to be checked, not knowing what's where and not being able to tell the agent who has now met you where your stuff has gone.” – [Robert Fenton. Board Chair, Canadian national Institute for the Blind](#)

This practice puts the dignity and safety of people with disabilities at risk. The solution is simple: the government should require airlines to provide a dedicated staff member, trained in working with passengers with disabilities, to guide people who require accommodations for the entirety of their journey through the airport.

5. That the Government of Canada require airlines and airports to (a) install and maintain video systems to monitor the handling of accessibility devices at all times when they are not in their owner’s possession; and (b) require video therefrom be automatically shared with both the passenger and regulator in the event of damage or loss.

In October of 2024, the American Department of Transportation [fined American Airlines \\$50 million](#) following an investigation which was prompted by the wide circulation of a [video showing airline staff mishandling a passenger’s mobility device](#). Without the video, taken by a passenger, it is possible the investigation, which uncovered thousands of other cases of damaged mobility devices by the airline, would not have occurred. Passengers with disabilities are far too often separated from their accessibility devices, which airlines often either lose or damage with little to no explanation. It is clear further transparency and accountability is needed in the process of handling these devices. The NDP supports the recommendation above, which the Accessibility for Ontarians with Disabilities Act Alliance suggested to the committee:

“Airlines and airports should be required to install and maintain effective video monitoring of the entire handling of a wheelchair or other mobility device from the moment that air passengers with disabilities give up possession of them to the point where the device is returned. Where an incident occurs where the device is damaged, this video should be automatically shared with the passenger and the relevant regulatory authority.” – [Written brief submitted by the Accessibility for Ontarians with Disabilities Act Alliance](#)

6. That the Government of Canada require airlines to provide mandatory disability training for airline executive employees and their board members to assist in changing ableist cultures.

Workers who interact directly with passengers are not solely responsible for the mistreatment of persons with disabilities in the Canadian air sector. Change must start at the top, with the executives and boards of directors of the corporations involved. Based on Air Canada and WestJet CEOs' testimony, it is clear they do not understand the severity and prevalence of accessibility

issues within their sector, nor do they understand the harm being inflicted upon their customers with disabilities.

“First, let me say that whenever these cases you referred to happen, it is as bad for us as it is for those people who are exposed to this.” – [Mr. Alexis von Hoensbroech, CEO, WestJet](#)

For the CEO of a major airline to claim that instances of mistreatment of people with disabilities are “just as bad” for the airline as they are for the individual; many of whom recounted to the committee horrifying accounts of physical injury, humiliation and demeaning treatment; demonstrates a fundamental lack of understanding of the issue. This lack of understanding was also noted by witnesses:

“We heard from Air Canada today that they're doing a good job, that they've put in place measures that are needed to fix this, that the problems are few or infrequent, and that all they really need is more education or training for their staff. Every single one of those statements is wrong, and the fact that Air Canada's leadership said this is proof that we need far more systemic solutions.” – [David Lepofsky, Chair, Accessibility for Ontarians with Disabilities Act Alliance](#)

In order to create overarching change in how these companies treat their clients with disabilities, their executives and board members who are making policy decisions for their employees, must undergo disability awareness training.

7. That the Government of Canada compensate persons with disabilities for consultation services, and require all parties operating in the airline sector, including airlines, airports and CATSA to compensate persons with disabilities for consultations.

The NDP supports the committee’s recommendation that all parties within the air sector, including the government, airlines, airports, and CATSA, be required to consult with persons with disabilities. However, it is completely unreasonable to expect people with disabilities to provide their expertise for free, especially since they have spent years telling these parties exactly what is needed to fix the issues.

“This is not new. We tried everything to make change with the industry. [...] Every time we have to mount yet another campaign or another legal challenge, it takes people away from their families and from their regular lives, and we are all volunteers. We are not paid to do this. I am the chair of the largest and oldest disability rights organization in this country. We are 48 years old. We have been and are run mainly by volunteers, and we have made great strides to get us to where we are, but we need you.” – [Heather Walkus, National Chair, Council of Canadians with Disabilities](#)

“The other thing is with respect to the airlines and the CTA having consultative committees. That's great—they bring in some people with disabilities and they ask questions—but these are recurring problems. I'm not saying anything that people with disabilities—and, I believe, the airlines—haven't known about for years and decades. It's not that they need to hear more from us. They need to actually do something about it.” – David Lepofsky, Chair, Accessibility for Ontarians with Disabilities Act Alliance

For years, disability advocates have provided the government, airlines, airports and CATSA with the information necessary to make required changes. If people with disabilities — who, as noted earlier in this supplementary report, are far more likely to live below the poverty line — are to be expected to re-state their advice as part of such consultation processes, they must be fairly compensated for this work.

8. That the Government of Canada mandate Aircraft Rescue Firefighting services at all Canadian airports with commercial air traffic to ensure comprehensive emergency response capabilities; that these services align with the standards set by the International Civil Aviation Organization, including response time standards, accredited ARFF training for personnel; and that the government provide adequate resources to fulfil these standards.

The *Canadian Aviation Regulations* governing Aircraft Rescue and Firefighting (ARFF) services have fallen far below the standards set by the International Civil Aviation Organization (ICAO). Specifically, the *Canadian Aviation Regulations* do not include rescue service within the mandate of ARFF services, despite the fact ICAO regulations explicitly require it. This deficiency disproportionately affects passengers with disabilities, many of whom would have difficulty self-evacuating from an aircraft in an emergency situation. Without the help of skilled first responders trained in aircraft rescue, these passengers are forced to rely on less-trained, less-equipped airline staff or their fellow passengers.

“It is simply not enough to ensure safety and dignity while boarding and while in flight; it is paramount that a reasonable expectation of safe egress is also guaranteed. [...] Citizens of this country expect that every consideration is made to ensure procedures for emergency response at airports are built around opportunities to save human life. I have learned this expectation does not fully extend to all human lives, but rather to those who have the ability to independently get to the plane exit door.” – [Written brief from Coalition of Persons with Disabilities Newfoundland and Labrador](#)

It is unacceptable that people with disabilities face greater risk in emergency situations. Canada must update the *Canadian Aviation Regulations* to meet our country's ICAO obligations.

Conclusion

In conclusion, the abysmal state of accessibility in Canada's passenger aviation sector has forced people with disabilities to put their safety, dignity and human rights on the line every time they travel on a Canadian airline. It is abundantly clear the parties operating in the sector are not taking adequate action to rectify these issues, and it is long past time the federal government stepped in to create and enforce strong regulation, legislation, and policy to ensure people with disabilities can travel in Canada without fear.

