



Canadian
Transportation
Agency

Office
des transports
du Canada

Removing Barriers to Disability Through Training

CFA 2019 Conference

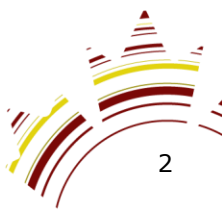
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Mandate

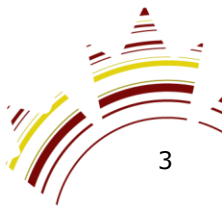
- The Canadian Transportation Agency (CTA) is Canada's longest-standing independent regulator and tribunal.
- We've been around since 1904, and our accessible transportation mandate dates back to 1988
- We are responsible for ensuring persons with disabilities have access to Canada's national transportation network by removing undue obstacles (barriers).
- The Supreme Court of Canada has recognized Part V of the Act as human rights legislation.



Jurisdiction

Canada's national transportation network consists of:

- Ferry operators, passenger rail carriers, and bus operators providing services between provinces and/or between Canada and the United States, and their stations or terminals located in Canada;
- Air carriers operating within, to, or from Canada;
- Airports located in Canada; and
- Services that are integral to the transportation services provided by a carrier or terminal located in Canada including border services and air security screening.



Accessible Canada Act (Bill C-81)

Compensation powers

- Enables the CTA to award up to \$20,000 for lost wages, pain and suffering, and willful or reckless practice, when it finds that there was an undue barrier to the mobility of persons with disabilities.

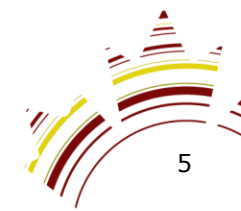
Enforcement

- Provides the CTA with tools to help ensure that federal transportation service providers are complying with their regulatory accessibility obligations:
 - the possibility to enter into compliance agreements
 - the power to levy Administrative Monetary Penalties (AMPs) up to a maximum of \$250,000 for non-compliance with certain accessibility related regulations and certain obligations under the Accessible Canada Act.



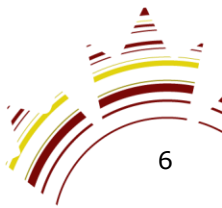
Accessible Canada Act cont'd

- Requires the CTA to develop additional regulations for transportation service providers
- These include three new planning and reporting requirements on accessibility:
 - accessibility plans;
 - feedback processes; and
 - progress reports.



Regulatory Modernization

- On May 26, 2016 the CTA launched the Regulatory Modernization Initiative (RMI)
- The Accessible Transportation for Persons with Disabilities Regulations (ATPDR) was registered on June 25, 2019 and then published in Canada Gazette, Part II July 10, 2019.
- The requirements in the regulations come into effect **June 25, 2020**



Consultation

Consultations on the proposed regulations began in 2016 and included:

- Publishing and inviting open feedback on a discussion paper focused on key issues related to accessible transportation in the federal transportation network.
- 3 rounds of in-person consultations with the CTA's AAC & other interested parties.
- Over 200 written submissions and approximately 40 face-to-face sessions with stakeholders.



ATPDR

The ATPDR integrated two existing regulations and several voluntary codes of practice into a single, comprehensive regulation.

- The ATPDR:
 - applies to all modes of transportation and to entities whose operations are integral to the national transportation network;
 - supports Canada's obligations under the UN Convention on the Rights of Persons with Disabilities; and
 - helps to ensure a more consistent travel experience for persons with disabilities, regardless of mode.



Personnel Training for the Assistance of Persons with Disabilities

- The training requirements for marine carriers and terminal operators, are to ensure that their employees and contractors who provide different types of transportation-related services to persons with disabilities are properly trained to do so.

Application:

Every marine carrier that provides a service for the transportation of passengers between two or more provinces or between Canada and a foreign country if

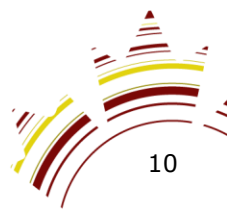
- (i)** the service is provided by means of a ferry of 1,000 gross tonnage or more, and
- (ii)** the carrier offers on-board services to passengers;

- If a member of personnel may be required to interact with the public or to participate in making decisions or in developing policies or procedures in relation to the requirements of these Regulations, they must receive training that provides an adequate level of knowledge and skills to carry out those functions



Contents of training

- The training should include and reflect the principle that regardless of their disabilities, all persons must:
 - be treated with dignity;
 - have the same opportunity to make for themselves the lives that they wish to have;
 - have barrier-free access to full and equal participation in society; and
 - have meaningful options and be free to make their own choices, with support if they desire.
- Transportation service providers must identify the different types of barriers that may hinder equal access to transportation services for persons with disabilities;



Contents of training, cont'd

- The training must also:
 - Identify the various types of assistance that may be needed by persons with disabilities and the duties of the transportation service provider in relation to those needs;
 - Explain how to communicate with persons with disabilities and how to interact with them in a manner that respects their autonomy and dignity;
 - Explain the role of a:
 - support person; and
 - a service dog.



What is different?

- Who it applies to
- Initial training — timeline
- Supervision of untrained personnel
- Duty to inform personnel
- Consultation with persons with disabilities
- Description of training program



Who must receive training

- If a member of personnel may be required to assist a person with a disability,
 - with physical assistance;
 - using or assisting with special equipment; or
 - handling mobility aids,
- they must receive training that provides an adequate level of knowledge and skills to carry out those functions



Tools to help implement requirements

- Staff of the CTA's Centre of Expertise for Accessible Transportation are available to respond to questions from industry
- A new Accessibility Help Line to provide information, and guidance about dispute resolution services relating to accessible travel

[1-844-943-0273]

- New guidance material will be available in the coming months, with some resources now available



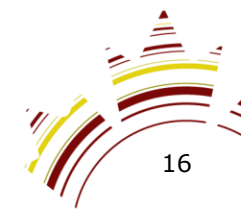
Accessibility for All

- *Accessibility for All* is a 45-minute training program developed by the CTA which consists of several videos which include:
 1. Introduction
 2. Services to be offered to persons with disabilities
 3. Communication best practices
 4. Assisting a traveller who is blind or partially sighted
 5. Assisting a traveller who is deaf, deafened or hard of hearing or who has another disability
 6. Mobility assistance



Accessibility for All, cont'd

- The training is concluded with a free online Quiz which provides a certificate when a passing grade is reached.
- This is not meant to be the only training provided by a transportation service provider, but should supplement a larger training program.
- The CTA has also developed [Best Practices for Providing Assistance to Customers with Disabilities: A resource tool](#)



Next Steps

- The ATPDR is focused on large carriers and terminals.
- The CTA will soon undertake Stage 2 of regulatory development, focused on small transportation service providers, planning and reporting obligations, emotional support animals, and 1 person, 1 fare (international).
- The CTA will launch consultations on Stage 2 in late fall 2019.



Contact information

Thank you!

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