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CANADA

# **Standing Committee on Transport, Infrastructure and Communities**

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**EVIDENCE**

**Tuesday, April 11, 2017**

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**Chair**

**The Honourable Judy A. Sgro**



## Standing Committee on Transport, Infrastructure and Communities

Tuesday, April 11, 2017

•(1100)

[English]

**The Chair (Hon. Judy A. Sgro (Humber River—Black Creek, Lib.)):** I call to order the Standing Committee on Transport, Infrastructure and Communities. This is meeting number 54, and pursuant to Standing Order 108(2), we will continue our study of aviation safety.

We welcome our witness from Nav Canada and the Department of Transport. We appreciate very much your taking the time.

We have Larry Lachance, Laureen Kinney, Aaron McCrorie, and Denis Guindon. Thank you all very much.

Who would like to open up?

Mr. Lachance, from Nav Canada, please go ahead.

**Mr. Larry Lachance (Vice-President, Safety and Quality, NAV CANADA):** Thank you, Madam Chair, and members of the committee.

First of all, I'd like to say thank you for inviting Nav Canada to appear before the committee as part of your study on aviation safety.

Nav Canada is a private company that for more than 20 years has owned and operated Canada's civil air navigation system. We provide air traffic control and advisory services and other related services to pilots. We own the radar and other surveillance technology that enable us to monitor the skies and the navigational aids that help guide aircraft.

We train and employ more than 4,700 air traffic controllers, flight service specialists, technologists, and engineers who support the system. We build air traffic management systems here in Canada, many of which have been sold around the world, including to London's Heathrow, and the Dubai airport.

I started my career as an air traffic controller 40 years ago and I have had the opportunity to see many important safety-related changes to the aviation industry. In my current role as the vice-president of safety and quality at Nav Canada, I am responsible for our safety management program, which provides internal safety oversight of the management of operational risk as required by the Canadian aviation regulations.

At Nav Canada we often say that safety is our only product. This speaks to the focus of our robust safety culture.

We benchmark our safety performance against other countries, and I'm glad to report that we are among the highest safety performing ANSPs in the world.

[Translation]

The key to our safety record has been a strong focus on developing a training culture and investing heavily in infrastructure and new technologies.

Controller-pilot datalink communications, or CPDLC, is one of those technologies. CPDLC enables air traffic controllers and pilots to communicate through text-like messages. Since the technology's successful implementation in 2012, the number of domestic CPDLC messages has grown to well over 500,000 per month.

This reduces radio frequency congestion and the chance of communication errors, ensuring that pilots and air traffic controllers are able to communicate in the clearest and safest possible manner.

Weather cameras are another innovation that was not in use years ago. Nav Canada has deployed aviation weather cameras at 192 sites across the country, which contribute to safety by enabling pilots and dispatchers to verify local weather conditions.

Another innovation that will truly be transformational for the industry is the much-anticipated launch of space-based automatic dependent surveillance broadcast, or ADS-B. This technology will enable air traffic control entities to track aircraft from low earth orbiting satellites, giving us reach over the world's oceans and remote regions, with significant safety and efficiency benefits. This groundbreaking system, of which Nav Canada is a majority owner, is progressing towards the start of full operations in 2018.

[English]

Just as important as our investment in innovation and technology is our investment in our own people. Humans create safety. This is why we've put a major focus on human performance as well as the deployment of controller decision support tools.

An example of one of these tools is our Canadian automated air traffic system, known as CAATS. It is one of the world's most advanced flight data processing systems and is the foundation of Nav Canada's air traffic management system.

These systems allow our controllers to plan, to see, and to resolve potential conflict as far out as 20 minutes in advance, improving the efficiency and safety of the air space they are responsible for managing. We rely on the performance of our people to innovate, to provide world-leading services, to develop and deploy new safety and efficiency-enhancing technologies and procedures, and to create and maintain important safety infrastructure.

● (1105)

Focusing on the human element has allowed us to continually improve our safety record.

[*Translation*]

Safety is the first priority, not just of Nav Canada, but also across all functions and all members of the aviation community, and knowledge and best practices should always be shared. Collaborative initiatives across the industry therefore represent both a key component of our commitment to safety and a tangible aspect of our plan to continue to improve it.

[*English*]

**The Chair:** I'm sorry, Mr. Lachance, but I have to cut you off. Thank you very much for your comments. I'm sure you can give the balance of your information in response to some of the committee members.

**Mr. Larry Lachance:** Absolutely.

**The Chair:** Ms. Kinney, please go ahead.

**Ms. Laureen Kinney (Assistant Deputy Minister, Safety and Security, Department of Transport):** Thank you, Madam Chair and members of the committee, for the opportunity to speak with you today.

I'm proud to discuss the excellent work that Transport Canada officials perform every day to ensure that our country's air transportation system is safe from coast to coast.

The scope of the industry that we need to regulate is immense. Canada is home to the third-largest aerospace manufacturing sector in the world, which employs approximately 211,000 people. There are 36,450 registered aircraft in Canada and 68,546 licensed pilots. Aircraft take off and land hundreds of times a day at our country's 567 certified airports and heliports. Despite this, we have one of the safest air transportation systems in the world.

While air travel in Canada has grown over the years, the number of accidents in Canada continues to decline. Over the past five years, aviation accidents in this country have decreased by 13%. While we embrace this success, we are always striving to improve. There are many factors that keep our skies safe, but the most important are the people. Everyone involved, whether in the air or on the ground, is essential to maintaining Canada's strong aviation security record.

Transport Canada ensures the safety of the national air transportation system through its regulatory framework and oversight activities. Our regulatory framework sets safety regulations for the aviation industry and develops policies, guidelines, standards, and educational materials. Our robust civil aviation oversight regime uses a risk-based approach to verify that the industry complies with the framework and uses a variety of tools to verify compliance and enforce the regulations.

Transport Canada shares and learns our best practices internationally through our participation in the International Civil Aviation Organization. The department regularly engages with stakeholders to benefit from their knowledge and expertise and to better understand their safety concerns. As a result of our collaboration in Canada and abroad, we have achieved great success on a number of priorities. For example, we are taking active steps to address concerns with flight crew fatigue, seaplane safety, runway overruns, excursions, and pilot decision-making. Many of our efforts will also respond to the Transportation Safety Board's recommendations.

Finally, to ensure that our rules are followed, we are continually working to update our oversight system and taking action when rules are not followed, to keep the travelling public safe.

Our efforts are not limited to developing new regulations. Sometimes it's quicker and more effective to educate and help industry develop its own solutions. To that end, we will be hosting a "Fit to Fly" workshop in early June to address very complicated issues related to pilot mental health and substance abuse. We will also be launching a new general aviation safety campaign in the early summer.

With these actions, I have every reason to expect that our aviation safety record will continue to improve in the years to come.

Madame Chair, thank you for the committee's attention on this matter. I am happy to answer any questions that you may have, as are my colleagues.

**The Chair:** Thank you very much, Ms. Kinney.

We go now to questions from the committee.

Ms. Block.

● (1110)

**Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC):** Thank you very much, Madam Chair.

Thank you to all of you for joining us today. I look forward to the questions to be asked and what we are going to hear.

My first question will be for you, Ms. Kinney. In Deputy Minister Keenan's last appearance in front of the Transport Committee, he stated:

With the advice and help of the special observer, we have done an extensive review of our finances. We have reduced our staffing level through attrition—through turnover, not through lay-offs—down to a level that equilibrates our financial resources.

I'm wondering if you can tell me if the air safety directorate has seen a reduction in its staffing levels. What positions were not replaced through attrition? What processes and actions are no longer being undertaken?

**Ms. Laureen Kinney:** Thank you for the question, Madam Chair.

As the deputy mentioned previously, Transport Canada went through a fairly difficult year and a half or so of making sure that our actual expenditures were matching our appropriations. We took some decisions during that period as to how to manage our funds in the most effective way possible.

During that entire process, I can say that safety oversight was, if not the top priority, certainly one of the top one or two priorities for the department. Through that period, we managed these very challenging issues by controlling staffing. During the control of staffing periods, where there was a critical safety position that needed to be staffed in aviation safety, in rail safety, in any of the other oversight areas, or in some of our other more technical sides of the program, those staffing actions were made and moved ahead. There was a fairly complex set of changes that occurred during that period of time that were adjusted as we went through it, so I wouldn't be able to give you a summary of the very specific details of that.

I can tell you, though, that we are moving forward now this year. Budgets are being delegated, and we are moving back into a more normal time frame.

However, throughout that entire period our safety oversight was our core mandate. That was kept as a primary target, and we did deliver. In fact, our statistics on the actual oversight activities we carried out will support that.

**Mrs. Kelly Block:** Thank you.

The recency requirements for pilots was changed so that pilots can now renew their flying certificates via a simulator. Why was this announced as an exemption from the regulations, signed by you, Mr. McCrorie, rather than announced in the *Gazette*? Did Minister Garneau sign off on this exemption before it came into effect on August 23, 2016?

**Mr. Aaron McCrorie (Director General, Civil Aviation, Department of Transport):** Thank you for the question, Madam Chair.

In terms of the delegation of authority within the department, I am responsible for issuing exemptions. This particular exemption related to specific requirements for a pilot to have flown an aircraft within the last five years. With the evolution of technology, what we're seeing is that you actually get better training in a simulator, where you can exercise more challenging manoeuvres and test the pilot more than you could safely do in an aircraft. It was our view that we had better and more proficient pilots coming out of the simulator stream. For that reason we made the exemption.

It was my decision, based on the advice I got from the experts we have working in civil aviation, in consultation with my colleague Denis Guindon.

**Mrs. Kelly Block:** I want to follow up on what you said about the evidence, that you can gain better experience in a simulator. Is that what you said? Can you explain that a little bit more?

**Mr. Aaron McCrorie:** Denis has more expertise in that area.

**Mr. Denis Guindon (Director General, Aviation Safety Oversight and Transformation, Department of Transport):** Thank you very much for the question, Madam Chair.

I started flying about four years ago, so I know quite a lot about simulators.

The way we look at the business today is to try to train the pilot to the best capacity to be able to answer to any type of emergency he may face. We don't want to do that in airplanes. We used to do that 30 or 40 years ago, but with the avenue of airplane now, we even qualify the pilots in simulators, and their first real flight is with 300 passengers in the back of the airplane, because the simulators of today are that good.

We have the new fidelity simulators that are built by fantastic companies such as CAE in Montreal, which really replicate everything totally until the last few feet before touchdown on the runway.

Training our inspectors in just the same way Air Canada and WestJet train their pilots makes quite a lot of sense, and it's less risky. To start shutting down engines in the air, and so on and so forth, would be to put our staff, inspectors, and pilot instructors at risk. We're just following the same suit as the large airlines of this world.

Thank you.

●(1115)

**Mrs. Kelly Block:** So, there's a belief that you can replace the actual challenges and stress of flying in a simulator.

**Mr. Denis Guindon:** Actually, the only way to really replicate everything that could happen in the flight is through a simulator, not in the airplane.

**Mrs. Kelly Block:** Thank you.

**The Chair:** There are 30 seconds remaining, Ms. Block.

**Mrs. Kelly Block:** I'm fine. Thank you.

**The Chair:** Thank you very much.

Mr. Sikand.

**Mr. Gagan Sikand (Mississauga—Streetsville, Lib.):** This question is for the department. Have you seen the research done by the Canadian Federal Pilots Association through Abacus that was released last week?

**Ms. Laureen Kinney:** No.

**Mr. Gagan Sikand:** I was looking through it, and one of the findings was that almost 81% of the inspectors felt an ominous sense that an aviation accident is likely to happen in the near future. I found that a little concerning. Then I also saw in the report that 81% of the inspectors felt that Transport Canada was "a barrier" to their in fixing their problems.

Could you reply to some of these findings?

**Ms. Laureen Kinney:** I would obviously need to look at the particular survey and the questions that were asked and what percentage of people were answering, to do that. But I would suggest that it would be more valuable for me to look at how we can work with our employees. If even one or two of our inspectors have those concerns, certainly that's something that I would want to take into account and work with our teams on.

The way we approach the development of new regulations, new processes, new operating procedures, practically everything new in aviation safety is to develop them with working groups. Those working groups typically have members of our regional inspection staff and/or our headquarters inspection oversight staff with them, on board, in developing those. Not every single person can be engaged in those. Certainly I would say that for me the question would be more focused on whether there are people who are not understanding how it's working, and whether we need to hear from them and whether we need to be able to communicate with them as to what changes are being made and how we should do that.

Certainly, in terms of some of the past experiences we've had with an inspectorate advisory board, we've used that approach to bring the voices of our people to a broader table and to be able to focus. That has led to major changes in some of our training and development, etc. So I think that's where I would focus.

**Mr. Gagan Sikand:** Along the same lines, can you tell me if inspector training has suffered budget cuts?

**Ms. Laureen Kinney:** Throughout the entire period of restraint, in addressing our budget challenges, we have kept a priority on the mandatory training that is required for our oversight personnel to carry out their delegated duties. That has been a core element at the very top of our budget delegation decisions. I can assure you and the committee, Madam Chair, that this has been a priority for us and that we have carried it out in all of our safety modes in line with what I said before about core obligations.

**Mr. Gagan Sikand:** As I'm a little short of time, I have a final question. Do you know of other countries that use flight simulators as a primary training tool?

**Mr. Denis Guindon:** Madam Chair, yes, absolutely. I think if you were looking at all of the other advanced countries of this world, they would keep their pilot training in the simulators. It's the same thing for the inspectors as well.

**Mr. Gagan Sikand:** Thank you for your answers. I'll give it over to my colleague.

**The Chair:** Mr. Badawey.

**Mr. Vance Badawey (Niagara Centre, Lib.):** Thank you, Madam Chair.

I have two quick questions so that you will have time to answer.

First, what campaigns does the department currently have under way in terms of safety and education?

Secondly, I think we all have watched the news in the last couple of days and recognized an incident that happened at United Airlines yesterday. How will the passenger bill of rights ensure passenger safety and customer satisfaction? I know Mr. Garneau is moving forward with that

**Ms. Laureen Kinney:** Perhaps I can answer the second question first. I'm not an expert on the passenger bill of rights. That's in our other side of the house, with our policy group. But I think from my personal perspective, the clarity of understanding how types of events will occur and what the rights and obligations of all parties are would obviously go a significant way to clarifying for everyone involved in a particular incident...and hopefully avoid many unhappy results for the traveller.

So I think that's a core issue, understanding what is expected, what the obligations are, and how it will work.

• (1120)

**Mr. Aaron McCrorie:** In terms of the safety and educational awareness campaigns that we currently have under way, we did a lot of work with operators to issue a Canadian aviation safety alert in response to a recommendation in a Transportation Safety Board report in 2014, I believe, that was tied to reducing the incidence of unstabilized approaches. We are continuing to follow up on that and have seen a lot of success in addressing an emerging safety issue through that campaign.

We're also using education and awareness campaigns to reduce the number of laser strikes that are happening and to build an understanding and awareness of what it means to operate an unmanned air vehicle or a drone safely. In the past, we've done safety campaigns around seaplane safety; and in the recent past, some of our regional colleagues, for example, in British Columbia, have done focused, region-specific campaigns for seaplane safety.

Laureen alluded to the fact that we're starting to look at having a more general aviation safety campaign, given some trends that we've seen. From a safety point of view, we think that working with the general aviation community in developing education products in co-operation with them, we can go a long way towards improving the safety in that particular sector, and move more quickly than we could if we were to regulate it.

**The Chair:** Thank you very much.

Mr. Aubin.

[Translation]

**Mr. Robert Aubin (Trois-Rivières, NDP):** Thank you, Madam Chair.

I would like to thank our witnesses for being here.

My questions are for the Transport Canada officials.

First, I would like to hear your take on some reasoning of mine. It came to me after I read a document entitled Staff Instruction (SI) SUR-001, the purpose of which is to instruct staff on how to conduct inspections.

So far, I haven't made a mistake. Page 5 refers to cancelled documents. The directive in the former Transport Canada inspection manual is cancelled. Page 8 indicates that the staff instruction pertaining to traditional inspections is cancelled. On page 7, surveillance is defined as all activities directly related to Transport Canada Civil Aviation evaluating an enterprise's compliance with applicable regulatory requirements including assessments, program validation inspections, and process inspections.

Transport Canada cancelled the staff instruction on traditional inspections and replaced it with only self-regulatory system surveillance. In light of that, would I be right to say, or think, that Transport Canada now relies almost solely on self-regulation and surveillance of self-regulatory systems when it comes to aviation oversight? That would line up with concerns expressed by Judge Moshansky, whom the committee heard from last week.

**Mr. Denis Guindon:** Thank you, Madam Chair.

Thank you, Mr. Aubin, for your question.

Transport Canada provides nearly 120,000 civil aviation activities per year. They range from reviewing pilot medical assessments, which can take a few minutes, to certifying the C Series aircraft, which took Transport Canada inspectors some 150,000 hours. As you can see, oversight encompasses numerous activities. Many have to do with quality, meaning system management, and many involve inspections referred to as “process inspections”.

The former mechanisms were indeed cancelled, but process inspections are still in place. For example, last year, we conducted more than 1,000 process inspections involving the country's top seven air carriers, including Air Transat, Air Canada, and WestJet. We conducted more than 300 maintenance inspections, ranging from on-ramp aircraft inspections and maintenance quality inspections to basic inspections throughout the country. With respect to flight operations, we conducted inspections of classrooms, simulators, and pilot training methods, as well as in-flight inspections. It is virtually the same for the cockpit.

**Mr. Robert Aubin:** Kindly wrap it up, as time is running out.

[*English*]

**Ms. Lauren Kinney:** I have a quick point on the concept of whether entities have become self regulating. I want to assure you, Madam Chair, and committee members, that is the farthest from the case in our system now. We have more than 10,000 types of activities going on that touch the companies.

The safety management system, for example, requires that they follow prescriptive and additional regulations on safety management systems. We also carry on oversight. We carry on planned oversight, and reactive oversight, where we see there's a problem, and we do follow-up oversight wherever we see there's any problem with any member of the industry. We have the evidence over the last year or two, particularly in cases where we have suspended certificates, of all categories of organizations.

I wanted to reassure everyone on the committee of that.

● (1125)

[*Translation*]

**Mr. Robert Aubin:** Thank you for explaining that.

Last week, I asked the Minister of Transport a question, and he answered that his department had conducted 10,000 inspections last year. However, Mr. Guindon's oversight results document indicates that, in total, an estimated 6,000 inspections were conducted in 2016-17.

How do you explain the discrepancy between the figure the minister gave—10,000 inspections—and your number—6,000 in-

spections—other than to say that the two figures are somewhat similar? I wouldn't want to assume that the minister misled us, but there is, nevertheless, a significant difference between the two figures.

**Mr. Denis Guindon:** We carry out approximately 10,000 a month and nearly 120,000 a year. That includes activities involving certification, pilot licence verification, simulator verification, medical records, and so forth. A huge number of services are delivered every year, roughly equivalent to 10,000 a month.

[*English*]

**Ms. Lauren Kinney:** If I may, Madam Chair, I think part of the complexity is a function of the types of inspections. In general, as I was mentioning, there are two major inspection categories; planned inspections, and the set of total inspections that includes the reactive, the follow-up, and so on, oversight.

Sometimes those numbers get used differently, but I would suggest that's the core of the challenge with your understanding of the minister's numbers. He was correct, but there are other ways you can frame the numbers.

**The Chair:** Thank you very much.

Sorry, Mr. Aubin.

Mr. Iacono.

[*Translation*]

**Mr. Angelo Iacono (Alfred-Pellan, Lib.):** Thank you, Madam Chair.

My question is for the Transport Canada officials.

When Transportation Safety Board of Canada representatives appeared before the committee, their main concern was how long it was taking to implement the board's recommendations, more than 10 years in some cases. Can you explain why 10 years have gone by and you have still not implemented aviation safety recommendations issued by the board?

[*English*]

**Ms. Lauren Kinney:** The Transportation Safety Board has raised a number of issues in the last few years, and has drawn more attention to those with their watch-list. That has been very helpful to Transport Canada, in helping us to focus on some of the highest safety priorities.

We have looked at all of the outstanding recommendations. We've been working closely with them to go back through the set of recommendations that exist.

I can give you reasons, which are probably not entirely satisfactory unless you look at each individual recommendation. There are instances where, in our view, the technology has superseded the recommendation, so in some cases, we would not necessarily be moving forward with a particular approach to a recommendation.

There are situations where the recommendation in principle is a good recommendation, but when you look at the practicality of implementing it....

I'll use the three point shoulder belt recommendation for older aircraft. When we looked at the complexity of doing that and worked on that, we found that the structure of these older aircraft would simply not support that particular recommendation.

One of the things that we've been doing with the Transportation Safety Board is working with them to clearer in defining where we see some of those challenges. Sometimes we've been too slow, and so we agree that we have to move more quickly.

[Translation]

**Mr. Angelo Iacono:** Thank you. We heard from witnesses that fatigue management rules should vary according to the flight circumstances, for example, long international flights versus multiple short flights involving many takeoffs and landings.

Would such a case-by-case approach be possible?

[English]

**Ms. Laureen Kinney:** That's a very good question, Madam Chair.

We can go into more detail if you would like, but in general, the bottom line is that the science doesn't change. Fatigue is fatigue, and if you're working, science doesn't change. The fatigue doesn't change.

The department has incorporated advice from different industry members on how you can manage the variance between a set of prescriptive regulations that set work hours and the different ways you can manage fatigue more flexibly. We are looking at a dual system, in effect, where you set a minimum mandatory requirement for rest, and then you set a requirement to develop a fatigue management system that will allow the company to say, "This is exactly how, because of our particular unique operations, we will manage fatigue," in a way that meets the science and not just the operational interest. That is the approach.

• (1130)

[Translation]

**Mr. Angelo Iacono:** Thank you.

Since the implementation of safety management systems, has the number of Transport Canada inspections gone up, dropped, or stayed the same?

[English]

**Ms. Laureen Kinney:** That's a good question.

I think we've had safety management systems in place, Madam Chair, since the 2005-07 timeframe.

I would have to go back and look at the specific numbers. I wouldn't want to mislead the committee, but in general, certainly for the last number of years that I've been watching the numbers, there has not been a significant change other than some increases where we have improved our—

**Mr. Angelo Iacono:** Could I make a suggestion, Madam Chair? Could she provide us with this information? She could forward an email to us.

I have another question for Nav Canada.

[Translation]

Why would you say we have a good track record?

**Mr. Larry Lachance:** Do you mean a good track record in aviation?

**Mr. Angelo Iacono:** Yes.

**Mr. Larry Lachance:** As soon as Nav Canada was created, we adopted a safety management system. I would say we were pioneers in the field, as far as industry collaboration and expertise-sharing were concerned. I think that had tremendous benefits. As I said in my opening remarks, one of our strengths was to really build our entire safety management strategy around our employees.

**Mr. Angelo Iacono:** Do you think the public inquiry into aviation safety called for by Judge Moshansky is warranted in the current landscape?

**Mr. Larry Lachance:** Taking into account current safety performance, I can't comment on the merits of such an inquiry from Nav Canada's standpoint.

As far as Canada and aviation, in general, are concerned, however, I would stress the importance of continuing to promote the vast body of SMS expertise of all stakeholder groups.

**Mr. Angelo Iacono:** Thank you.

For my last question, I will turn once again to the Transport Canada officials.

Last week, Judge Moshansky expressed concerns over the lack of regulatory oversight.

How do you respond to those concerns?

[English]

**Ms. Laureen Kinney:** Madam Chair, as my colleagues and I alluded to previously, there is a very strong degree of regulatory oversight. A significant number of direct oversight activities take place, and we track all of the other interventions that take place on services. This contributes to any risk profile of an industry member. There is very active oversight. There is very strong compliance, and we have suspended the certificates of operators who have demonstrated an inability or unwillingness to comply with the requirements.

We believe that we have a very strong oversight system, which is not to say that constant improvement is not required. We need to adjust as we learn more.

**The Chair:** Thank you very much.

Mr. Hardie.

**Mr. Ken Hardie (Fleetwood—Port Kells, Lib.):** Thank you very much, Madam Chair.

I'm going to split my time a couple of different ways. I believe our colleague, Mr. Tootoo, wants to ask a quick question, and I'll ask a quick question and then share the rest of my time with Mr. Fraser.

Mr. Tootoo.

**Hon. Hunter Tootoo (Nunavut, Ind.):** Thank you, Mr. Hardie, and thank you, Madam Chair.



My question is for the department. In your opening comments, you mentioned taking steps to address flight crew fatigue. I'm sure you're aware of, and indeed mentioned, the dual system, looking at the uniqueness of the circumstances in which airlines fly. As you can imagine, the third coast, up north, is very vast. I know the commercial airlines and cargo providers that fly up there have raised concerns about the rigidity of crew times.

I just want to confirm what I've heard from departmental officials, that there is a willingness to look at it, and that if a company can develop its own fatigue management system that satisfies Transport Canada, they will not be held directly to the letter of the new regulations that are being looked at.

Thank you, Madam Chair.

• (1135)

**Ms. Laureen Kinney:** Madam Chair, yes, that is the approach the department is taking and that we hope is going to be coming out in the *Canada Gazette*, part I, fairly shortly. In that case, we will be looking at how we can not only work with companies but also help to develop the appropriate guidelines, so that operators with smaller operations can gather together in associations to come up with some ideas and options. This would enable them to address the science and fatigue issues while looking at their particular operational requirements.

We recognize the particular challenges of the north, and we're very prepared to work with that.

I should also note that the implementation time period for the smaller operators will be on a more phased approach.

**Mr. Ken Hardie:** I have a question for Ms. Kinney. You believe that Transport Canada is applying strong oversight of safety management systems, but we hear from the Transportation Safety Board that it's on their watch-list, and that they are concerned that oversight and interventions aren't always managing to intercept and deal with unsafe practices.

How close are you to eliminating this watch-list item?

**Ms. Laureen Kinney:** That's a very good question, Madam Chair.

I won't speak for the Transportation Safety Board, but we have been working very closely with them. The chair and the board have raised the issue of timeliness and how quickly Transport Canada can move on some of these cases.

I would refer you, in particular, to the oversight advisory board that has been implemented. Any inspector or any region that has a problem with a non-compliant operator, where there is a concern about a major safety issue, can bring that to a board that brings together the national members, the specialists, and our legal advisors. Everyone comes together to look at whether the company is safe enough to continue to operate with restrictions and oversight, whether the board needs to take action today, and what kind of action should be taken.

That is in place now and has had great success in the last year and a half. It would be our hope that it will address much of the concern in that regard for the Transportation Safety Board.

**Mr. Ken Hardie:** Very good.

I'll turn the rest of the time over to Mr. Fraser.

**Mr. Sean Fraser (Central Nova, Lib.):** Excellent. I'll try to cut to the chase.

Ms. Kinney, in our first meeting, we heard witnesses give testimony saying that cuts made to Transport Canada have impacted aviation safety. In particular, I note that in 2008-09, the civil aviation flying program had \$7.9 million and 42 planes were owned. This came down to 27 planes and a budget of \$6 million by 2011-12, and then again, by 2014-15, it was down to 14 planes and the budget was just in excess of \$3 million. Have you seen cuts like this to Transport Canada before, and have those impacted Transport Canada's ability to help maintain or improve aviation safety in our country?

**Ms. Laureen Kinney:** Madam Chair, let me again say that throughout the period of the budget shortfalls, the priority was put on aviation safety and the rest of our safety oversight programs. We did not compromise those through that period.

In terms of the actual provision of flying hours for our pilot inspectors, we have contractual obligations allowing them to maintain their licences and an MOU with regard to how we implement that. We have maintained the consistency of those requirements. The amount of flying has certainly been reduced considerably as we've moved towards a more modern system, in which a number of our pilot inspectors now use only a simulator. Many more of them are not flying. Many are still flying, but we are definitely reducing that program. It is within the contractual requirements, and we believe it does not have any effect on aviation safety.

We have continued to focus on updating our requirements with regard to what an inspector needs to perform their duties, what specific training they require, whether it be specialty training or flying in a King Air. As we've updated those requirements, we've formalized them; we've published them; we ensure that they are maintained, and we are even tracking those much more carefully.

We believe we are fully meeting our safety requirements in that area.

**The Chair:** Mr. Fraser, I'm sorry, but the time is up.

Mr. Deltell.

[*Translation*]

**Mr. Gérard Deltell (Louis-Saint-Laurent, CPC):** Thank you, Madam Chair.

Welcome, ladies and gentlemen, to Canada's Parliament.

[English]

First of all, I want to pay my respects to all the people who work in your area, because as a pilot myself, I really appreciate the relationship that we have, but don't be afraid—I don't pilot shuttles. I leave that to the minister. I am a pilot of a power glider, which is the base of the pyramids in the aviation sector.

I want to talk about what my colleague raised a few minutes ago, about the overbooking of airplanes. What we saw yesterday all around the world with the United Airlines incident raised the issue of overbooking. How can we let businesses sell things they don't own?

• (1140)

**Ms. Laureen Kinney:** Madam Chair, again, Minister Garneau has certainly made this a serious concern. As he announced and reminded the public, he is planning to come forward with some options to address these areas in the near future. I'm not really in a position to give good details on that. It's not my area, so I'll defer on that.

**Mr. Gérard Deltell:** I appreciate it and the fact that you are careful. I do recognize that. This is your job and you're doing it quite well, but my point is, do we have any studies on this issue?

[Translation]

It's an issue around the world, is it not?

[English]

It's a global issue. Why will we table a special area here in Canada instead of addressing the issue from a global point of view?

**Ms. Laureen Kinney:** Madam Chair, that's a very good question. I'm not aware of what may be going on at the International Civil Aviation Organization in this regard. There may be activities going on in this regard. Facilitation in air travel is a broad topic, so it's something I can certainly take back.

**Mr. Gérard Deltell:** This gives me a chance to speak about another issue linked to that, which is air rage. Before getting involved in politics, I was a journalist, and 15 years ago I did a report on the air rage effect. It looks as though it's still there, but it's not as big as it was before. Is that right?

**Ms. Laureen Kinney:** I'll give just a general answer, and then my colleague may want to add more specifics. In general I think this problem has been reduced, in that it is taken very seriously by the air carriers and Transport Canada. We have ways to support the air carriers in managing these problems, and there is a good response from police organizations, and so on, and charges are laid. Certainly from my perspective, the improvement is there.

Denis, I don't know if you had anything. No.

I think it's fair to say that it's much improved now that attention is being paid and processes are in place.

**Mr. Gérard Deltell:** You're talking about your impression. Do you have any data on that?

**Ms. Laureen Kinney:** I would have to see what we have in terms of disruptive passengers. I'm not sure.

[Translation]

**Mr. Gérard Deltell:** The mere fact that you haven't done any specific research is evidence that it does, in fact, happen less, and I

think everyone recognizes that. I should, however, point out that flying certainly isn't an easy way to travel, with everyone having to go through security, sometimes spending hours in line.

That brings me to my third point. We have seen appalling situations, particularly in Montreal, with people having to wait two, three, or four hours, sometimes even longer, just to go through security. That kind of thing is totally unacceptable and has no place in a highly developed and modern country like ours.

Why is Montreal, in particular, having such an issue with excessive waits and congestion?

[English]

**Ms. Laureen Kinney:** Minister Garneau has made some announcements in that regard, and in his November 3 speech he talked about the government's interest in improving the air travel experience in this area. There were some things, as well, in budget 2017, but those are still to be rolled out in the next little while. So I would defer that to another point in time.

Certainly it is an area of interest and involvement. There is work continuously under way on how to balance the investments required to manage what is very much a peak and off-peak type of scenario. It is a tricky one to manage.

[Translation]

**Mr. Gérard Deltell:** As an aviation observer and enthusiast, I can tell you that it certainly hinders growth. It doesn't make anyone want to fly when they see that kind of thing going on. Anyone's demeanour would become less than pleasant if they had to deal with all that.

I would like to switch gears and talk about seaplanes. Transport Canada recently announced that, going forward, seaplane pilots and passengers would have to wear life belts. According to our information, 51 of the 54 organizations consulted are opposed to the change, and Canada would be the only country to have such a requirement.

As far as the requirement goes, do you plan to be more lenient with some companies, such as those operating out west, on the Pacific coast, whose business depends on seaplanes?

• (1145)

[English]

**Ms. Laureen Kinney:** That is definitely an important area of discussion and the purpose of our publication in the *Gazette*, part I, the regulations that we were proposing. There has been very significant feedback from that. In fact, this is a continuation of a discussion that has gone on for the last few years since the Transportation Safety Board's recommendation.

It is a difficult area to manage because there are conflicting safety concerns, and there certainly are operational issues that the industry has raised. We have had very thorough and very intensive feedback through that *Gazette*, part I, public consultation process and we're in the process of considering that. We are looking at what options we can bring forward for the *Gazette*, part II. We hope to do that in the very near future.

**The Chair:** Thank you very much.

Mr. Badawey.

**Mr. Vance Badawey:** Thank you, Madam Chair. I have a few questions.

By the way, we do look forward to Minister Garneau coming forward with the passenger bill of rights. For the most part, especially after what we saw yesterday and to Mr. Deltell's comments, I think we'll see a lot of it alleviated with that being put in place.

At the last meeting, we heard from a witness that we're lucky to fly without crashing. I think that was his comment. Today we hear how safe our airways are, which I tend to believe, but I have to get some clarification on that. It was a comment made and it wasn't made lightly. Obviously, if people were watching—and I believe it was televised—it can really stir up a lot of emotions.

Again, with your being here today and, of course, being charged with that responsibility, could you give us some clarification on what the reality is?

**Ms. Laureen Kinney:** As I introduced at the beginning of our discussion, the safety record speaks for itself. There has been a significant increase in air travel in Canada. The rate of accidents has continued to decrease, and the numbers of accidents are decreasing.

As you go through each individual component of the industry, some are higher risk than others, so there's some variation within that. However, in general, it is absolutely evident that the rates of accidents are decreasing.

That doesn't say it's zero-risk, and that doesn't say it is as safe as we would like it to be. We need to continue to work to make it safer and continue to find ways to bring the safety higher and the accident rate lower. However, at this point in time, I think the statistics that we have tabled and the information that we've shown have demonstrated the safety of the system. Again, in any one particular case, that doesn't mean there will be no risk.

**Mr. Vance Badawey:** How do we compare with other countries?

**Ms. Laureen Kinney:** We try to make these comparisons, but Madam Chair, it is a very difficult question. Everybody has different categories of industry. I don't know if we've really got a good comparison.

We are very good, in comparison with the U.S., in the way that we look at the comparisons of the statistics, but it's less easy to demonstrate that clearly. It's also something to look at in terms of the types of aircraft operations that are flown. If you're looking at Europe, for example, where you have very dense countries with very little remote services provided, obviously there is some level.... When you look at different types of operations, there are different risks in different areas like that.

I know that's not a very satisfactory answer. But I would say that, for the comparable areas, we compare very well. We compare better or are equivalent in comparable areas.

**Mr. Vance Badawey:** Great. It's an honest answer, and I appreciate that.

Before I hand it over to Mr. Fraser, I again want to make the comment that we look forward to a passenger bill of rights being brought forward. When we watch the news and see incidents like what happened yesterday, as well as the congestion that we have in some airports, once again I have to commend Minister Garneau highly for dealing with that issue. Hopefully, we'll see the results of that very soon.

I'm going to pass it on to Mr. Fraser.

**Mr. Sean Fraser:** Thank you very much.

Mr. Lachance, we haven't had much of an opportunity to question you today. You spoke about the rapid development of technology within Nav Canada.

One of the priorities for me and for the government, as I see in budget 2017, is investing in skills training. I think the industry a decade from now will be very different from what it is today because of the rapid development of technology. How can we target our investment in skills training to ensure we're enhancing safety at the same time?

**Mr. Larry Lachance:** I believe, in the case of Nav Canada, that when it comes to training in the required skills to perform the activities we are responsible for, it's really looking at improving the simulation environment, improving the capability of multi-tasking, and really focusing on the priority-setting, from an educational perspective.

• (1150)

**Mr. Sean Fraser:** I'm going to change gears a bit. We have a little less than two minutes to go.

Ms. Kinney, in any regulatory scheme where you're trying to improve safety, you have to have faith that the people who report an incident aren't going to suffer some kind of a reprisal. Are there protections within Transport Canada now for whistle-blowers to ensure that if they witness non-compliance, they have an incentive to report it or, at the very least, don't have a disincentive to reporting it.

**Ms. Laureen Kinney:** Madam Chair, I will split my answer into two sections.

In terms of federal employees, there are existing provisions under the Public Sector Integrity Commissioner and a whole regime around the disclosing of wrongdoing. That's an active area that has continued to work. There are officials appointed to address those issues. This is something that is in place.

In terms of federally regulated work areas—in aviation, for example—what is usually used there is the public reporting system that we have. Anyone who has flown in an aircraft, or a pilot, or an employee can provide us with information. They can also provide us with direct information. Transport Canada, in all of our modes, will take action and look into and investigate those areas. We will do that in a way that protects the individual. However, of course, in some cases that becomes more complex. When you're looking at a very specific situation, it becomes a little bit more obvious as to what led to the discussion. But there is an active effort when we get any kind of a report.

**Mr. Sean Fraser:** Thank you.

**The Chair:** Thank you very much.

Go ahead, Mr. Berthold.

[*Translation*]

**Mr. Luc Berthold (Mégantic—L'Érable, CPC):** I would like to thank the witnesses for being here.

We've heard from a number of union representatives on the issue of fatigue management. The standards in the U.S. are different from those in Canada, which were put in place by Transport Canada. According to studies, U.S. standards set out rest periods, such as those requiring pilots to wait a certain amount of time before flying. Canada's standards, however, are less stringent.

The data provided to the committee were recognized by the International Civil Aviation Organization. Is there a reason why Canada's standards differ from those in the U.S.?

[*English*]

**Ms. Laureen Kinney:** I'll turn to my colleagues to get into more detail, but the quick answer is that the International Civil Aviation Organization standard changed. Transport Canada is in the process of implementing those requirements, and the new regulations will do that. But at this point in time, we're a little bit out of step. That is the key answer.

**Mr. Aaron McCrorie:** ICAO requires us to develop fatigue regulations based on the latest science. That's exactly what we're doing. We're looking at publishing them in the *Canada Gazette*, part I. In some respects we'll probably exceed U.S. requirements when we do so. For example, we'll include all cargo operations, which are not included in the U.S. context today.

**The Chair:** Thank you.

Ms. Block.

**Mrs. Kelly Block:** Thank you very much.

I have one quick question. Recommendation A16-10 calls for Transport Canada to make SMSs mandatory for all carriers. Do you have a plan to make SMSs mandatory for 703-type carriers, and when?

**Ms. Laureen Kinney:** Madam Chair, the recommendation is very broad; it has impacts upon a number of areas of operation in both aviation and other modes as well—rail and marine. At this point Transport Canada is still considering the feasibility of going forward with particular components of the aviation industry, whether it be in the 703 segment or in some other areas first, or in which order, looking at the safety record and at the implementation complexity

and not just the cost, although cost to industry and the comparable safety benefit is a part of our regulatory process.

More importantly, what does it mean for the way they operate, and what are the ways in which we can try to develop a “safety management system lite”, if you will, that could be effective but still would not be an excessive burden on a company that might not be able to improve its safety at the end of this process if we move too quickly in that regard?

As well, I think we need to look at whether this is the best investment in safety improvement in those modes or in those particular sub-sectors, when we have other options that we potentially may want to move ahead.

We haven't disagreed with this; we think it is a worthwhile area to look at. It is something that we're very interested in doing, but we need to do it well, if we do it, and need to be sure not only that the industry can manage but also that Transport Canada can oversee it properly and implement such a system.

• (1155)

**Mrs. Kelly Block:** So that I understand this, are you saying that you're not sure that a safety management system is the best way to go for a carrier within the 703 sector?

**Ms. Laureen Kinney:** Yes, that is still part of our analysis at this point, Madam Chair, looking at what are the best things we could do. In practical terms or in terms of actual implementation, what would be the impact of that, in terms of the time we would have to spend in building up those skills and of building up the expectations in the industry, both from our perspective and from the industry's side?

We're still looking at that issue, and we have a series of other very important safety issues that we're putting our priority on right at this moment. That is an example of a recommendation that, while we don't disagree with it, we feel it is something that we need to move fairly carefully on.

**The Chair:** You have 35 seconds.

**Mrs. Kelly Block:** In response to that, from conversations with folks we've been meeting with it would appear that the highest incidence of accidents occurs within this 703 sector. While I understand perhaps the need to go slowly, what is happening in the interim to ensure that this sector is functioning safely?

**Mr. Denis Guindon:** We have done several campaigns targeted towards the 703 sector. A good example involves a float plane operation in B.C. We're looking at some areas of this segment of the industry in various places.

Our oversight activities are always evolving. We're looking at the greatest amount of risk. The 703 sector is an area in which we have some accidents, and we are looking more closely at having our inspectors more on the ground and doing more ramp inspections to be able to make sure that this sector is evolving appropriately.

**Mrs. Kelly Block:** Thank you.

**The Chair:** Thanks to you all.

Thank you very much to our witnesses for the very valuable information.

I will suspend momentarily so that the witnesses can leave and the next panel can please come to the table.

• (1155) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1200)

**The Chair:** We'll reconvene the meeting and ask our witnesses if they would all please take a seat. To our committee members—

Sorry. Yes, Mr. Aubin.

[*Translation*]

**Mr. Robert Aubin:** Madam Chair, I would just like some clarification on how we are proceeding here.

How is it that, during our first hour, when we still had three minutes on the clock with our previous panel and I had enough questions to fill three hours, the chair immediately suspended the sitting, instead of giving me the few remaining minutes, which I could have used?

• (1205)

[*English*]

**The Chair:** I would have liked very much to give you that time, but I was watching very closely that clock ahead of me and the witness went right up to that one minute before, so there was no time to give you. I watch the time very carefully because I like all members to get adequate time, since I know how many questions you have.

On this particular panel, knowing that at 12:30 the bells are going to ring, it gives us even bigger challenges in dealing with the time, so I would just open it up now.

Mr. Elfassy, from Air Canada, would you like to start? I'm also going to request that you keep your points as disciplined and direct as possible because the committee does have questions that we would like to get some answers to within our short time frame today, if possible.

Please, go ahead, sir.

**Mr. Samuel Elfassy (Managing Director, Corporate Safety, Environment and Quality, Air Canada):** Thank you, Madam Chair. I'll try to be as brief as I can.

Good morning, members of the standing committee.

[*Translation*]

On behalf of Air Canada, I would like to thank the committee for the opportunity to speak to you today.

[*English*]

Thank you for the opportunity to participate in this important study on aviation safety. My name is Samuel Elfassy, and I'm the managing director of corporate safety, environment, and quality at Air Canada.

I'd like to start by giving the committee a quick brief on Air Canada, and where we are today before examining several issues concerning safety in aviation.

Air Canada is Canada's largest domestic and international airline, serving more than 200 airports. It is one of the few global airlines now serving six continents through our recent expansion of service out of Montreal's Pierre Elliot Trudeau International Airport to francophone centres in Africa. We directly serve 64 airports in Canada, 57 in the United States, and 91 in Europe, the Middle East, Africa, Asia, Australia, the Caribbean, Mexico, Central America, and South America. Last year we carried close to 45 million passengers, putting us among the 20 largest airlines in the world.

Air Canada is experiencing incredible growth with very positive contributions to the Canadian economy. At the heart of this growth has been the strength of the workforce. That has increased to 30,000, with close to 2,500 jobs added over the last three-year period. It is important to note that almost all of our new employees serving the public are bilingual, and more than 50% of them speak both English and French.

We are also in the middle of an \$8 billion fleet renewal plan that is seeing Air Canada aircraft and major components being built and supported across the country, and new jobs being created in the highly skilled aerospace manufacturing sector.

Further, we are well recognized as one of Canada's top 100 companies. We have been recognized for our diversity program and, most recently, for our hiring and promotion of women in all areas and all levels of the company.

Considering that in 2009, we were on what our CEO referred to as "a burning platform", and had come out of CCAA in 2004, our turnaround is something that we are all very proud of. Through these challenges, the company has emerged strong, sustainable, and positioned for the future. As Air Canada turns 80 this year, sharing a milestone with Canada's 150th birthday, we remain focused on being a global champion for Canada and carrying the maple leaf proudly for the years to come.

In many ways this positive attitude is no better displayed than in our approach to safety. We have no higher obligation to our coworkers, our passengers, and our airline. Amongst our corporate values, safety is first. Canadian airlines, including Air Canada, are among the safest in the world and reflect the global trend that air transport continues to improve year over year and remains one of the safest modes of transportation according to the International Air Transport Association, based in Montreal, Quebec.

Still, safety is an in-progress product that demands constant attention, innovation, and investment. This is not simply the work of the airlines, but demands the participation of airports, providers, suppliers, and governments if the system is to function properly.

Strong regulatory frameworks remain the foundation upon which we collectively build and enhance aviation operations and the industry as a whole. Working together, we must learn from past experiences and take bold measures to pave the way forward.

Air Canada is pleased to see that Transport Canada is taking active measures to address the challenge and risk that drones and lasers have introduced in recent years. The Transportation Safety Board of Canada itself is recognized as an international leader in safety investigations, and their watch-list focused attention and efforts on critical threats facing aviation operations.

Further improvements can be made, in fact, with core airport safety upgrades, including precision approach aids, enhanced runway lighting, runway overrun protections, runway incursion devices and incursion radar equipment. That said, enhancing safety of airline operations requires continuous innovation and regulatory improvements. There are still valuable TSB recommendations and ideas that have not been implemented by Transport Canada.

Equally, international programs, such as flight data monitoring, now adopted worldwide and recognized by Air Canada as a world class program, are still not fully recognized by Transport Canada. We invite the government to address these issues to ensure that we hold our standing and professional standards with the international aviation community.

Similarly, changes and improvements to security rules, staffing support, and protocols, making the process more efficient and allowing airports and regions, and, yes, the airlines, to benefit through secure yet less bureaucratic and disruptive processing of passengers will ultimately allow us to fully realize sixth freedom advantages offered by our geography.

Of course, we too have to work hard, and so we continue to examine our practices, our initiatives, and work with our internal policies to ensure we are compliant with aviation regulations and that we recognize and adopt best industry practices. We fully support the IATA operational safety audit program and work with partners in alliances and colleagues across the industry.

In closing, I would like to offer that our industry is strong and plays an important role in setting and maintaining effective international standards. There will always be work to accomplish, but together we have the opportunity to employ our collective best and the brightest to tackle these issues.

Thank you for your time. I look forward to answering any questions. *Merci.*

• (1210)

**The Chair:** Thank you very much, Mr. Elfassy.

Mr. Priestley from the Northern Air Transport Association.

**Mr. Glenn Priestley (Executive Director, Northern Air Transport Association):** Thanks for the opportunity today.

My name is Glenn Priestley. I am the executive director of the Northern Air Transport Association, and it's a honour to work with such a fine group of professionals. For the sake of brevity, I've included an overview of NATA in a briefing note to provide you with background on the organization.

The three issues I would like to highlight today are the challenges associated with antiquated infrastructure, in the words of our Minister of Transport; the regulator's understanding and knowledge of issues; and the impact of the understanding of regulatory change without sufficient consultation.

We've broken it up into your terms of reference. Under personnel issues, I'd like to start with a quote:

...We cannot attract pilots to live in the northern communities any longer and therefore we must rotate our crews. To have a work life balance the flight crews require sufficient time off after a rotation (typically 2 weeks on and 2 weeks off). To penalize the operator because of its operating in the north is unfair. A good example would be typical [Air Canada] or WestJet pilots that do not reside in the city in which they base themselves out of. The flight crew "position" themselves at the latest possible time in order to instill the work life balance with their families. Because the airline has many flights per day throughout the southern part of Canada the pilot has many opportunities to "position" themselves. Northern communities have one and sometimes less than one flight per day and therefore the time spent by the pilot to "position" themselves is very different.

It's a different set of risks, a different set of challenges.

With regard to the enforcement and monitoring of legislation, NATA believes that's up to the organization doing the operations. Again, using the current proposed flight and duty time regulations as an example, this presentation highlights NATA's concern with a combination of factors of insufficient consultation by informed regulators to develop a set of regulations that will provide no measurable improvement in overall system safety, but will increase costs. That's an administrative example.

Let me give you another example:

...we will be looking for a vast number of exceptions to the indicated rules here with the irregular times that Medevacs are called in. Having all staff rotating into bases because we don't have the luxury of locating our bases out of large southern cities is problematic for the acclimatization side of things. This will require less time off for flight crews as we will have to rotate them up into the northern bases, put them to rest for 24 or 48 hours and then have them work a normal rotation. Their days off will be reduced dramatically and the quality of work life balance will suffer resulting in foreseeable problems....

That was from a pilot who has 25 years of experience and owns a company that's done 100,000 hours of flying accident-free. However, he was never consulted on the flight and duty time rules.

In the briefing note, I show a route map that is useful to illustrate the size of northern Canada. It's about 40% of Canada, or the size of western Europe, with the population equivalent of Moose Jaw or Kingston, and with approximately 100 airstrips, 10 of which are paved. The briefing note also lists several quotes and recommendations from the Canada Transportation Act review.

I will not read them all. The following, however, highlights the northern safety issues:

The heightened risk that attends the use of unpaved, short runways in northern and remote aviation could mean that services are lost, or that there are a higher number of accidents.

As far as the sleep issue, as a former pilot, I know it's far more fatiguing to fly into an airport ill-prepared.

Many of the Nunavut airports could benefit from the installation of GPS systems to reduce flight cancellations or missed approaches that have significant cost impacts to both passengers and airlines.

Let me continue with flight operations because it's a complex issue that northern operators have been managing very well with significant initial investment and ongoing costs. However, due to a lack of infrastructure in the north, many of the advancements in technology cannot be used. We have modern airplanes that can't go into many airports in the north, for instance.

With regard to northern accident intervention, NATA believes there's a root cause system safety issue identified that is evidenced in Transport Canada's development of prescriptive based rules for flight and duty times that do not meet the requirement of the cabinet directive on regulatory management, or the intent of the Canadian Aviation Regulation Advisory Council charter. There needs to be a better consultative process with the northern aviation stakeholders. The regulatory process is too confrontational, leading to diminished overall system safety.

We think it would be useful for Transport Canada to facilitate, in partnership with NATA, a northern aviation system safety committee comprised of stakeholders involved in ensuring safe and efficient aviation transportation. This committee would review the current proposed prescribed rules for flight and duty time, as well as a consultative approach for all future regulatory reviews.

● (1215)

In closing, I think this testimony clearly provides an example of how the regulator, because of lack of effective consultation, has created a problem where one did not exist. Indeed, with regard to flight and duty time:

...[it] will be extremely tough to manage and will no doubt require additional staff to maintain and track these hours in respect to each pilot and the duty day that is allowable. In the Medevac world our hours of operation are undetermined and there are many missions that would not be able to be completed by one flight crew due to stage lengths. (a typical medevac flight in the Kivalliq Region of Nunavut is 11 hours) To be required to change flight crews in the middle of a critical medevac could potentially cause serious negative effects to a patient up to and including death. The vast distances that are required to transport a patient from a northern community to a higher level of hospital care requires long duty days.

Thank you for your time.

**The Chair:** Okay, I'm so glad you got that last little bit in there.

I'm just trying to keep up with time here today.

Mr. Granley, please go ahead on behalf of WestJet Airlines.

**Mr. Darcy Granley (Vice-President, Safety, Security, and Quality, WestJet Airlines Ltd.):** Thank you very much, Madam Chair, and committee members, for the invitation to be here today to discuss an issue that is so important to all WestJetters and is at the heart of our commitment to serve Canadians.

My name is Darcy Granley and I serve as WestJet's vice-president of safety, security, and quality. Reporting to our president and CEO, I am responsible for establishing and influencing the strategic direction, objectives, and policies and procedures for all safety and security related initiatives for WestJet.

During my 15-year career at WestJet, I have held various operational, technical, safety, and leadership roles, including as line pilot, technical pilot, and director of our operations control centre.

Prior to WestJet, I was proud to serve for 20 years in the Royal Canadian Air Force and was involved in various flight test programs, including the avionics upgrade to the C-130 Hercules aircraft and the CF-5 Freedom Fighter aircraft. I have flown over 7,000 hours and piloted more than 30 types of aircraft.

The sense of duty and obligation I have to serve Canadians is shared by everyone at WestJet, where safety is and always will be paramount.

For the committee's benefit, I would like to take a few minutes to give you a glimpse into how our company structures itself with regard to safety. I hope to assist in informing members how WestJet fulfils its obligation to keep Canadians safe. I trust this will also be helpful as you continue your deliberations on this important issue.

At the core of our safety focus are operational safety and occupational health and safety management systems. Canada was a leader in introducing SMS through regulation to Canada's air carriers in 2005. Being the first country to mandate SMS has allowed both Canada and our company to be at the leading edge of safety management.

Since 2005, we have worked in conjunction with Transport Canada to develop and grow our SMS to where it is today, an organized set of programs, principles, processes, and procedures to manage operational risks at the forefront of safety management. Our SMS integrates human, technical, and financial resources to achieve the highest level of safety through a focus on proactive risk management and quality management processes. However, it is our employees' daily commitment to our core safety value that ensures our excellent safety performance.

Our SMS also provides internal oversight of our safety programs and provides our leadership teams with the mechanism for continuous independent evaluation and improvement of our safety performance. In accordance with the regulatory requirements, we have a comprehensive SMS in place that includes the six components in support of our SMS: a safety management plan, documentation, safety oversight, training, quality assurance, and an emergency response plan.

We have a safety, health, and environment committee, which is one of the committees of the board of directors. This committee provides direction, monitors compliance, and makes recommendations to the board to enhance corporate performance as it relates to safety, health, and environmental principles.

We also have a department dedicated to facilitating safety activities within WestJet, and this department works closely with all operational departments in WestJet and is responsible for identifying and demonstrating conformance to our airline's safety, security, and quality objectives that meet or exceed regulatory requirements.

As a regulated component of our SMS, our emergency response plan is at the forefront of caring for our guests and employees. This commitment to our guests is not only evident throughout our operations, but it is the founding principle of our emergency response preparedness. Safety awareness is one of our most effective tools in keeping guests and WestJetters safe. In addition to the specialized training for our safety team members, all WestJet employees are required to complete annual online training to broaden awareness and understanding about our SMS and OHSMS programs.

We are an IOSA-registered and compliant airline. IOSA is an internationally recognized and accepted evaluation system designed to assist operational, management, and control systems of an airline and is the worldwide safety standard for code-share agreements. By following an SMS and being an IOSA-registered airline, WestJet's quality assurance program requires the performance of independent operational safety audits to ensure the ongoing compliance with Transport Canada regulations and IATA standards and identify opportunities for improvement.

The operational safety audits are completed by our operations and evaluations quality team on a two-year rolling program. Our SMS and OHSMS ensure a systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies, and procedures. Both WestJet and WestJet Encore move in parallel with the evolution and continuous improvement of our safety culture, programs, and standards.

Through the integrated safety programs that comprise our SMS and OHSMS and the advanced safety systems on our aircraft, we strive to maintain the highest level of safety in our operations. We believe that our ownership culture at WestJet manifests itself in all aspects of our operations, and this includes safety. There are so many fundamental elements of our safety regime, and I would be pleased to take your questions on this issue.

Again, thank you to you and to the committee for inviting me here today.

• (1220)

**The Chair:** Thank you, Mr. Granley.

Before we go to questions, our apologies to our witnesses, as the bells are going to start at 12:30. Is there unanimous consent to go until a quarter to one so that everyone will get a chance to ask as many questions as possible?

If you want to go beyond 12:30, I need unanimous consent from the committee.

**An hon. member:** Go to twenty to one.

**The Chair:** Twenty to one? Is there unanimous consent that to go until twenty to one?

**Mr. Luc Berthold:** Madam Chair, I think we could go to the end of the first round.

**The Chair:** We'll have to move if we're going to do it. Let's make an attempt. I don't know that we have that much time.

**Mrs. Kelly Block:** What if you gave each party an opportunity to question?

**The Chair:** We'll cut it down to....

**Mr. Luc Berthold:** One each on the first round—

**The Chair:** We'll try to get a question in from each. Do we agree to do one question each and continue on?

**Some hon. members:** Agreed.

**Mr. Angelo Iacono:** Madam Chair, I think the vote has been cancelled.

**A voice:** [*Inaudible—Editor*]

**The Chair:** While you figure that out, we're going to get started.

Mr. Berthold.

[*Translation*]

**Mr. Luc Berthold:** Good morning. Thank you for your presentations.

I will start with the Air Canada representative.

During the numerous meetings we held leading up to our aviation safety study, we heard from a number of people that fatigue risk management standards varied depending on whether the air carrier was Air Canada or one of the companies under its label, such as Air Canada Rouge.

Is that correct?

If so, why would an Air Canada pilot be any less tired than an Air Canada Rouge pilot?

[*English*]

**Mr. Samuel Elfassy:** Madam Chair, first of all, I should say that Air Canada applauds Transport Canada's efforts to enhance the safety of commercial aviation through the rule-making process and the proposed amendments to the flight time, duty time limitations. We feel that they're generally on the right track.



[*Translation*]

**Mr. Luc Berthold:** Mr. Elfassy, I asked you a question and would appreciate it if you would answer, rather than praising Transport Canada for its efforts.

[*English*]

**Mr. Samuel Elfassy:** Madam Chair, I'm not sure I understand what the question was.

**Mr. Luc Berthold:** I'm asking you, are there the same rules for all the pilots in Air Canada for the long flights—Air Canada Rouge, and Air Canada? Is there a difference between the rules for different companies under the Air Canada label?

**Mr. Samuel Elfassy:** Madam Chair, it's my understanding that the rules for Air Canada and Air Canada Rouge are the same for the flight time and duty time limitations.

[*Translation*]

**Mr. Luc Berthold:** Are the standards and obligations in the collective agreements governing Air Canada pilots who operate long-haul flights the same as those of all other Air Canada pilots?

They are not, according to what a number of union representatives have told me. If that's not true, I welcome your response.

• (1225)

[*English*]

**Mr. Samuel Elfassy:** Madam Chair, I would not be in a position to be able to provide comment on the differences in the collective agreement for Rouge versus main line. I can tell you that the flight time and duty time limitations and the provisions that are in the collective agreement account for long-haul flying and short-haul flying as well.

**The Chair:** For the committee's information, the one o'clock vote has been cancelled, so we'll be able to do our normal six-minute rounds.

You can continue. You have two and a half minutes.

[*Translation*]

**Mr. Luc Berthold:** Thank you.

I will now turn to the WestJet representative.

Our meetings with union representatives also revealed extensive criticism of safety management systems. I have trouble distinguishing between what unions want and what are actual problems.

Why do people not have confidence in safety management systems?

I saw that in the case of Lac-Mégantic. It was a small company, and the situation becomes very challenging when inspections are not completed.

Why do you think safety management systems in place at companies like WestJet do not inspire public confidence?

[*English*]

**Mr. Darcy Granley:** From a WestJet perspective, SMS is something that is very mature. Safety is a core and foundational value at WestJet, and it applies to all WestJetters. SMS provides the opportunity to ensure that there are policies and programs in place

and it allows for consultation. It encourages at all levels, whether from a front-line perspective up to senior leadership, active involvement in addressing safety issues, looking for continuous improvement, and ensuring there's documentation and training in place. From our perspective, it enhances safety, it has promoted safety, and in a regulated environment, it's something that we've been obliged to abide by and actually encourage because it's improved safety. The focus of the opportunities with SMS is for continual improvement. From top to bottom, it requires us and all WestJetters to be actively involved, and it supports the safety culture and validates that safety is a foundational, core value at WestJet.

[*Translation*]

**Mr. Luc Berthold:** I see.

I could ask the Air Canada representative the same question about safety management systems. They are highly criticized.

Is there a way airlines could do a better job of explaining these systems to the public so that people had a better sense of your commitment to safety? I don't think airline executives start their day by hoping for an accident. The public needs greater reassurance when it comes to your efforts to ensure safety.

[*English*]

**Mr. Samuel Elfassy:** Again, Madam Chair, I'm not sure if there was a question there, but I'll try my best to answer by saying that we have confidence in the safety management system as it was implemented by Transport Canada back in 2005.

[*Translation*]

**Mr. Luc Berthold:** It is fine. Thank you. No need to answer.

[*English*]

**The Chair:** Thank you very much.

Mr. Hardie.

**Mr. Ken Hardie:** Thank you, Madam Chair.

Mr. Elfassy, I want to get back to the question on the difference between Air Canada pilots and Rouge pilots. We heard from your pilots association that the Air Canada pilots bargained an additional pilot for flights over nine hours. However, Air Canada Rouge pilots are currently expected to operate up to 14 hours, which could be extended to 17 hours in unforeseen circumstances.

With respect, sir, despite all the rhetoric about safety being your first priority, this seems to be quite a gap. Why is there a difference between Air Canada mainline and Rouge?

**Mr. Samuel Elfassy:** Madam Chair, I'm not in a position to comment on the difference in the collective bargaining, the differences in the rules between Rouge and Air Canada, and the differences in flight time and duty time limitations. I can tell you that they meet the regulatory requirements. The nature of Rouge and their operation versus aircraft mainline are, in fact, quite unique. It has been approved by Transport Canada, and it falls within the current flight time and duty time limitations that you'll find.

**Mr. Ken Hardie:** Okay, that's—

**The Chair:** Mr. Elfassy, it's an issue that has been raised at the committee. I see you're having difficulty answering it to the satisfaction of the member. Could you submit something in writing in response to that question? It's clearly an issue that's been pointed out to the committee, and it would be helpful if we had very accurate information on that.

• (1230)

**Mr. Ken Hardie:** There are some significant discrepancies here, and the fact that the rules allow it doesn't necessarily or adequately explain the reason you treat two blocks of pilots quite differently.

I'll turn it over to Mr. Badawey.

**Mr. Vance Badawey:** Thank you Mr. Hardie. Thank you, Madam Chair.

I commend the three of you for showing up today and really discussing a lot of these issues with us. Again, I appreciate the safety promotion and education programs that all three of you have under way, as well as the regulatory and voluntary approaches you're moving forward with. All in all, I guess the expectation is to measure the performance on an ongoing basis. I think that's the new day of anything we do, to ensure that we consistently have performance measures put in place so that we're always getting better.

I'll go to my question now. Experience and research have indicated that the optimal results for increasing safety and best practices can be achieved by combining safety promotion efforts with well-targeted accident prevention objectives. Can I get some explanation from each of you on the moves afoot to accomplish that?

**Mr. Samuel Elfassy:** Perhaps I'll start. In terms of safety promotion and better understanding of some of our efforts, we participate quite extensively at the international level with various international carriers, both at the IATA level and specifically around safety discussions. This enables us to share best practice in a closed forum, to understand various incidents that have occurred at other airlines and incorporate that into our learning.

We study, unfortunately, the misfortune of others, the events that are investigated by the Transportation Safety Board. We look at their recommendations—

**The Chair:** I'm sorry. My apologies. The vote apparently is now back on, but let's try to complete the first round. Sorry.

**Mr. Vance Badawey:** Thank you.

**Mr. Samuel Elfassy:** We take those lessons back into Air Canada—I'm speaking specifically here—and we share those key lessons. We look at our safety management system. We look at the weak signals associated with our performance and we incorporate those teachings. I could tell you that we have a relentless focus on failure and that's what our focus is on. By looking at those weak signals, we are able to anticipate, not react, so that we can be proactive in some of the measures we take to protect the travelling public, our employees, and our passengers.

**Mr. Glenn Priestley:** There are three things you might be interested in.

One of the problems in the north is getting adequately trained personnel. The demographic is about 200 to 300 people per year.

Traditionally, people from the south go north and get some experience. They don't like it and leave. It's not working. We have shortages of personnel. We have now established, as of April 24 at the NATA 41 convention in Yellowknife, a northern training centre for northerners, out of Whitehorse. It's a college-level, two-year program for flight crew.

As I mentioned, the second issue is the runway conditions. Every year, five to ten runways collapse. It's nobody's fault, but it's a problem. The climate changes. We've got an alternate runway test project that's going to be announced and we're working that through the Nunavut government. Hopefully that's going to be at the Cambridge Bay high Arctic research station, where we will look at something other than gravel or tarmac, which is problematic to get in.

Finally, the third thing, as mentioned earlier by Mr. Lachance of Nav Canada, is working with Nav Canada, who is an excellent safety partner, in the development of ADS-B technology. They will be coming up and giving us a briefing on that technology for our membership.

**The Chair:** Thank you very much.

Go ahead, Mr. Aubin.

[*Translation*]

**Mr. Robert Aubin:** Madam Chair, I would like to thank our witnesses for joining us today.

My first question is for the Air Canada representative. I'm going to try to be specific and use an example. That may be the best way for you to understand what I'm getting at.

Let's consider the following scenario: an Air Canada-operated flight between Vancouver and London that has three pilots. Is the decision to use three pilots based on scientific evidence showing the significant impact of fatigue on long-haul flights?

•(1235)

[English]

**Mr. Samuel Elfassy:** There are a number of things that we would base the augment of that particular flight on. In the example you're using, from Vancouver to London Heathrow, one would be the collection of fatigue reports that we receive. Within Air Canada, we have the ability for flight crew to submit reports that identify particular pairings or particular routes where they've experienced fatigue, and we examine those routes. Within Air Canada, we have an internal working group that works with our pilots' association and management to look at those routes and examine them to better understand whether we need to augment them. We use internal reporting. We use science. We use information from events that have occurred to other carriers that may have reported issues of fatigue. More importantly, we do have policies for flight crew to ensure that they arrive for a particular flight well-rested and that they take the steps to ensure that they're well-rested. It's everything from accommodations—

[Translation]

**Mr. Robert Aubin:** Thank you.

Would I be right to assume that, when airlines opt to operate the same flight with only two pilots, economic competitiveness comes into play, overriding safety concerns?

For instance, would you be open to Canada following the U.S.'s lead, in the wake of the Buffalo accident, and introducing stricter criteria?

[English]

**Mr. Samuel Elfassy:** I'm not sure I understand if the question is whether we're going to look at higher standards. I will tell you that economics does not win over safety. When we are aware of a safety concern that has been brought to our attention that compromises the safety of the mission of that particular flight, we take those issues very seriously.

[Translation]

**Mr. Robert Aubin:** Thank you.

I will say that I'm rather in favour of using three pilots for the flight. Regardless, would it not be appropriate to revisit the standard allowing the use of two pilots, in light of basic scientific principles, so that economic competitiveness did not trump safety criteria? The question is for everyone.

[English]

**Mr. Darcy Granley:** From a WestJet perspective, our approach again—which I think is in line with my colleague from Air Canada

—is that we start with a prescriptive set a rules. We have very active FRMS program that's performance based at WestJet. When we look at routes, part of the performance-based approach is to take a look at the science. It's evidence-based. We encourage reporting. We analyze route by route and we will amend scheduling rules. We have active scheduling committees in place, and that includes front liners. We have tools in place that allow us, in advance, to proactively analyze routes and schedules to make sure that we are safe and compliant.

The bottom line is that safety is foundational. At WestJet, it's a core value. The FRMS program that we have in place supports the prescriptive rules and the scheduling committees that we have, the technical tools. We have advisers who support our FRMS program. Those are actively and continually evaluated on a case-by-case, route-by-route base.

As we have expanded out to 150 aircraft in 10 time zones, our FRMS program has been very active in making sure that we are addressing fatigue along those lines.

**Mr. Glenn Priestley:** Thank you.

It's a great question because it shows how far apart southern flying is from northern flying. On any given day, right now, there are 60 to 70 airplanes all up. That's all that's flying in the north. We don't have thousands of pilots. We have companies who know the names of their pilots, and every day they go, "Robert, how are you feeling today?" We do it on a daily basis. Every trip is different.

This isn't flying to London, to Heathrow. This is flying Iqaluit to Clyde River and not making it because of bad weather reporting, because there are not enough services, and having to divert into Pang. They can't get into Pang because it's too short and the runway's bad. Then there's a plan C. That's the north. All right? It's very much about watching each other, because there aren't that many of us.

•(1240)

**The Chair:** Thank you, Mr. Iacono.

We have 22 minutes left.

**Mr. Luc Berthold:** No, we have one question each.

**The Chair:** I heard you say first round, but we are getting close to the time time. My apologies to the witnesses. This is the life of parliamentarians currently.

Thank you very much. We may ask you back, or we may communicate in writing if we have any additional questions.

Thank you all very much.

This meeting is adjourned.





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