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Chair

Mr. Steven Blaney

Standing Committee on Official Languages

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• (0905)

[Translation]

The Chair (Mr. Steven Blaney (Lévis—Bellechasse, CPC)): Welcome everyone.

[English]

Pursuant to Standing Order 108(3), we are doing a study of Air Canada's compliance with the Official Languages Act.

This morning we have the pleasure to have with us the Minister of Transport, Infrastructure and Communities, the Hon. John Baird.

Welcome to our committee, Minister Baird, and thank you for having accepted our invitation within a very short time.

[Translation]

Without further ado, Mr. Minister, I would invite you to make your opening statement. I would also like to welcome the two people with you today.

Hon. John Baird (Minister of Transport, Infrastructure and Communities): Thank you very much. It is a great pleasure to be here with you this morning.

[English]

I apologize for being a few moments late. The one member of the committee who represents a riding in the city of Ottawa will know that last night was a tough night and a stressful night, but it turned out well in the end.

An hon. member: It had a good outcome.

Hon. John Baird: A good outcome; that's right. That's one thing the member for Ottawa—Vanier and I can firmly agree on.

[Translation]

Mr. Chair, members of the committee, I would like to thank you for your invitation to discuss the Air Canada Public Participation Act. Before I begin, I would like to take a moment to congratulate you for your excellent work on the official languages file.

[English]

While I am here to talk about Air Canada, I understand that your committee also considered official language obligations at airports last fall, so I would like to take a minute to clarify the federal government's role in those.

All national airport authorities have official languages obligations by virtue of the Airport Transfer Act and the Official Languages Act. The President of the Treasury Board is responsible for the Official

Languages Act, while the Office of the Chief Human Resources Officer of the Treasury Board Secretariat is responsible for defining, monitoring, and enforcing language obligations. Later this month, I understand, the Office of the Chief Human Resources Officer will be issuing clarifications with respect to the official languages obligations of airport authorities. I look forward to seeing that work.

Now let us focus on Air Canada. As you know, when Air Canada was a crown corporation it was subject to the Official Languages Act. While the Official Languages Act itself is very broad in scope, two provisions are of particular interest when speaking about official language obligations of Air Canada: one, the duty to provide service to the public in both official languages; two, the rights of employees to work in their official language of choice.

When Air Canada was privatized in 1988, official language obligations were maintained on the company through the Air Canada Public Participation Act.

[Translation]

To this day, it is the only carrier in Canada subject to the Official Languages Act. However, all carriers must provide safety and security information in both Official Languages. In 2000, Air Canada acquired Canadian Airlines International, which had a largely unilingual anglophone workforce. At that time the Air Canada Public Participation Act was amended to ensure that Air Canada subsidiaries providing air services to the public did so in both official languages. The effect of this amendment was to require Air Canada to ensure that its subsidiary, Jazz, met legislated requirements to serve the public in a bilingual way.

Then, in 2003, Air Canada filed for bankruptcy protection. After significant restructuring, the carrier successfully exited from bankruptcy protection on September 30, 2004, with a new corporate structure that reflected a strategy focused on maximizing the value of the individual components of the company.

• (0910)

[English]

Coming out of restructuring and to this day, the Air Canada Public Participation Act continues to apply to Air Canada, including full official language obligations. Similarly, any future Air Canada subsidiaries will continue to be bound by the official languages obligation under the Air Canada Public Participation Act as currently constituted. However, as a result of the organizational restructuring, official languages obligations no longer apply with respect to operations that have been moved out from under Air Canada. For example, the Air Canada Public Participation Act does not apply to ACE Aviation Holdings Inc., which had been the parent company of Air Canada since its restructuring.

[Translation]

On June 15, 2006, your committee tabled a report regarding the application of the Official Languages Act to Air Canada and ACE Aviation Holdings Inc. The report called upon the government to reintroduce legislation that would be similar in scope and effect to Bill C-47 which died on the order paper the year before.

Late in 2006, our government introduced amendments to the Air Canada Public Participation Act through Bill C-29. The bill was designed to maintain full official languages obligations for former internal divisions of Air Canada that had been spun off and were controlled by ACE Aviation Holdings Inc.; to extend obligations to provide bilingual services to the public, to Jazz, and any future affiliates of Air Canada that provided air services, as long as they were controlled by ACE Aviation Holdings Inc.; and to ensure that ACE Aviation Holdings Inc. provided communications to the public in both official languages.

Bill C-29 died on the order paper when Parliament was prorogued in September 2007. It was reintroduced as Bill C-36, with no further amendments. Bill C-36 died on the order paper on September 7, 2008, as a result of the 2008 election.

[English]

Although many years have passed since Air Canada was a crown corporation and much has happened in the interim, official language obligations at Air Canada are still viewed by many Canadians and by our government as important. Our government is committed to upholding the Official Languages Act and protecting and promoting both official languages.

[Translation]

As articulated in the Speech from the Throne, Canada's two official languages are an integral part of our history and our government will continue to strengthen Canada's francophone identity.

[English]

We also should consider that the best way to maintain and advance official language rights in aviation is to ensure a healthy and viable industry. The airline industry is and has been facing significant economic challenges, such as the long-term impacts of September 11, 2001, high fuel costs, as well as the effects of communicable diseases such as the H1N1 virus.

However, amid these practical challenges, Air Canada has clearly demonstrated significant efforts to uphold its official language obligations, as indicated by various committee testimonies. The Commissioner of Official Languages tells me that in the lead-up to the Olympic Games they did a lot. This demonstrates that when they make a concentrated effort they can do better. The number of complaints received by the commissioner also indicates that they need to do better.

[Translation]

At a 2009 meeting of this committee, Ms. Louise McEvoy, General Manager of Official Languages and Diversity at Air Canada, reiterated the airline's commitment to improving bilingual capacity throughout the human resources cycle, including recruitment, hiring and training.

In preparation for the Vancouver Olympic Games, Air Canada held mandatory sessions for Vancouver employees not qualified in French, and planned similar sessions for employees in other cities. The goal of these sessions was to ensure that the official languages rights of all Air Canada consumers were respected, including in instances where employees were not officially qualified to do so.

• (0915)

[English]

I'm told that Air Canada has mounted publicity campaigns to attract additional bilingual candidates across the country and has noted in comments to the committee that attracting some individuals in certain regions has been difficult. I understand that some of you provided suggestions to improve that recruitment strategy, and I hope the suggestions will yield improved results.

[Translation]

Air Canada's testimony speaks to its dedication to upholding its official languages obligations under the Official Languages Act. Furthermore, following a recent discussion with the Commissioner of Official Languages, it is important to note the efforts made by Air Canada during the Olympic Games and that the efforts and investments made by this carrier paid off.

I would also like to note that my discussions with the Commissioner of Official Languages touched on the subject of strengthening Air Canada's compliance with its linguistic obligations. I was pleased to learn that his team will conduct a detailed audit regarding Air Canada and its obligations to provide bilingual service to the public. In meetings with employees and unions, this study will carefully examine the hiring practices, the designation of bilingual positions and the linguistic training of the Air Canada personnel in order to determine the underlying reasons for the complaints pertaining to official languages. I not only commend the efforts of the commissioner but I am also eager to review the conclusions of his study.

[English]

I am mindful that continuing to trace official language obligations to parts of an organization that are increasingly independent creates practical challenges. ACE Aviation Holdings and Air Canada, as private companies, can and likely will continue to modify their organizational structures for both corporate and economic reasons.

For example, Air Canada Cargo, which was spun off after the 2003-04 restructuring, has since been repatriated within Air Canada and is once again covered by the Air Canada Public Participation Act and the Official Languages Act.

I have also discussed with Commissioner Fraser the issue of Air Canada contractors such as Jazz and have noted the concerns of the member for Acadie—Bathurst who provided a personal example from one of his trips aboard Jazz.

[Translation]

In this context, I would like to note that I have also asked the commissioner to obtain more information on the nature of complaints that have been received regarding Jazz. Given that Jazz is a private company contracted by Air Canada, Air Canada, therefore, under article 25 of the Official Languages Act, has an obligation to ensure the services provided to the public on its behalf are in both official languages.

Because Jazz is not a federal institution under the Official Languages Act and has not been a subsidiary of Air Canada since 2008, the official languages commissioner has informed me that he cannot intervene directly with Jazz, but can only intervene with Air Canada, who is responsible for the official languages obligations.

[English]

I have asked my officials and my office staff to obtain more information from Air Canada to know how it maintains its obligations under the Official Languages Act with contractors such as Jazz and how it will work to enhance this practice in the future.

[Translation]

I am proud of the accomplishments of our Conservative government in the official language file. Our concrete actions, such as our funding for official languages, clearly demonstrate our commitment to preserve bilingualism in Canada.

I admit that the Air Canada file is a complex one, however, it is nevertheless important that we stay the course and keep working with the key stakeholders, such as the Commissioner of Official Languages, the carrier, my cabinet colleagues, such as the Minister for Official Languages, and you, members of the committee, to find solutions to the challenges that I have just mentioned.

[English]

It is important that Air Canada continue to meet its obligations under the Air Canada Public Participation Act and the Official Languages Act. I welcome the advice and thoughts of this committee and welcome the opportunity to have a dialogue.

Thank you. *Merci.*

[Translation]

The Chair: Thank you very much, Mr. Minister.

I remind you that the minister is accompanied today by the director general of air policy, Ms. Brigita Gravitis-Beck, as well as the senior general counsel from legal services, Mr. Henry Schultz.

We will begin the first round of questions with our committee's vice-chair, Mr. Bélanger.

●(0920)

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Thank you, Mr. Chairman. Thank you for being here today, Mr. Minister.

I have listened to you very carefully. You must certainly be expecting my first question. Has your government changed its mind, does it no longer have the intention of tabling a bill, or is it still of the same opinion and it does intend to table a bill?

[English]

Hon. John Baird: We intend to table a new bill.

[Translation]

Hon. Mauril Bélanger: What precisely?

You intend to table a bill?

[English]

Hon. John Baird: Yes. We believe we need to present a new bill.

Hon. Mauril Bélanger: My second question: when?

Hon. John Baird: There's no doubt that there are things we could move on immediately. Things such as ACE Aviation being included under the Official Languages Act and the Air Canada Public Participation Act are obviously a no-brainer.

I did note the commissioner's comments and intention to conduct a detailed study with respect to Air Canada and the issue of meeting its obligations under the act.

I wanted to find out the compliance on the contractors. Air Canada has an obligation under not just the Air Canada Public Participation Act but the Official Languages Act to ensure that it meets its obligation under its contractors. Regrettably, the complaints are not divided between entities, between, for example, Jazz and Air Canada proper, so I wasn't able to get a sense of how big a problem it is. There's no doubt that it is a problem; I just don't know the extent to which it is. I suggested to the commissioner that he may want to consider, as part of his study and review, looking at specifically Air Canada's efforts with respect to its contractors.

Hon. Mauril Bélanger: Mr. Minister, I've kept my questions very short, you'll notice. I would appreciate the equivalence in answers.

This information was given to us this week by Air Canada in terms of the complaints vis-à-vis Jazz or Air Canada. Might I suggest that you have a bill—Bill C-29, Bill C-36, Bill C-47—and that you proceed, and as the information comes and as the committee deals with the bill, perhaps modifications can be introduced at such time.

There's a matter of some urgency. It has been two years and there's no bill before the House.

Hon. John Baird: I share the view that a priority should be given. Obviously, we can't reintroduce the former bill because the structure of Air Canada has changed, so there would have to be modifications.

Hon. Mauril Bélanger: I'd like to make a suggestion for your consideration, Minister, and that of your cabinet colleagues. There is a provision in the House rules that allows for the government to refer legislation to committee before second reading so that the committee can get to it constructively and introduce modifications where it deems fit. The committee, since you've already complimented the committee a number of times for its work in these matters, I think is quite capable of helping the government here in crafting legislation that might be as good as we can possibly hope to achieve.

Would your government consider such a possibility—because it usually doesn't—of referring that legislation to committee before second reading?

Hon. John Baird: I can't speak for the House leader, but I would certainly be prepared to consider that. Yes, definitely.

Hon. Mauril Bélanger: So my other question is this. Can we expect this legislation to be introduced in the House in the session that will end in June?

Hon. John Baird: That would be desirable.

Hon. Mauril Bélanger: Yes, it is desirable. Can we expect it?

Hon. John Baird: I'd have to consult with my House leader.

Pardon?

An hon. member: [*Inaudible—Editor*]

Hon. Mauril Bélanger: He'll get to ask you questions directly soon.

Hon. John Baird: He's very shy and reserved. I'll bring him out of his shell.

[*Translation*]

Hon. Mauril Bélanger: Thank you, Mr. Chair. I will come back later.

The Chair: Thank you very much, Mr. Bélanger.

We will now move to Mr. Nadeau.

Mr. Richard Nadeau (Gatineau, BQ): Thank you, Mr. Chair. Good morning to our guests.

I would like to come back to Mr. Bélanger's question. You say you are open to the idea of tabling a bill. Do you intend to do so over the next few weeks, given that this bill has already been tabled by the Martin government, by the current government and even during Mr. Harper's first mandate?

Hon. John Baird: I should stress that I am very much open to doing so and I have emphasized the need to introduce a new bill.

Mr. Richard Nadeau: Are you going to do so this spring?

Hon. John Baird: That is possible, yes.

Mr. Richard Nadeau: A committee member whom you know well, Royal Galipeau, informed us, just like the newspaper *Le Droit*, that Michel Thibodeau had trouble at one point with Air Ontario. It ended up in court. In the end, the court found in favour of Mr. Thibodeau and ordered that Air Ontario pay him \$7,000 for the injustice he faced when he asked to be served in French by a partner. Last February, through the media, Mr. Thibodeau asked you if you had any intention of tackling this again and introducing legislation. He never ended up getting an answer. I'd strongly encourage you,

Mr. Baird, to use all your influence within cabinet because this is extremely important.

Unilingual flight attendants have power over those of us who are bilingual. Unilingual anglophone flight attendants have power over unilingual francophones. Those francophones are entitled to service in their language. That's what the law says. I've even tested this myself. I have filed complaints with the commissioner because the service we get from Air Canada and its partners is extremely rude in many ways. I hope that you will have more than just a feeling, but a real political will to make this issue a priority.

Tell me, what steps are currently being taken to put this bill back on the order paper so that it can be studied as soon as possible?

● (0925)

Hon. John Baird: We're ready to introduce a bill in the House. Of course, I have now taken under advisement your suggestion and that of your colleague from Ottawa—Vanier, that is that it may be a priority to move ahead with this this spring. I'm going to share your opinion with my parliamentary House leader and we will see when this could be done.

Mr. Richard Nadeau: The committee called on the official languages commissioner, Mr. Fraser, to prepare something for us to help us with a future bill. When the bill is studied, in the very near future, we hope, we intend to make contributions to improve the legislation. What can you see that might enhance the bill?

Hon. John Baird: Are you asking me if I have a bill—

Mr. Richard Nadeau: I'm referring to the bill which was introduced and which you're aware of, the one that died on the order paper due to—

Hon. John Baird: The former—

Mr. Richard Nadeau: Do you think that there's anything that should be improved in the bill?

Hon. John Baird: We're definitely going to have to make some changes. The bill was drafted two years ago. There have been corporate changes. Jazz is now no longer a part of Air Canada. Their relationship has changed, which forces us to make changes to the previous bill.

Mr. Richard Nadeau: Is there anything that you would like to add to improve the bill, to strengthen it?

Hon. John Baird: Of course. Currently, Ace Aviation is not subject to the Air Canada Public Participation Act, nor is it subject to the Official Languages Act. So that's the first thing we're going to have to do.

Mr. Richard Nadeau: Thank you, Mr. Chair.

The Chair: Thank you, Mr. Nadeau.

We'll continue with Mr. Godin.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Thank you, Mr. Chairman.

Minister, welcome to the committee.

You said that there have been a lot of changes since the bill was announced. You also said yourself, Minister, that since 2004, Jazz has been a third party with respect to Air Canada, that is that it is no longer really a part of the company. That's what you said earlier, isn't it?

Hon. John Baird: Currently, Jazz is not part of Air Canada. Jazz is an independent company. Over the last two weeks there have been changes at Jazz. It was about to purchase Skyservice Airlines.

Mr. Yvon Godin: Mr. Baird, we are in 2010. In 2006 there was a bill, but since 2007 there has not been one. Are we supposed to wait for the next 100 years so that Jazz and Air Canada can make all their changes before we see a bill or will we have a comprehensive bill so that everything that is connected to Air Canada is subject to the Official Languages Act?

I received a letter from you on February 17, 2010, which stated that since the privatization of Air Canada in 1988-89 a number of obligations were imposed on the corporation pursuant to the Air Canada Public Participation Act mentioned in a letter I sent you. You said that official languages obligations still apply to Air Canada pursuant to the above-mentioned act.

Meanwhile, Minister, Air Canada Cargo, Air Canada Ground Services, Air Canada Vacations and former Air Canada subsidiaries have become independent corporations. That was the reason why there had been a bill. It was to try to ensure that all those entities that had left would be subject to the act.

You yourself have just said that the official languages commissioner has no authority over Jazz because it is not a federal entity. You're practically telling me that you do not have any authority over it either. Who is going to address the problem of Air Canada and these third parties?

• (0930)

Hon. John Baird: Air Canada was responsible for its subcontractors pursuant to the Official Languages Act and pursuant to the Public Participation Act. That is a fact.

I heard, from your colleague the member for Ottawa—Vanier, that there was a complaints division at Air Canada for Air Canada and for Jazz. I inquired about the substance of the complaints. I asked the commissioner about them and he told me that he did not have statistics as to whether the complaints were regarding Air Canada or Jazz. In fact, the complaints would be the best source of information on this point.

Mr. Yvon Godin: I am certain you've been made aware of the complaint I made against Air Canada which I sent to the Commissioner of Official Languages. On March 11, I took a flight from Montreal to Bathurst. The person was an anglophone and did not speak French. I took the Bathurst to Montreal flight and the person did not speak French either. People from Air Canada say that they checked with Jazz. The individual refused to speak in both languages, but was considered bilingual. So, who is going to do the work? Who is going to compel Jazz—not Jazz, but Air Canada, to respect the Official Languages Act?

This is the reason why I believe, and I think that you would see the use in it yourself, that there should be a bill to ensure that Air

Canada respects the Official Languages Act. Would you agree with me?

Hon. John Baird: I agree with the fact that we need a new bill. I've already said that. I will share your comments with my colleagues. As I've stated, I will also speak to my House leader to determine a date when we could table such a bill.

Mr. Yvon Godin: Minister, you have commended the committee for its good work. I would suggest that this bill be introduced in the House of Commons, as my colleagues mentioned, and referred to this committee so we may study it and help you.

You said that the company had to be viable. Would that prevent it from respecting the official languages of Canada?

[English]

Hon. John Baird: I didn't say it was in good shape or viable. There's no doubt that the airline industry is in pretty tough shape. Air Canada came precariously close to going bankrupt last summer. A private-sector-led consortium had to pump a billion dollars into it, and they also had to take a major foreign equity to provide them with additional working capital. So I in no way, shape, or form said the industry is strong. It has struggled. That doesn't, though, eliminate or provide excuse for them not to meet their obligations under law.

[Translation]

The Chair: Thank you, Mr. Godin.

We will now continue with—

[English]

Hon. John Baird: Or any other law—whether it's civil aviation's safety or whether it's official languages, they have to follow the law.

Mr. Yvon Godin: They're not following it.

Hon. John Baird: When you get the numbers of complaints that we've seen, there's obviously justifiable concern that they aren't.

[Translation]

The Chair: Mrs. Boucher, the floor is yours.

Mrs. Sylvie Boucher (Beauport—Limoilou, CPC): Good morning, Minister, and good morning to all our guests. It is a pleasure to meet with you this morning.

As you are aware, a lot of things have been said about Air Canada Jazz. Our friend, Mr. Godin, has been constantly talking about the issue, as has Mr. D'Amours.

Mr. Baird, what do you think about the comments that have been made? Air Canada officials appeared before us last week. You spoke about new legislation, as have all members here. The people at Air Canada told us that they did not see the need for new legislation. We have already introduced a new bill and thought that it was a matter of considerable importance. What are your views on that statement?

• (0935)

Hon. John Baird: I must say that, if major private corporations had the choice, they would not want to have more regulations and laws affecting their business interests. Air Canada is not alone in that position. Today, ACE Aviation Inc. is not subject to the law, and that clearly must be changed. It should also be pointed out that it does currently have obligations regarding private contractors. According to the law, it is responsible for their activities. That is a fact.

Mrs. Sylvie Boucher: Furthermore, do you think that the audit by the official languages commissioner of Air Canada's services will help the air carrier improve its ability to comply with the requirements of the Air Canada Public Participation Act and Official Languages Act?

[English]

Hon. John Baird: I certainly welcome the commissioner's indication that he's going to conduct a review of this. I think that's important.

I think, and obviously I've said, in some shape there needs to be strengthening of the law by amending the legislation. If we're concerned that they're not following the legislation as closely as possible or are not making their best efforts to follow the legislation, then simply strengthening the legislation, if they're following what's there today, won't necessarily be the complete answer.

When I met with the Commissioner of Official Languages, one of the officials used the phrase "at the end of the day", and I guess that's what I'm interested in. At the end of the day, what can we do as oversight, whether it's you as committee, whether it's me as a minister? What can we do in oversight to ensure that, at the end of the day, francophones in this country can get the services they have every right to expect?

It concerns me when you hear Mr. Godin talk about a flight between Montreal and Bathurst...obviously the biggest francophone population in North America is in Montreal, and in northern New Brunswick, I believe, the francophone majority—

Mr. Yvon Godin: It's 80%.

Hon. John Baird: It's 80%. I don't know about the city of Bathurst, but I know the region would be overwhelmingly francophone. That obviously is a fundamental concern if that's the regular experience. No one is perfect, everyone will make mistakes, but if that's a regular occurrence, that's not acceptable.

Air Canada has obligations today, without changing the legislation. We can put more teeth in the legislation, we can expand the legislation, but the legislation in its more minimal form isn't been followed, and that should be a first concern.

[Translation]

Mrs. Sylvie Boucher: Thank you.

The Chair: Thank you, Ms. Boucher.

We will now begin our second round of questions with Mr. D'Amours.

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Thank you, Mr. Chair.

Mr. Minister, thank you, and thank you to the people who came with you this morning.

It appears to be very difficult to amend the act. However, your government is a champion when it comes to quickly amending legislation so it can be included in the Budget Implementation Act. The official languages situation is very important. You say that your government supports official languages, but when the time comes to act, we don't really see any results.

You said two things. First, you distinguished between complaints made against Air Canada and those made against Jazz. It is surprising that your officials did not tell you that on Tuesday of this week, Air Canada representatives showed us a chart which clearly indicated the differences between complaints made against Air Canada's airline services and those made against Jazz. We have the results for 2008, 2009 and 2010, and we even asked the airline to provide us with the results from the beginning of 2000. So it is difficult to understand why you cannot bring forward a bill. I think it's high time we looked at all of these elements.

Further, it seems so hard to make corporate changes. Perhaps I could ask the committee's analysts to explain to you what the situation was before the last bill was passed, and what it is like today. You should have this information to help you prepare a bill in the coming weeks. You mentioned these two things. You don't have the data on the number of complaints made against Air Canada and Jazz. So we will give you that information. If it is necessary, we will show you how the company is different today compared to what it was like before. I am convinced that we will shortly be able to provide you with the second element you need to table your bill. You said you would have to talk about it to your parliamentary leader in the House. However, I think we can provide you with the two main elements which are problematic. In the end, this is all about respecting our official languages.

My colleague, Ms. Boucher, can certainly corroborate what I am about to say. It took nearly two years, after I raised the matter in committee and elsewhere, to have a sign changed inside Jazz's Dash planes. In English, the sign said: "Do not smoke in the lavatory". In French, it said: "*Ne pas fumer la toilette*", "Do not smoke the lavatory". I'm sure you understood the translation. It took two years of filing complaints with the Office of the Commissioner of Official Languages, and with Jazz and Air Canada, to make the appropriate changes. It's simply a matter of respect.

Mr. Minister, I would like you to be a bit more proactive. This morning, I was convinced that you would make a grand announcement, namely that a bill amending some provisions relating to Air Canada and the respect of official languages would be introduced this week. I am extremely disappointed. Indeed, usually you are more proactive. We see it all the time, but I think that in this case, you missed the boat, or rather, the flight.

Mr. Minister, I hope that you will consider these elements. If you still need specific details to draft such a bill, I'm sure the committee will be very pleased to get them to you.

I don't know if you have any time left, but I would like to hear your reaction.

• (0940)

The Chair: You have one minute left.

[English]

Hon. John Baird: You've certainly been taking the opposite approach from the member for Ottawa—Vanier, who kept his questions short and wanted me to keep my answers short, but I appreciate your interventions.

I did not hear that on Tuesday they presented a chart whereby they were able to associate some complaints with Jazz and some with Air Canada. I have been busy this week, as you may have heard. I met with the commissioner before your committee met on Tuesday, and in the last 36 hours I haven't become aware of it, but I'll look into those elements. I appreciate your wise counsel and the generous spirit of your counsel.

[*Translation*]

The Chair: Thank you very much.

We will continue with Ms. Guay.

Ms. Monique Guay (Rivière-du-Nord, BQ): Thank you very much.

Mr. Minister, we have heard from a lot of witnesses, people who have spoken to this issue. Many colleagues as well, who travel with Air Canada, are very disappointed because they cannot get service in their own language. These are the facts.

We were told that VIA Rail, which had a similar problem, made huge progress, and that it will continue to work on providing service in both official languages throughout Canada. It would be wonderful if Air Canada did the same.

I would like to quote a brief paragraph. We met with Air Canada representatives last Tuesday. Ms. Louise-Hélène Sénécal, who is the Assistant General Counsel for Air Canada's Law Branch, said: "Of course, it is up to parliamentarians to present a bill to amend the Air Canada Public Participation Act".

So we are not here to back you into a corner, but to encourage and to help you table a bill. But you are not giving us a specific date. You are not giving the committee any tools to help it do its job and move forward with this situation. What might happen is that Air Canada's subsidiaries may be broken up into smaller entities, and we would lose complete control of the situation. We know that Mr. Fraser does not have the power to change the situation either. The only way to do so—this is what Mr. Fraser told us—is to introduce a bill.

Mr. Minister, I would strongly encourage you to do so. In fact, I will ask the committee—if it's possible—I would ask for people to listen; I see that some of my colleagues are standing, Mr. Chairman—to make a motion.

This motion is to encourage you, Mr. Minister, and to help you make the case with the Prime Minister. The motion reads as follows:

The Standing Committee on Official Languages invites the Minister of Transportation to table a bill whereby the Official Languages Act would apply to Air Canada, its subsidiaries and partners, and that the bill be studied by the Standing Committee on Official Languages this spring.

I think we can unanimously support this motion, Mr. Chair.

Mr. Minister, a motion from the committee will probably help you make your case, and that way we will know that there is a bill coming this spring, and not in a year or two, when we will have to start this whole process all over again.

What do you say to that?

● (0945)

[*English*]

Hon. John Baird: I appreciate your encouragement and your offer to help.

[*Translation*]

Ms. Monique Guay: With the consent of the committee, would it be possible to table this motion to encourage the minister, and allow him to say that even the Standing Committee on Official Languages has requested, following various meetings, that a bill be tabled, and that it is a necessity.

There you have it, Mr. Chair.

The Chair: Ms. Guay, your motion is in order since it is relevant to our work.

Ms. Monique Guay: Indeed, because two previous bills were rejected.

The Chair: So, the committee deems the motion in order.

We could first finish our questioning of the witness, and then, during the same meeting, deal with your motion with committee members in a public hearing.

Mrs. Glover has the floor and would like to make a point of order.

Mrs. Shelly Glover (Saint Boniface, CPC): I would like to clarify something. I would like to thank Mr. Nadeau, but this motion is not in both official languages. Therefore, I am giving you notice that if we are to debate the motion, we can do so at a later point when it has been translated.

I will give you the opportunity to do so. This is why I am making the point of order.

The Chair: Your point of order is quite relevant, Mrs. Glover. It is committee procedure, and the clerk has indicated to me that the motion must be presented in both official languages. Therefore, we will be able to discuss the motion as soon as it is presented in both official languages.

We will move on—

Ms. Monique Guay: I would only add one point. You used up quite a lot of my speaking time. I would like to point out that even the minister agrees with the motion. Committee members will have to come to some agreement in order to have a discussion on such legislation.

The Chair: Thank you, Ms. Guay.

We will now continue our round of questions with Mrs. Glover.

Mrs. Shelly Glover: Thank you.

I would like to give a warm welcome to our minister and his two officials. This is the first time we meet. So, welcome to our two witnesses, Ms. Gravitis-Beck and Mr. Schultz.

[English]

Minister, I am particularly interested in knowing some of your opinions on some of the things we have heard here in committee. I know you've been very busy trying to put forward measures to improve our economy in this very fragile time and to make sure Canadians are back working. I'm interested in knowing if you have an opinion on the best way to maintain and advance official language rights in aviation while also ensuring that we have a healthy and viable industry.

Hon. John Baird: There's no doubt that the civil aviation industry, virtually across the board around the world, is facing a very significant challenge, not just with the global economic downturn and not just with the events of December 25 last year or the events of September 11, 2001, or the global pandemics. There's no doubt the industry is really struggling. That doesn't authorize them to simply pick and choose which laws passed by Parliament they can follow or decline to follow. There are obligations, and my strong view is that they've got to follow them.

• (0950)

Mrs. Shelly Glover: I agree with you wholeheartedly.

Hon. John Baird: Frankly, it's just practical good business for them as well. As I said, it astounds me that you see problems on flights going from Montreal to northern New Brunswick. It's not just that they wouldn't have to but that they wouldn't be eager to, for commercial reasons.

Mrs. Shelly Glover: I agree. I know you've mentioned a couple of times here that you've had conversations with the official languages commissioner and other people. Have they suggested any good practices that might be considered to ensure that the two acts that govern the official languages requirements will be observed?

Hon. John Baird: One thing that was instructive was that the commissioner related stories to me about the significant efforts that Air Canada made in the run-up to the recent Olympics in Vancouver. I think that demonstrated that when they made a concentrated effort, they got an improved result. That's what the commissioner said. I take him at his word. If he said they did a good job, I'd say to Mr. Godin that he's a pretty good authority on it.

They're more likely to be successful when they try than when they don't try. When they try hard, they're likely to be more successful than if they tried less than that. I think that was instructive.

Mrs. Shelly Glover: I'm going to switch topics for a moment. Within Air Canada, do you know what proportion of passenger complaints existed with regard to complaints on the official languages portfolio?

Hon. John Baird: Could you repeat that?

Mrs. Shelly Glover: Do you know how many complaints there were, compared to how many passengers used Air Canada? Do you know the numbers?

Hon. John Baird: I understand that in recent years there have been as many as 500 or 600. That's a pretty small number compared to the overall passenger load. Having said that, when I get one letter in my constituency office, that's one thing, but if I get 25 letters, that's symptomatic of a much larger problem. It's not just the number of letters you get. When you consider their passenger volumes of 30 million per year, I think that getting more than 500 is not necessarily

significant, but I think it is symptomatic of a problem. There's no doubt about that. There's no denying that. There's no disputing that. Every time you get one complaint, I've got to assume that there are 100 or 200 people who didn't complain.

Mrs. Shelly Glover: I'm very glad to hear you say that.

Hon. John Baird: I'm sure Mr. D'Amours' efforts.... I'm sure he made one complaint, but not on every flight he took. I assume it's demonstrably higher than that, as I would assume with any issue, even in my own constituency.

Mrs. Shelly Glover: We all agree with that. In fact the committee, I think unanimously, said that one complaint is one complaint too many and that we need to strive to do better and to encourage them and actually obligate them to follow the Official Languages Act.

If I might take a moment, when I made the point of order, it was to allow the opposition to have time to translate it, because we have members on our side who do not speak French. I'm not sure why there was such push-back, but it was to allow them to have time to translate it. I meant no offence to them, but it is a requirement, and I would like the members on this side to have a chance to read the motion in the language of their choice, which is of course their right.

The Chair: Thank you, Ms. Glover.

I would just add, before we turn to Monsieur Godin to conclude our second round, that a motion can be presented verbally in either French or English and then immediately translated, but if it is submitted in writing, it has to be submitted in both official languages.

Mr. Yvon Godin: On that point of order, the motion was not submitted to us in writing. There was no violation of our official language, because it was only read into the microphone, and they have the translation. I didn't get a paper. I don't feel that was a violation. I didn't receive it. It was not given to the committee.

The Chair: I think this is now clear, so let's move on with the last speaker of this round, which is you, Mr. Godin.

[Translation]

Mr. Yvon Godin: Thank you, Mr. Chair.

It is true that the official languages commissioner has congratulated Air Canada on its services during the Olympic Games. It is also true that Air Canada did better for the games, but are you suggesting that the company should now have recourse to volunteers in order to improve its services?

Things have to be put into context. Last Tuesday, the Air Canada representatives told us that they had improved services, but they did receive help from a great number of volunteers. That was not representative of Air Canada's normal operations. The distinction has to be made. They were boasting about their success during the Olympic Games, but not in the days since. As I have told you, they were infringing the law in March. We agree that there were improvements during the games, but the Air Canada representatives themselves admitted that was because volunteers were helping them out. Would you agree with me? Have you heard those comments, minister?

• (0955)

[English]

Hon. John Baird: My only comment, Mr. Godin, was that, as the commissioner relayed to me, Air Canada made significant, enhanced efforts with regard to official languages in the run-up to and during the Olympic games. They put in new financial resources, I understand, of some \$1 million to \$1.5 million, and when they tried harder, they got better results. That was my only comment.

Mr. Yvon Godin: Okay. But you don't disqualify that they were talking about volunteer people that they brought there?

Hon. John Baird: They may have used volunteers, but they also put more management focus on it. They also put additional financial resources on it.

I think one of the benefits of having a Canadian chief executive and a Canadian chief operating officer is that they have people who understand that this is not just some sort of archaic law but part of the national fabric.

[Translation]

Mr. Yvon Godin: Minister, you are wondering whether your House leader would give you the go-ahead to introduce the bill. You have been in the business of introducing bills for quite some time and have enough political experience to know that if your government or the Prime Minister decides to prioritize the bill, then it is not up to the government House leader to lead the way. It is up to the government to decide whether the bill is important enough or not.

The bill we are asking for from you would be an improvement and help ensure that Air Canada and the companies that are no longer part of the parent company comply with the act, and not only the one that is in effect today.

[English]

Hon. John Baird: There's no doubt official languages are a significant priority for the government, for the Prime Minister, for our House leader, for all of us.

I have been minister for 17 months, and this is the first time you've invited me to the committee, which says to me that if this were a bigger priority, I would be getting a lot of questions in the House and you would have had me here in November of 2008. You didn't.

Mr. Yvon Godin: It's never too late to start, and you're here today. What are you going to do now that you're here?

Hon. John Baird: I agree totally.

I can tell you that changes with respect to official languages are important. My department also has important issues with respect to rail safety that we would like to get before the House and important legislation with respect to the National Capital Commission that we'd like to get to the House. Those are also important.

[Translation]

Mr. Yvon Godin: You said that despite everything, Air Canada had to comply with the law. The law is the law, and must be respected. Do you agree?

[English]

Hon. John Baird: Totally.

Mr. Yvon Godin: Okay. Then later on you said they should follow the law as closely as possible. Are you opening the door to them not having to follow the law completely? You said "as closely as possible".

Hon. John Baird: I want to see them make their best efforts at inputs, and as I suggested earlier in my comments, at the end of the day, we want them to be providing decent services, particularly to the public, as far as their obligations go.

No one in any area—maybe in the New Democratic Party, but not in the rest of the world—is going to perform at 100%, but we want to see them get better results. That is important. I don't think anyone will ever be perfect, but they can do a better job than they're doing now.

Mr. Yvon Godin: They're surely not perfect on this one.

Hon. John Baird: No one argues with that.

Mr. Yvon Godin: Okay, so you're not arguing with that.

Hon. John Baird: Absolutely, they can do a better job.

Mr. Yvon Godin: Do you intend in that bill to make sure that Jazz, even if it's a third party, is under the same law and the federal government could go to them directly if they're violating the law?

Hon. John Baird: We have to look at that, but right now—today—Air Canada has a legal obligation under the Air Canada Public Participation Act and under the Official Languages Act for their contractors. If they're not following that law today, we could add more law, we can strengthen the law, but if they're not following that—

Mr. Yvon Godin: What punishment could they get?

Hon. John Baird: Compliance and the instruments of compliance are obviously important. We'd have to structure it accordingly.

• (1000)

[Translation]

The Chair: Thank you, Mr. Godin.

[English]

We are now at the end of our second round and the hour we had with you, Minister. I want to thank you on behalf of the members of the committee for appearing at our committee with your witnesses.

There was a question of rapidity in the last hour. I want to acknowledge the fact that you quickly answered our invitation and came swiftly to meet with us on this important matter.

We will continue with our work. We have a motion to discuss.

Thank you, Minister, for appearing at our committee.

[*Translation*]

Hon. John Baird: Thank you. I appreciate your enthusiasm and cooperation.

[*English*]

In my past vocation, I never thought I would be a federal cabinet minister sitting before a parliamentary committee and have a Bloc Québécois member say, “I’m here to help.”

[*Translation*]

The Chair: We will now move on to the motion.

[*English*]

Before we conclude this meeting, I would invite the members to take a stand on the motion. I will read it aloud. It was forwarded to me in both official languages, so I may proceed.

The motion we are discussing is:

That the Standing Committee on Official Languages invite the Minister of Transport to submit a bill regarding the compliance of Air Canada and its partners with the Official Languages Act so that it will be studied by the Standing Committee on Official Languages this spring.

[*Translation*]

Are there any questions or comments on the motion before us?

Mr. Godin.

Mr. Yvon Godin: Mr. Chair, I do not know whether we need to indicate our support, but I will be supporting the motion.

I do not know if it requires an amendment, but I suggest that the motion be presented to the House of Commons.

The Chair: There is no need to amend the motion as is, but that can be taken into account.

Are there any other questions or comments on the motion?

Mrs. Shelly Glover: Could I ask you to read it again?

The Chair: The motion, as translated, reads as follows:

That the Standing Committee on Official Languages invite the Minister of Transport to introduce a bill regarding the application of the Official Languages Act to Air Canada, its subsidiaries and partners so that the committee may study the bill this spring.

Ms. Guay.

Ms. Monique Guay: Thank you, Mr. Chair.

First of all, I would simply say that the objective here is to provide the minister with the tools and the committee's support through the motion in order for him to introduce a bill.

Second, we have tried to come up with solutions to improve the situation through whatever means, even with the help of the official languages commissioner. However, the only way to succeed is by introducing a bill. I think that even the minister has demonstrated that a bill was needed and hoped that we moved such a motion.

I would invite my colleagues opposite to support the motion, since their own minister agreed with it.

The Chair: Thank you.

If there are no further comments, we will now vote on the motion.

(The motion carries unanimously)

Hon. Mauril Bélanger: Mr. Chair, I would like to echo the comments made by Mr. Godin. I suggest that you report the matter to the House.

The Chair: Does the committee want to present the motion to the House?

Some voices: Yes.

The Chair: Are there any questions or comments? I will therefore present a report.

That said, we will adjourn the meeting. I would invite members of the steering committee to remain.

Go ahead, Mrs. Zarac.

Mrs. Lise Zarac (LaSalle—Émard, Lib.): I simply want to make a comment. I thought that it had been made clear that the committee hoped to meet with the minister for two hours.

I understand that ministers are very busy and that they have other things to do, but we have a lot of questions to ask. The minister himself has chastised us for not inviting him more often. We should be able to take advantage of his presence and have enough time to exhaust all of our questions for him.

I simply want to point out that we had indicated our preference for a two-hour meeting with him in order to have enough time to question him.

● (1005)

The Chair: Thank you, Mrs. Zarac.

Thank you all.

(The meeting is adjourned.)

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