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Chair

The Honourable Denis Paradis

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• (1530)

[Translation]

The Chair (Hon. Denis Paradis (Brome—Missisquoi, Lib.)): Friends, pursuant to Standing Order 108(2), we are holding a briefing on the Commissioner of Official Languages' special report to Parliament on Air Canada.

Today, we have with us the following people: Calin Rovinescu, Air Canada's President and Chief Executive Officer; Arielle Meloul, Vice President, Human Resources; Louise-Hélène Sénécal, Assistant General Counsel, Law Branch; and David Rheault, Director, Government Affairs and Community Relations.

Mr. Rovinescu, in the first hour, you are going to give us your comments and committee members will ask you questions. Thereafter, you have to leave, but the people accompanying you will stay to answer questions.

Welcome.

Without further ado, Mr. Rovinescu, I open the floor to you.

Mr. Calin Rovinescu (President and Chief Executive Officer, Air Canada): Thank you very much, Mr. Chair.

Ladies and gentlemen of the committee, it is a pleasure for me to be with you to reply to the Commissioner of Official Languages' special report and, above all, to demonstrate to you that Air Canada is proudly serving its customers in both French and English.

As you already know, I am accompanied today by Arielle Meloul-Wechsler, Vice President, Human Resources; Louise-Hélène Sénécal, Assistant General Counsel, Law Branch; and David Rheault, Director, Government Affairs and Community Relations.

We are proud of our ability to serve our customers in the language of their choice. We devote a great deal of attention to our bilingualism because we feel that it is part of our ongoing commitment to excellent customer service. Basically, bilingualism is part of our company's culture and it is close to my heart personally. We support bilingualism by investing millions of dollars each year in language teaching and by constantly insisting on the importance of our employees providing bilingual services.

Last Tuesday, we were very disappointed to read the commissioner's special report, which we had not received in advance. We disagree with the commissioner on his conclusions and on the modified plan that he is proposing. The report fails to recognize what we have been doing for at least the last five years and what we have accomplished.

We have more than 7,000 bilingual employees, and Jazz, the regional company that provides us with services, has almost 900. We have developed and we maintain a rigorous evaluation system that allows us to monitor the language skills of new and existing employees.

We have implemented a staffing assignment program for crew members that specifically takes into account the requirements for bilingual services. Whatever the level of demand, bilingual crew members are assigned to every flight that Air Canada operates. Their number is determined by the type of aircraft. It is included in our collective agreements.

In a previous audit, the commissioner acknowledged that we had bilingual crew members assigned to all our flights. Every two years, we re-evaluate the employees to make sure that they are maintaining their language skills and we provide them with additional training if need be.

In all Canadian airports, we created and we maintain the network of airport language ambassadors, whose mandate is to improve bilingual services and to promote best practices therein.

We have established a French-language telephone support center for all our agents around the world.

We have implemented a recognition program specifically for employees who provide exemplary service in both French and English.

We use technology to provide systems for online purchasing, airport kiosks and mobile applications. These allow us to provide services that are uniform in both languages.

We provide tools and checklists in order to remind our employees about our bilingualism policy.

In 2015, we published a new linguistic action plan; it is available on our website.

With our thousands of bilingual employees from Victoria to St. John's, we venture to believe that Air Canada has done more to provide bilingual services than any other private sector company in Canada. In fact, 60% of the 9,500 cabin crew and airport staff that we have hired in the last 15 years are bilingual. I repeat: 60%. Since January, we have recruited 800 new cabin crew members, 500 of whom speak French, even though we hired them for bases in Vancouver, Calgary and Toronto. In fact, no bilingual candidate who met our requirements was turned down.

We attribute our success to the external relationships that we have undertaken in francophone communities, especially those outside Quebec. According to a recent study by KPMG, we are the leaders in this area and we provide more and better bilingual services than other airlines, airport administrations and private sector companies in Canada. The commissioner even recognized that in his 2012-2013 report.

In fact, 94% of the Air Canada customers surveyed by Ipsos Reid in 2016 said that they were either satisfied or very satisfied with our ability to serve them in the language of their choice. For a survey result, this is exceptional. It is also an improvement of three percentage points over last year's results in the same survey. In other words, our customers are very satisfied with our performance in providing bilingual services and recognize that, even though we are not yet perfect, we continue to improve.

• (1535)

These observations are corroborated by the statistics on complaints compiled by the Commissioner of Official Languages. By our estimates, while close to 42 million customers engaged in 210 million separate customer-employee transactions with us in 2015, only 52 complaints were submitted to the commissioner, meaning that the complaint rate is 0.000024% if we take into account the number of interactions. That's less than three millionths of 1%.

These results aside, we are still fully committed to improving the delivery of services in both official languages, and we have established the following measures in our action plan: improve our employee communications to ensure that they are aware of our action plan and that it is widely distributed within the company; continue to inform all new employees of our language policy in their first week of orientation; develop a system to recognize employees with language skills and support their efforts in serving our customers in their preferred language; incorporate language obligations in the performance plan for managers with responsibilities pertaining to the delivery of bilingual services; place more bilingual employees at strategic service locations at airports; discuss linguistic matters during joint meetings with the unions; use more of our language qualifications signs and encourage our employees to wear the "J'apprends le français" pin, if appropriate; inform employees of the procedure to follow when no bilingual employees are available and provide them with specifics; work with various organizations in official language minority communities to facilitate hiring bilingual candidates; implement new auditing processes so that it is possible to track our performance in delivering services in both official languages.

I have been the CEO since April 1, 2009. The commissioner's statistics indicate that, when it comes to complaints, our performance between 2009 and 2015 has improved by about 30%. Indeed, the actual number of complaints has remained stable since then, even though Air Canada now carries 10 million passengers more than in 2009. This observation contradicts the commissioner's report and we should avoid accepting anecdotes as fact. Although it is interesting, historically, to talk about the last 45 years, let's focus on the recent past. The facts show that in the last few years, we have followed the recommendations set out in previous reports and shown real and steady progress.

Although we would like to believe that one day there may be no complaints at all, we all know that this is not realistic, especially in the airline industry. Quite simply, there are too many factors that we have no control over, including weather conditions, security and safety issues, the daily realities of our network, work conflicts and often the difficulty in finding bilingual candidates.

As for the commissioner's statement that Air Canada has a chronic problem in complying with its language obligations, that claim has been flatly rejected by the Federal Court of Appeal and the Supreme Court of Canada.

The commissioner also maintains that too little progress has taken place, but in his 2012-13 report, he writes that, in general, Air Canada's performance has improved since 2008, adding that our performance was better than that of airport authorities.

If you are getting the impression that I am a little frustrated by this situation, it's because I am. Our company is fully committed—and not just on paper—to providing its customers with bilingual service. We have a 94% satisfaction rate and a 0.000024% complaint rate.

In the past seven years, we have worked hard to change the culture within Air Canada. We have also won awards for customer service, as well as for diversity and employee engagement. Recent allegations in the media are an attack on our brand and on our employees.

[English]

I'd like now to refer to the proposal that was attached to the commissioner's special report, which we believe not only would improve the legislative regime in place but also expand the linguistic rights of all Canadian passengers. That is our proposal.

If bilingualism is, indeed, a core Canadian value, it should not be determined by the airline that Canadians decide to fly on, but instead be provided equally by all Canadian airlines.

• (1540)

Without this proposed level playing field, we operate in a dichotomy where today, for example, Porter Airlines has no statutory OLA duty to provide bilingual service to its customers, but if Air Canada were to purchase Porter tomorrow, Porter would suddenly be obliged to provide an OLA standard to those same customers. What policy reason could possibly justify that?

Indeed, the recent report issued by the Emerson panel on the Canada Transportation Act recommended that the obligations of all airlines be clarified with respect to official languages. The commissioner refers to a similar recommendation made by the Senate Standing Committee on Official Languages in 2012. This is logical, as having all airlines subject to the same obligation would help determine what the appropriate standard should, indeed, be for our industry.

It's important to mention here that Air Canada's share of the domestic market is now at around 50%, leaving nearly half of Canadian domestic passengers without an OLA standard of bilingualism.

Air Canada is not an agent of the crown, nor a monopoly, as it was during the Trans-Canada Air Lines days. Developing a new, industry-wide, legislative regime for bilingualism should take into account the realities in which other successful Canadian airlines, like WestJet, Porter, Air Transat, Sunwing, and others operate.

No doubt you'll all recognize that running an airline is a complex business. We carry millions of passengers on elaborate domestic, international, and transborder itineraries to more than 60 countries around the world using sophisticated equipment.

Every day we contend with different and unexpected challenges, such as weather and other forces of nature, health problems of our crew and staff, mechanical issues, scheduling issues at connecting carriers, security issues, unruly passengers, crew duty day limits, or even, sadly, socio-political events. These can disrupt our highly interdependent network and leave scheduled aircraft and crews out of place, requiring immediate substitutions, which sometimes makes it difficult to assign bilingual crews.

Private sector airlines cannot be regulated as if they were government agencies. While the Office of the Official Languages Commissioner may have expertise with government agencies, the issues in the business world are often different. We're constantly faced with these operational and safety issues where we simply cannot make compromises.

For example, we recently faced a situation where a small aircraft, operated by one of our regional carriers from Bathurst, New Brunswick, had its sole flight attendant suddenly fall ill. They had one flight attendant and she fell ill. The only replacement available on short notice was unilingual. We had two choices: cancel the flight and ruin the schedules of every passenger on board with a domino effect on their connecting flights, their business, and family obligations, or use a unilingual flight attendant.

There already exist instruments and organizations designed to safeguard the rights of airline passengers and to ensure that carriers meet the regulatory obligations. One, in particular, is the Canada Transportation Agency, which assesses all sorts of issues taking into account the reality of air travel. The CTA has the expertise to factor in the operational constraints of the airline business. It can incorporate safety, international regulations, and other industry specific considerations into its decisions.

I would like to conclude with a final observation, namely that the challenges Air Canada faces in regard to French services tend to reflect the nature of our country itself. The proportion of Canadians who are bilingual is 17%, and less than 10% outside Quebec. By comparison, close to 50% of our front-line employees are bilingual. Any entity seeking to recruit bilingual employees encounters the same issues we do, and the pool of qualified candidates becomes limited. Moreover, government statistics are showing that the percentage of bilingual citizens is decreasing overall.

There is a better way to promote the rights of francophone air travellers and to support the industry in delivering French services. More training and resources should be allocated to create a larger pool of available bilingual candidates. Governments at all levels should invest more in programs to promote bilingualism, particularly

in non-French speaking regions of the country. This is what we think government can do, and, indeed, is its responsibility.

[*Translation*]

On the contrary, Air Canada is committed to action, as I mentioned previously, with targeted recruiting efforts, for example, by establishing comprehensive training programs, by ongoing awareness, and by making a concerted effort to reach out to francophone communities outside Quebec.

We also anticipate other measures, including establishing call centres to provide support for employees, distributing our own internal bilingual glossary, appointing language ambassadors, and much more.

I just would like to stress that these measures are not simply so that we can meet our obligations under the Official Languages Act. They are because Air Canada is an air carrier that has served Canadians for 80 years; the biculturalism on which our country is based is part of our DNA. Air Canada and its 28,000 employees take their responsibilities seriously, as each one of them conducts their activities.

The recent report was discouraging for our many bilingual employees, who are proud to serve our customers in both languages. Some of those employees are immigrants to Canada and are proud of the efforts they have made to learn both our official languages. They were insulted when they saw that the sincere and extraordinary efforts they have been making were unjustly ignored.

As the commissioner said here last week, we have a number of misunderstandings, but we agree on one thing: we have to evolve. So I am proposing a task force on the state of bilingualism in the air industry, made up of representatives from industry, including Air Canada, the other air carriers, the airport authorities, the Canadian Air Transport Security Authority, the new commissioner, the Canadian Transportation Agency, and officials from the Department of Transportation.

We are proud to be the most bilingual private sector company and air carrier in Canada and we are proud of our ability to serve our clients well, whichever official language they prefer. We will continue thus, and we are ready to do more to continue to be a leader in the provision of services in both official languages in the Canadian air transportation network.

Thank you, Mr. Chair and ladies and gentlemen of the committee.

We will be pleased to answer your questions.

• (1545)

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

We allocated 10 minutes or so for your presentation. You went a little longer, but if members of the committee agree, I am going to still have a 50-minute period for questions. That will complete the hour in total that we scheduled.

Here are the rules: committee members will each have six minutes for their questions, including the time you take to answer them.

Without further delay, because our time is limited, we will open the floor to Bernard Généreux.

Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC): Thank you, Mr. Chair.

Good afternoon. My thanks to our distinguished witnesses. Given that the clock is ticking, I will be brief and I will ask you to be equally so in your answers.

Mr. Rovinescu, your speech indicates that Air Canada does not have a bilingualism problem.

Mr. Calin Rovinescu: Is that your question?

Mr. Bernard Généreux: Yes, that is my question.

I did not hear you say that there was any problem of that kind to be solved.

Mr. Calin Rovinescu: As I have just said, Air Canada is probably the most bilingual private sector company in the country. As a private sector company, we face certain constraints. We have a number of programs and things are evolving. We have made enormous progress in the last seven years. All the figures show that we are making progress, whether the figures are survey results or the number of complaints. Of course, it is not perfect and it will never be. We will never reach perfection. However, I feel that we are making a lot of progress. That is why some comments in the report surprised us.

Mr. Bernard Généreux: Air Canada is a Canadian airline that is different from other companies because it came from the bosom of the government and became a private company. But certain conditions were accepted at the time the transfer was made. One of those conditions was to comply with very specific legislation with respect to official languages.

Various people have come and gone over the years. You are focusing a lot on the last seven years, but, for 40 years, an enormous number of negative things have been said about the legislation that you were required to comply with and that you still are required to comply with.

Do you really believe that there is a difference between you and the industry as a whole, or do you believe that you should all be placed on the same level?

● (1550)

Mr. Calin Rovinescu: That is a very important question, Mr. Généreux.

Air Canada was privatized almost 30 years ago, meaning that it is no longer owned by the government. Air Canada began its activities almost 80 years ago as a crown corporation known as Trans-Canada Airlines. At the time, it was a monopoly. The situation evolved, then privatization happened in 1988. Today, all kinds of airline companies are operating here.

If we in this country can deal with issues like medical assistance in dying, and we can change a number of other acts, we have to wonder whether the system in effect should not also apply to other airlines. About 50% of Canadians are not subject to those provisions.

I used the example of Porter Airlines a little earlier. If we were to buy Porter Airlines tomorrow, would any political consideration justify that division of the company being then subject to those provisions? Would we have to provide bilingual services to the same passengers that we did not have to provide them to the day before?

I feel that bilingualism is very important in the industry. That said, the standards in the airline industry should not be the same as in government agencies.

Mr. Bernard Généreux: Let me go back to the initial question. Despite the status that you have had for 30 years, the fact remains that Canada is still a bilingual country. That's not a matter of evolution; it's a fact. In other words, it does not evolve up or down. Air Canada was created under the principle that it should continue to serve Canadians.

You spoke of pride earlier and I was delighted with that. You are, in fact, one of the jewels in Canada's crown. When I looked at your financial reports, I saw that the figures were extraordinary. We should all be proud of that. In fact, I think we as Canadians are all proud to see a company flourishing like yours. You certainly have my congratulations. But you say that ensuring compliance with this act costs you millions of dollars.

[English]

Are you ashamed of it?

[Translation]

Mr. Calin Rovinescu: No, on the contrary, we are very proud to do it. What I said is that it is a reality for us. However, the standards with which private sector companies have to comply should be well defined, and, in my opinion, should apply to all other airlines.

As I just said, 50% of our employees who deal with our customers are bilingual. We know very well that 50% of Canadians are not bilingual. Each time we try to recruit people, it is more of a challenge.

Mr. Bernard Généreux: From what you told me earlier, you have 28,000 employees, of whom 7,000 are bilingual. So that is a quarter of your employees, not half.

Mr. Calin Rovinescu: But not all the 28,000 employees are—

Mr. Bernard Généreux: ...in contact with the public. I get it.

Mr. Calin Rovinescu: That's right.

Mr. Bernard Généreux: I am going back to the matter of pride.

For me, it is critical. From what I have read, seen and heard, there is a disconnect between the reality and what you are saying about the pride of being the national air carrier, even though you are now a private company subject to very specific legislation. You say that Air Canada is evolving and has improved. I agree that such is the case, but clearly, you have a good way to go.

Mr. Calin Rovinescu: Thank you very much. I agree with you, Mr. Généreux.

What I was trying to tell you is that you really have to distinguish the anecdotes, the things that you hear and read, from the facts, the reality and the progress. We simply tried to measure what has taken place in recent years a little more concretely. However, it will continue. We certainly cannot say it is mission accomplished.

The Chair: Thank you very much.

Mr. Arseneault, you have the floor.

Mr. René Arseneault (Madawaska—Restigouche, Lib.): Good afternoon, Mr. Rovinescu. As we have very little time, my questions will also be pretty direct. I hope I will get quite short answers.

I have had long discussions with Mr. Thibodeau, who sends his regards, by the way. He sent me a number of documents: arguments and supporting documentation, including references to a number of decisions. I was astonished when I read it all. Could you tell me whether what I read and saw actually reflects the reality?

Mr. Thibodeau and his wife have appeared in court several times. I have no problem mentioning Mr. Thibodeau's name, since he gave me permission to do so, knowing that this session would be public.

You appeared in court several times in proceedings against Mr. Thibodeau. The court ordered you to pay damages because you failed in your language obligations. When I say “you”, I mean Air Canada. This is not about you personally. The damages were in addition to quite significant court costs.

Is that correct?

• (1555)

Mr. Calin Rovinescu: I have no idea. I did not go to court myself

Mr. René Arseneault: So you knew nothing about Air Canada being sued and having to pay court costs?

Mr. Calin Rovinescu: I have no idea. I do not know.

Mr. René Arseneault: You are the president of a company with the most—

Mr. Calin Rovinescu: A company like ours has to deal with a number of lawsuits at the same time. It is not up to the president of the company to approve the costs of going to court.

Mr. René Arseneault: Mr. Rovinescu, whenever I say complaints, I will just be dealing with complaints of a linguistic nature. For the moment, other complaints are none of our concern.

So I am telling you for the first time that Air Canada paid several thousand dollars in court costs. Do you keep a tally of the money you spend on lawsuits about language matters?

Perhaps your lawyer could tell us.

Ms. Louise-Hélène Sénécal (Assistant General Counsel, Law Branch, Air Canada): I am happy to answer that right away.

In Mr. Thibodeau's case—

Mr. René Arseneault: No, no, I want to know if you keep a tally.

Ms. Louise-Hélène Sénécal: No. Well, I have my own files.

Mr. René Arseneault: Would it be possible to provide the clerk with a list of lawsuits about language complaints, with details of the amounts paid out, including your expenses?

Ms. Louise-Hélène Sénécal: It won't take long once we get a decision from the court.

Mr. René Arseneault: Thank you very much.

Second, Mr. Rovinescu, given that you are unaware of all the—

The Chair: Just a moment, please. I want to make sure I understood that answer. Ms. Sénécal said that, once they get a decision from the court—

Mr. René Arseneault: It would be easy to do.

Ms. Louise-Hélène Sénécal: Yes indeed, after a judgment in court, it would be no problem for us to provide a list of any amounts we may have paid.

The Chair: Okay, thank you.

Mr. René Arseneault: Mr. Rovinescu, let me inform you that, in the appeal against the 2012 Federal Court of Appeal decision, number 246, the court demanded the following from Air Canada:

She therefore ordered the airline to put in place within the next six months a monitoring process that would “quickly identify, document and quantify potential violations of its language duties”...

Have you followed up on that order?

Mr. Calin Rovinescu: Which case is that? Are you talking about Mr. Thibodeau's case?

Mr. René Arseneault: Yes, it's one of Mr. Thibodeau's appeals.

Mr. Calin Rovinescu: Can you answer, Ms. Sénécal?

Ms. Louise-Hélène Sénécal: That order was set aside by the Federal Court of Appeal. The Supreme Court of Canada also held that we had no obligations and that the order was not appropriate in the circumstances.

Mr. René Arseneault: What I gathered from the Supreme Court of Canada decision, is that domestic flights were still subject to the Official Languages Act, but not international flights. Is that correct?

Ms. Louise-Hélène Sénécal: No, but I would be happy to explain the Supreme Court decision to you.

The Supreme Court decided to that, under the Montreal Convention, which is an international agreement enshrined—

Mr. René Arseneault: I am sorry, Ms. Sénécal, but I know the answer.

In fact, the court said that, with domestic flights, those inside the country, you still had to comply with the language obligations. Yes or no?

Ms. Louise-Hélène Sénécal: Actually, we are required to comply with our linguistic obligations everywhere, when the demand warrants.

Mr. René Arseneault: Okay. That's great.

Ms. Louise-Hélène Sénécal: The Supreme Court confirmed that the right to damages applies only to domestic flights.

Mr. René Arseneault: So it applies to domestic flights, inside the country. That's fine.

So, Mr. Rovinescu, let me also inform you that Air Canada has settled cases and paid damages out of court, following simple complaints submitted to the Air Canada office.

Ms. Sénécal, could you tell us if it is possible to get a list of those?

Mr. Calin Rovinescu: There are a number of confidentiality rules governing the information about the people we do business with. As Ms. Sénécal mentioned, in a public case, it is possible to find out that information, but not otherwise.

As I said before, we have 42 million passengers each year. I am repeating that in case you did not fully grasp it. If you assume that each passenger contacts the company five times, that is 210 million interactions. We have a lot of interactions, a lot of discussions, with our customers.

With all due respect, it is not information that we can share.

Mr. René Arseneault: You seem to be aware that complaints are submitted directly, following which you pay damages directly to the customers.

I am not asking for the names of the customers. I understand the confidentiality aspect. I practiced law for 23 years.

Mr. Calin Rovinescu: We must maintain the confidentiality of the complaints.

Mr. René Arseneault: Would it be possible to obtain a list of the out-of-court amounts you have paid, without mentioning the names of the complainants?

You can tell the clerk whether or not you can provide the list, but I am making the request.

Mr. Calin Rovinescu: Okay.

Mr. René Arseneault: When you settle complaints you receive directly at Air Canada, that therefore do not go through the Commissioner of Official Languages, or that are not official complaints about linguistic rights, do you not feel, Mr. Rovinescu, that these are complaints that fly under the radar and are not counted in the commissioner's statistics?

Mr. Calin Rovinescu: No. Personally, I cannot speculate on whether cases are flying under the radar or are about people who perhaps just want to complain. However, I can present you with the facts. I know that there were 52 complaints from more than 200 million interactions, which works out to 0.000024%.

• (1600)

Mr. René Arseneault: You understood my question, then.

The complaints you refer to are official complaints. I am talking about the complaints you settle in secret.

Mr. Calin Rovinescu: The unofficial ones.

Mr. René Arseneault: The ones you settle in secret, under the radar.

Mr. Calin Rovinescu: I have no idea.

Mr. René Arseneault: You have no idea. Okay.

Ms. Sénécal, is it possible to provide us with the number of complaints? Is it possible for you to find out the number of times when, in your offices, you have settled complaints officially submitted to you?

The Chair: If I may, Mr. Arseneault. I would like to make it clear that the committee has a right to make that request.

We do not want to be placed in a position of passing a special motion that would force you to do it. We are asking for your cooperation.

Mr. Calin Rovinescu: We will consider in due course, Mr. Chair

Mr. René Arseneault: We would like to find out the number of complaints. I do not need names.

The Chair: Thank you, Mr. Arseneault.

Mr. Choquette, the floor is yours.

Mr. François Choquette (Drummond, NDP): Thank you, Mr. Chair.

Thank you all for being here today.

I would like to go back to what Mr. Généreux said earlier. We are very proud of Air Canada as an institution, our institution. We are also very proud that it is a bilingual institution and subject to the Official Languages Act. We hope that you feel the same way. I gather that you do indeed.

In the House of Commons, I put a question to Mélanie Joly, the Minister of Canadian Heritage, who is responsible for the Official languages Act. Her answer was that, in the circumstances, it goes without saying that Air Canada has to comply with the act and that the status quo is unacceptable. She indicated that she was going to speak to the Minister of Transport and that she was going to ask the committee to study that report.

Have you been in contact with people from the office of either the Minister of Canadian Heritage or the Minister of Transport after the report of the Commissioner of Official Languages appeared?

Mr. Calin Rovinescu: As you know, that report was published last week, and the following day, if not the same day, there was an appearance before this committee. So we have not had a lot of time to study, discuss and debate the content of the report.

That said, from our point of view, it appears clear that the rules must apply to the entire industry, and we are going to keep repeating that.

We also feel that the commissioner's office is not necessarily the best equipped to deal with the operations of private sector companies in the air industry. So we recommend that Transport Canada—

Mr. François Choquette: Fine, let's get to the report. I thought that you were in contact with the Minister of Transport about Bill C-10. We are opposed to that bill because it is going to displace a lot of jobs. I also thought that the Liberals would have intervened more quickly to ensure compliance with the Official Languages Act.

You mentioned all the efforts you are making. I know that that is the case. However, in an audit done in 2014-2015, the Commissioner of Official Languages noted that only one of the 12 recommendations in the 2011 report had been implemented.

How do you explain that?

Mr. David Rheault (Director, Government Affairs and Community Relations, Air Canada): That part of the Commissioner of Official Languages' report surprised us a little. In fact, in a previous report, he mentioned that most recommendations had been implemented. He considers that only one was fully implemented. I feel that saying that only one recommendation has been implemented does not tell the whole story. In fact, several of the 12 recommendations have been implemented.

The discussion we had with the Commissioner of Official Languages sought to determine the extent to which they had been completed and the extent to which he was satisfied or dissatisfied. To say that only one recommendation has been implemented is not the whole story. In fact, several recommendations have been implemented to a level of satisfaction that we see as appropriate.

Mr. François Choquette: That satisfaction level is moderate or higher, depending on the stage.

Mr. David Rheault: Now we have a new action plan and we are moving forward.

You talk about the status quo, but there is no status quo. Bilingualism and the implementation of our language policy are constantly evolving. We have no status quo.

We engage with our employees each year, which increases the level of bilingualism.

Perhaps we have to quote from the 2012 report of the Commissioner of Official Languages. I have it here in English.

Mr. François Choquette: I am going to have to interrupt you because I do not have a lot of time. Perhaps we can talk about it again in the second hour.

I want to talk about the report that you quoted. In that report, one of the things I read was that you were now going to talking to official language minority groups. That is a very good idea, I feel. Since 2009, in fact, the Fédération des communautés francophones et acadienne du Canada has been stating that it wants the commissioner to be granted more powers. They have been making that recommendation since 2009. You say that you are going to start consulting them, which is a very good idea. However, do you look favourably on the recommendation to provide more powers to the Commissioner of Official Languages, so that you can work together?

It is no good for everyone to be working against each other. What concerns me at the moment is that you are at odds with the commissioner and he is at odds with you. You do not accept the commissioner's recommendations and he does not accept the way you are going about things. If there were at least enforcement mechanisms, as the commissioner recommends, that could be good for everyone.

•(1605)

Mr. Calin Rovinescu: As I just said, this is an area that requires more expertise or tools than what the commissioner has. This industry is complicated. I don't want to compare it to other government agencies, but I would say that it is quite a bit more complicated.

That said, we should perhaps—

Mr. François Choquette: I'm sorry for interrupting you, but I'm almost out of time.

Would you agree, for example, to offer—

Mr. Calin Rovinescu: I'm talking about the Canadian Air Transport Security Authority, other Canadian companies, other airlines, airports, the entire community that operates in the air transport industry. If we all work together, yes, he will be welcome to take part in this if he wants to.

Mr. François Choquette: So you aren't necessarily against binding agreements between the commissioner and your company that would allow you to work together rather than against each other. Currently, the problem is that you are working against one another and there is never a solution. If you had binding agreements—

Mr. Calin Rovinescu: It wouldn't necessarily be a binding agreement. The commissioner spoke about it last week. We studied this, and I don't know whether or not we are in favour of it. But I can say that we are willing to work more closely with the air transport community, as well as with the Canadian Air Transport Security Authority, which understands the industry much better.

The Chair: Thank you very much.

Mr. Lefebvre, go ahead.

Mr. Paul Lefebvre (Sudbury, Lib.): Thank you, Mr. Chair.

A subsection of the commissioner's report is entitled "Five decades of interventions with Air Canada". This isn't the first time you have testified before the Canadian parliamentary Standing Committee on Official Languages.

In your presentation to the committee, you mentioned the progress and improvements pertaining to bilingualism. As far as I can see, you want things to improve, and you are making constant efforts to do so. I applaud you but, at the same time, I have to say that, if we asked you to give testimony here today, it's because we think that there is still work to be done. That's how I see it.

What is your budget for legal challenges? Do you have a budget for that?

Mr. Calin Rovinescu: No.

There may be a case dealing with competition, or one that has to do with something else. We don't know what will happen in a given year. We had a lengthy case a few years ago that had to do with cargo, but we didn't budget for it. It happened after the budgets had been established.

If you are asking me whether we budgeted a certain amount to defend ourselves in cases pertaining to language rights, the answer is no.

Mr. Paul Lefebvre: I'm not talking about cases involving language rights. I wanted to know if you had a budget for legal challenges in general.

Mr. Calin Rovinescu: We have a budget for the group.

Mr. Paul Lefebvre: That's it.

Mr. Calin Rovinescu: We don't have a budget for lawsuits in particular. It's for the group. It may relate to contracts, funding or all kinds of things.

Mr. Paul Lefebvre: Are you talking about the group that is taking steps to implement bilingualism?

Mr. Calin Rovinescu: By “group”, I mean the legal department.

Mr. Paul Lefebvre: In the last decade, there have been 14 cases involving official languages. I think that number is very high. I should mention that these are only the cases that have been listed. This figure is from the commissioner’s report. These are cases that have been disclosed publicly. I, too, am a lawyer, like Mr. Arseneault. I know very well that, while some lawsuits go that far, there are many others that were settled before.

Personally, I think that 14 litigations in one decade is an extremely high number. I would like to know what you think about that.

Mr. Calin Rovinescu: I can ask Ms. Sénécal to answer the question after I do.

With all due respect, I will go over the statistics again. There have been 14 litigations and we have 42 million passengers. We are not in the same league as the Canada Revenue Agency. It seems to me that 14 litigations over a period of a number of years, given the millions of passengers we serve, is not a lot.

• (1610)

Mr. Paul Lefebvre: Ms. Sénécal, what would you like to add?

Ms. Louise-Hélène Sénécal: Actually, the 14 litigations are not from the past decade.

Mr. Paul Lefebvre: No?

How many of those litigations were settled amicably?

Ms. Louise-Hélène Sénécal: There has been no litigation over official languages in court. There was one case 20 years ago, not in the last decade. The commissioner initiated proceedings for the service in Toronto and in Halifax. That dispute was settled through mediation.

Mr. Paul Lefebvre: Okay.

Over the last 10 or 15 years, how much have these legal proceedings or litigations cost you in total?

Ms. Louise-Hélène Sénécal: I don’t have those figures with me.

Mr. Paul Lefebvre: Is it possible to obtain them?

Ms. Louise-Hélène Sénécal: They didn’t cost a lot in the past 10 years, because we handled those cases internally.

Mr. Paul Lefebvre: So do you have full-time lawyers to go to court as well?

Ms. Louise-Hélène Sénécal: We have lawyers, we have a legal department. We have to deal with a number of legal situations. I am responsible for all cases worldwide, whether disputed or not.

Mr. Paul Lefebvre: I understand.

Ms. Louise-Hélène Sénécal: The official languages cases represent a small part of the litigations.

Mr. Paul Lefebvre: Thank you.

Mr. Chair, I will share the rest of my time with Mr. Di Iorio.

Mr. Nicola Di Iorio (Saint-Léonard—Saint-Michel, Lib.): Thank you, Mr. Lefebvre.

Mr. Rovinescu, I listened to what you said. You clearly said that you felt frustrated and I sensed your frustration. However, I would like to tell you about a situation. This is not about castigating anyone. We must not dwell on the past, but rather see how we can solve the problem. I want you to know that there is a clear desire for acts of Parliament to be complied with, whether it is Parliament deciding on the legislation, the government deciding on the content of its regulations and all the organizations complying with them, be they in the private sector or not, or even business organizations. Discussions can take place at the outset, but once the decisions are made, we would like people to comply. That’s important.

You indicated that 17% of Canadians are bilingual. You will understand that this makes us react and concerns us. Clearly, there is an idea behind that, and I see it in the brief submitted to us. We feel that you see this obligation as a burden. I also understand that an obligation is a burden. However, there is something you can control. As the president, are you prepared to issue a directive? I am referring to the Linguistic Action Plan. I will read it to you and you can trust me:

Collective agreements

Measure 13:

Upon renewal of the various employment contracts, discuss ways for the Company to improve official language compliance with unions.

This refers to our act. You will discuss ways to comply with our legislation with the unions. That will definitely prompt a reaction.

You know that the Official Languages Act is in the public domain. It supersedes any contracts, including collective agreements.

My question is very specific: are you ready to commit to issuing directives to your departments to ensure that contracts comply with the collective agreement? You don’t need negotiations because these are public laws. Are you ready to issue this directive to your departments?

Mr. Calin Rovinescu: If it is a public law, as you say, this act applies, whether or not I issue a directive. However, as you well know since you are a lawyer, collective agreements can create confusion, because unions may have a different point of view. In some cases, for instance when the seniority principle applies to pilots or flight attendants, employment rights come into play. Often—

Mr. Nicola Di Iorio: If I may, sir—

Mr. Calin Rovinescu: I am often asked why we end up going to court.

Mr. Nicola Di Iorio: My time is limited—

Mr. Calin Rovinescu: We go to court to talk about this type of—

Mr. Nicola Di Iorio: I have to interrupt you, because my time is limited.

Mr. Calin Rovinescu: Yes.

Mr. Nicola Di Iorio: You are still discussing, almost 30 years after the Air Canada Public Participation Act was passed. It seems to me that, 30 years after the act was passed, there should be much more than discussions; Air Canada should ensure that the contracts are in compliance with the act.

Mr. Calin Rovinescu: Things change with time. Parliament is deliberating on medical assistance in dying. Thirty or even 10 years ago, the ability to end someone's life was not as clear as that, Mr. Di Iorio. Things can certainly change. They will change over time.

The Chair: Thank you very much.

Ms. Lapointe, go ahead.

Ms. Linda Lapointe (Rivière-des-Mille-Îles, Lib.): Already? I'm sorry.

• (1615)

Mr. Darrell Samson (Sackville—Preston—Chezzetcook, Lib.): I'm sorry, it's actually my turn.

Ms. Linda Lapointe: Yes, that's it. It's Mr. Samson's turn. That's why I was surprised.

The Chair: Oh, it's your turn, Mr. Samson? No problem.

Go ahead, Mr. Samson.

Mr. Darrell Samson: I'm all excited, thank you.

Ms. Linda Lapointe: I knew it wasn't my turn.

Mr. Darrell Samson: Thank you very much for being here today. I appreciate the dialogue. It is extremely important. As my colleagues said, it's not a question of willingness, it's a matter of the responsibility we have.

You often mention the very low rate of complaints at 0.00024%. I am going to focus on this argument.

According to your evaluation, there is a dissatisfaction rate of 6%. And 6% of the number of travellers is the equivalent of 2.5 million Canadians—at least I assume that they are Canadians. The majority, 80%, of the dissatisfied people is probably made up of francophones and Acadians. This means that, compared to the total population of francophones in Canada, which is in the order 7.5 million, one-third of francophone Canadians complain. That's huge.

What do you think?

Mr. Calin Rovinescu: I am sure that all the political parties around this table would like to have a 94% success rate in an election.

When we say that 94% of people are satisfied, it doesn't mean that all the other people complain. The survey asked people whether they felt that Air Canada has met their expectations. This does not mean that the other people are not satisfied.

We would love to have a satisfaction rate of 100%, and we will continue to work toward that. We feel that we have made a great deal of progress. We have a satisfaction rate of 94%, which is three points higher than last year. So the satisfaction rate continues to grow.

Mr. Darrell Samson: I appreciate that, but my concern is that the 2.5 million figure represents one-third of all francophones. That is huge for us. The language issue is therefore very important.

Furthermore, what do you do to promote language rights? Do you have a system that notifies customers that they have the right to be served in the language of their choice? Do you have a system in place that encourages people to ask questions or to file a complaint?

Mr. Calin Rovinescu: Thank you.

I will ask Ms. Meloul to answer.

Mrs. Arielle Meloul (Vice-President, Human Resources, Air Canada): First, I must say that this is done at two levels. First, we are very active about educating our employees. They know that they have the obligation and duty to provide services in both official languages. If they are not able to do so, they must notify the customers, as Mr. Rovinescu said, and they must find someone who is able to do so. Second, our customers know that they have the right to receive services in both official languages. Our employees know it and they have the tools to deliver the services.

Mr. Darrell Samson: Perhaps there should be a form in Air Canada's booklets to allow people to make comments or complaints.

Mrs. Arielle Meloul: Absolutely. It is also possible to do so in our customer satisfaction surveys.

Mr. Darrell Samson: In our questions to the commissioner, we talked about the number of registered complaints. Do you have an internal system to receive your passengers' complaints regarding official languages? The 54 complaints come from the office of the commissioner. Do you also receive complaints? Do you have a figure for the internal complaints received?

Mr. Calin Rovinescu: Ms. Sénécal, could you answer?

Ms. Louise-Hélène Sénécal: To my knowledge, all official languages complaints are also filed with the Office of the Commissioner of Official Languages.

Mr. Darrell Samson: In my view, if those complaints represent 10%, that's a lot. It must be said that a lot of people complain, but they will not file an official complaint, as that would involve additional costs because of judges and lawyers.

Ms. Louise-Hélène Sénécal: We can check.

Mr. Darrell Samson: I feel there must be at least 10 times more internal complaints.

Ms. Louise-Hélène Sénécal: That would be surprising. We will check whether there are statistics on the matter.

Mr. Darrell Samson: I would appreciate that.

Let's go back to what my colleague was saying earlier about collective agreements. The Official Languages Act takes precedence over collective agreements. You said that you would improve. Will you be taking steps in the near future to ensure that the Official Languages Act takes precedence over the collective agreement?

Mr. Calin Rovinescu: We said that we would follow what is in the action plan.

Mr. Darrell Samson: Yes, measures are specified in the action plan.

Mr. Calin Rovinescu: Yes, they are already indicated and set out in the action plan.

Mr. David Rheault: In fact, some provisions in the collective agreements already require us to comply with the Official Languages Act. We are trying to improve that.

•(1620)

Mr. Darrell Samson: Yes, but the commissioner's report states that Air Canada uses as an excuse the fact that collective agreements limit its ability to comply with the act. It says so in the report.

Mr. Calin Rovinescu: He says that it is an excuse, but it is not an excuse for us. It's as simple as that.

Mr. Darrell Samson: Okay.

Mr. David Rheault: Let me read a passage from the commissioner's 2011 report:

We recognize that Air Canada is making an effort to ensure that there is always at least one bilingual flight attendant on board each flight, and two on larger aircraft. During a review of over 80 lists of crew working on multiple flights, we were able to verify this practice.

Those rules are already set out in the collective agreement.

Mr. Darrell Samson: That's fine, thank you.

The Chair: Is that all?

Mr. Darrell Samson: Yes.

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

Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC): Good afternoon, everyone.

I feel that I'm reliving an old dream, watching an old film again. I was here between 2006 and 2011, and we were having the same discussions. In 2016, I am back here, and we are talking about the same issues.

I have read every possible report on Air Canada. Just recently, we travelled to our convention in Vancouver. During the flight between Montreal and Vancouver, the three people working on board spoke English only. At one point, my colleague sitting next to me asked for a glass of water and was told: "I'm sorry, I don't speak French." That was three weeks ago.

It is unthinkable that, in 2016, someone, whether they are bilingual or not, does not understand what "*un verre d'eau*" means. I can imagine that it is difficult to comply with the Official Languages Act, but two languages are recognized in Canada: French and English. In 2016, we should not still be fighting to be served in our own language. After 50 years, six official languages commissioners, a thousand complaints and so many recommendations, I take a step back and say to myself that these people clearly don't get it.

What have you learned during all these years since the Official Languages Act came into force and from all the recommendations made by all these parliamentarians?

I should perhaps ask you instead what you don't understand about being an entity subject to the Official Languages Act. At some point, this can become a little irritating for the average person.

Mr. Calin Rovinescu: First, in terms of the situation you are describing, I would ask that you allow our people to do the necessary checks. It is surprising. Perhaps it's a situation we are not aware of. As you can imagine, given the number of flights, I can't tell you what happened in that case. Ms. Meloul will be able to look into that. As I said earlier, we may have not been able to find someone to replace an employee who was sick. I don't know.

That said, in his 2012-2013 report, our friend the commissioner said the following:

Air Canada has also improved its performance since 2008. In 2012, the visual active offer was present 100% of the time in five airports. In the other three airports, Air Canada received close to perfect scores for visual active offer.

The national carrier also scored high marks for availability of service in the official language of the linguistic minority.

And it goes on. I am not saying that it's perfect, but the situation you are describing on the flight between Montreal and Vancouver is really an exception. That should not happen. As in many cases, someone did something they should not have done.

The commitment is firm. However, for the industry, the standards need to be reasonable and everyone needs to understand them. People need to be aware of the expectations. Is the expectation for things to be perfect all the time or not? We propose that a committee or some kind of process be set up to improve bilingualism in the industry.

Mrs. Sylvie Boucher: What would you do if the government implemented all the new recommendations of the report by the Commissioner of Official Languages? Would you comply with them?

•(1625)

Mr. Calin Rovinescu: We just said that we are against all that. We don't think it's appropriate. Our suggestion is that an entity with expertise in air transportation make the recommendations.

Mrs. Sylvie Boucher: My understanding is that, if the government implemented all the recommendations, you would not agree to follow them, and that would be a definite no.

Mr. Calin Rovinescu: What I'm saying is that we are against the commissioner's recommendations. We will continue to discuss and work toward achieving a system that works a lot better than the current system.

Mrs. Sylvie Boucher: Which system do you think would work best?

Mr. Calin Rovinescu: That's what I just said. We need a system with rules and expectations that reflect the industry. If the service falls short during the flight, recourse may indeed be available, but it should apply to everyone. You can read my comments in our report.

Mrs. Sylvie Boucher: If the government sets out regulations for you to follow and you refuse, what would the repercussions be on your company?

Mr. Calin Rovinescu: We saw the documents from the commissioner last week. We have not had a chance to study the matter with our lawyers between last week and today. We will continue to look at what we can do. As I just said, language standards need to be applied to the entire industry, to all the airlines.

Mrs. Sylvie Boucher: I want you to know that not all companies have been under the jurisdiction of a government. Air Canada was privatized and signed a contract. You have a responsibility in terms of official languages. The other companies are private and have never been under the jurisdiction of the Government of Canada. I understand your frustration, which you have often expressed in your document. By the way, I found the tone in your document a little aggressive.

The other companies have not been under the jurisdiction of a government before. When Air Canada was privatized, it signed a contract. I am not the one who was there and signed the contract. You are subject to laws—

Mr. Calin Rovinescu: There was no contract with—

Mrs. Sylvie Boucher: Just a moment. You are subject to the Official Languages Act. What more do you need? What do we, parliamentarians or anyone else, need to do to ensure that you comply with it?

Mr. Calin Rovinescu: Mrs. Boucher, we comply with the Official Languages Act. As we just said, bilingualism is not a cut and dried process. In every situation, the process is complicated. The satisfaction rate is 94%. I know that you don't want to hear it, but let me reiterate: the complaint rate is 0.000024%. So we do comply with the act. That's the first thing.

Furthermore, there was no contract to sign. Here's how the privatization process worked. In 1988, the government decided to privatize the company. At the time, it imposed certain conditions, in light of Air Canada's size. Since then, Air Canada has become smaller compared to the air industry. We represent 50%, and the others represent the remaining 50%. There have been changes. It's as simple as that.

You are discussing medical assistance in dying. I think you could also discuss the evolution of a company that was privatized 30 years ago.

Mrs. Sylvie Boucher: With all due respect—

The Chair: Mrs. Boucher, your time is up.

Ms. Lapointe, you now have the floor.

Ms. Linda Lapointe: Thank you very much, Mr. Chair.

I will move ahead a bit and make a suggestion.

My colleague said that, when she was on the plane to Vancouver, someone asked for a glass of water in French and the person did not understand what she said. You said that you have the tools and reminders for your employees. Perhaps you need pictures for very simple things, to show for instance what a glass of water is. I'm sure they can understand "*agua, por favor*". It is really awful that, on a flight from Montreal to Vancouver, the crew can't understand the words "*un verre d'eau*".

If you are developing tools for your employees, you should include pictures. As a francophone, I find it very frustrating to see that we can't be served properly.

A voice: There is compensation for—

• (1630)

Ms. Linda Lapointe: I haven't finished.

There's something else. When you go—

Mr. Calin Rovinescu: Have you personally experienced something like that on one of our flights?

Ms. Linda Lapointe: That's not what I am talking about. I am referring to my colleague's remarks.

Mr. Calin Rovinescu: I am asking you a question. Have you had a—

The Chair: Mr. Rovinescu, Ms. Lapointe has the floor, if you don't mind.

Ms. Linda Lapointe: Thank you. I will continue.

When you want to make a complaint on the Air Canada website, you can click on a link for language-related complaints. So I am a little surprised that you don't have the data on those complaints and that you are not able to confirm them.

Ms. Louise-Hélène Sénécal: I said that we would check and provide you with an answer.

Ms. Linda Lapointe: There's a link on the website.

I will ask another question related to human resources again.

In the Canadian public service, an annual bilingualism bonus of \$800 is provided to employees. Do you provide an incentive like that to your employees?

Ms. Louise-Hélène Sénécal: We apply the principle of privileged seniority.

Mr. David Rheault: We have recognition awards for the employees who demonstrate an ability to provide service in both official languages. We have even set up a new program this year to improve the recognition awards.

Ms. Linda Lapointe: I will make a comment on what you said earlier.

You are asking that all Canadian airlines be subject to the same rules as you. A little earlier, you said that you had a hard time finding bilingual workers. If the same rules applied to everyone, there would be major problems. There are problems already.

Could you elaborate on your suggestion to broaden the application of the rules?

Mr. Calin Rovinescu: What I said is that, in Canada, based on the statistics that probably come from the Canadian census, which is now mandatory, 17% of people are bilingual. Those are not my figures. The bilingual people outside Quebec represent 10% of the population.

At Air Canada, 50% of people dealing with customers are bilingual. We are already ahead of other companies on that front. I am just saying that the standard used to evaluate whether a company is doing well, whether it has successes or failures, should be the same for all companies.

Ms. Linda Lapointe: Thank you.

By the way, my riding is between the two Montreal airports, and many of the residents work in air services. For your information, 50% of our residents are bilingual.

Mr. Calin Rovinescu: Like us.

Ms. Linda Lapointe: You have been the president of Air Canada since 2009, which you said earlier. You are also the president of Star Alliance, which includes airlines that are required to operate with more than one official language. There is Swiss International Air Lines, Brussels Airlines, and Adria Airways.

Given that you have been the president of Star Alliance for a few years, have you discovered any good practices when it comes to official languages?

Mr. Calin Rovinescu: Yes, people speak many languages in Switzerland, Austria and Germany, in particular. The reality of these companies is a little different than ours. They hire multilingual employees. As for us, this brings about another problem, because people who speak a language other than English or French are difficult to integrate into the service.

The dynamic of these countries is different, and I would say that, compared to them, our statistic of having 50% bilingual people who work with customers is probably still very high. I don't know whether this statistic is higher than theirs, but it's probably among the highest when it comes to bilingualism. I would even say that it is higher than Swiss International Air Lines.

Ms. Linda Lapointe: Swiss International Air Lines operates with four languages. We only have two. It seems to me that it should be fairly easy to meet the needs.

Mr. Calin Rovinescu: With Swiss International Air Lines, it's important to point out that Germans often speak German and English, but not necessarily French.

Ms. Linda Lapointe: Right. Thank you.

You mentioned that half of your staff is bilingual. Are we talking about employees who deal with customers?

Mr. Calin Rovinescu: Exactly.

Ms. Linda Lapointe: Thank you.

I'll stop there.

The Chair: Thank you very much, Ms. Lapointe.

Ms. Linda Lapointe: Mr. Chair, Mr. Arseneault would like to use the rest of my time to ask a question.

The Chair: Mr. Arseneault, you have the floor.

Mr. René Arseneault: I want to follow up on something my colleague, Ms. Boucher, said. Unlike Mr. Rovinescu, you and I both know, Ms. Sénécal, that simple complaints submitted to the Air Canada office are settled out of court. I don't know how many complaints have been settled. I know the court considered \$1,500 a completely reasonable amount to compensate for Air Canada's failure to meet language requirements.

If, for example, the passengers on Ms. Boucher's flight call your office to complain, can they expect to receive \$1,500?

Ms. Louise-Hélène Sénécal: No.

Mr. René Arseneault: Is the public to understand that, for Air Canada, secretly paying out \$1,500 or some other amount is easier than respecting language rights?

• (1635)

Ms. Louise-Hélène Sénécal: No, that's going a bit too far. Our passengers on the flight from Montreal to Vancouver were likely travelling abroad. We'll look into it.

That said, a \$1,500 settlement following a complaint is quite rare.

The Chair: Thank you.

Thank you for speaking with us, Mr. Rovinescu. We would like the people with you to stay to continue the discussion in the second hour. If the committee members want to hear from you again, you can come back.

In the meantime, thank you for being here today.

Mr. Calin Rovinescu: Thank you.

The Chair: Thank you.

The meeting is suspended for a few minutes.

• (1635)

_____ (Pause) _____

• (1640)

The Chair: The meeting is reconvened.

Thank you for staying with us.

Since no witnesses need to be introduced—they were introduced at the start of the first hour—we will begin immediately with questions from members, as planned. They will have six minutes. If some members want to share their time, they are free to do so as long as they let me know.

Mr. Généreux, go ahead.

Mr. Bernard Généreux: Thank you, Mr. Chair.

Thank you to the witnesses for staying to answer our questions.

Your boss has left. Normally, that's when the mice come out to play. You are therefore invited to play as much as you like.

My colleague, Ms. Boucher, said earlier she found the president's tone somewhat—

Mrs. Sylvie Boucher: —aggressive.

Mr. Bernard Généreux: From the perspective of people outside Air Canada, some level of frustration is understandable, to say the least. The employees were very disappointed with the commissioner's report because it failed to acknowledge their efforts. The president spoke about it earlier, and it really caught my attention. Personally, I find that very unfortunate. I, myself, am a business owner. I know we try hard to provide good service to our clients, and sometimes it's not acknowledged as much as we would like it to be.

Here, in the public realm, you're subject to all sorts of things, and you're even more in the public eye. You have made considerable efforts, and the president spoke about them. Unfortunately, I did not have the chance to speak about something a bit earlier. In your last five reports, you estimated that you needed about \$2 million to fulfill your obligations. Is that right?

• (1645)

Ms. Louise-Hélène Sénécal: The \$2 million covers the language training budget only. It does not cover all the translation costs, including the costs for translating all the pictograms, bilingual advertising, and other things. That's not a complaint. I simply want to make things clear. The \$2 million covers only the language training program. It does not include the travel costs for staff on training. Also, if the staff are studying, they're not working.

Mr. Bernard Généreux: I want to look at these amounts. In general, have they remained fairly stable over the years, or have they increased?

Mr. David Rheault: I want to go back to the start of your question, when you referred to aggressiveness. I think conviction is the better word. We did express a certain level of frustration, since the reports highlight what didn't work very well. However, we would also like to talk, as Mr. Rovinescu did, about what works. Unfortunately, it's not mentioned.

Dissatisfaction is the feeling most often expressed to us by employees who were not pleased. A great deal is being done. Consistent efforts are being made to improve bilingualism at Air Canada, and this was explicitly acknowledged in some of the commissioner's reports.

I agree with you. The situation isn't perfect, and work still needs to be done.

Mr. Bernard Généreux: Do you think a more positive approach can be taken to resolve the issue, which has been going on for years? I'm referring to the relationship between you and the government.

Mr. David Rheault: Obviously, for us—

Mr. Bernard Généreux: If so, what are the options?

Mr. David Rheault: We always use a positive tone to deliver the message to our employees. We try to take pride in showing that bilingualism is a matter of providing quality client service.

Mr. Bernard Généreux: You spoke of conviction, and the president's message was quite clear. He was convinced that it should extend to the entire industry, and not only to Air Canada. He made himself quite clear.

Your apparent frustration with the issue is noticeable in different activities or actions, in various reports, or in other aspects of daily life. It sometimes comes across as though internally, there's a certain culture of disgust concerning the requirement to serve people in French. This was noted when the president told us that only 17% of Canadians are francophone.

Mr. David Rheault: No, not at all.

Mrs. Arielle Meloul: No.

Mr. David Rheault: I think the frustration stems from the commissioner's reports, the tone used, and the way our efforts and actions are judged by the commissioner. References were obviously made to the Federal Court of Appeal and Supreme Court of Canada decisions. It should be known that the decisions are relatively recent. The commissioner got involved in the files handled by the courts, argued that Air Canada had systemic problems, and requested extraordinary orders. The courts rejected the request.

We were able to show all our efforts. The courts ruled that the commissioner's allegations did not match the evidence and acknowledged that Air Canada did not have a systemic problem. That said, the court acknowledged that, in some situations, the Official Languages Act was not respected and employees failed to provide services in French. Although the court made that acknowledgement, it first recognized that these cases did not warrant exceptional measures because Air Canada was aware of its obligations and met them.

• (1650)

The Chair: Mr. Samson and Mr. Lefebvre will share their speaking time.

Mr. Darrell Samson: I will ask you a number of questions about your survey.

You referred to a survey indicating that 94% of people were satisfied. If I'm not mistaken, Ipsos Reid conducted the survey.

Can you tell us which methodology was used to conduct the survey?

Mrs. Arielle Meloul: Yes. It was an independent survey conducted by Ipsos Reid. The company asked 5,300 Air Canada passengers about their level of satisfaction with the bilingual services.

Mr. Darrell Samson: Can you provide the committee with details on the methodology used for the survey or a copy of the survey?

Mrs. Arielle Meloul: We need to check.

Mr. David Rheault: We need to check.

Mrs. Arielle Meloul: We need to check with the company.

Mr. Darrell Samson: Can you provide us with a copy of the mandate you established for the company's service offering to conduct the survey?

Mrs. Arielle Meloul: Yes, we can look into that. The survey is conducted each year. Honestly, at this point, I think it's a verbal agreement. Regardless, we can see what we have.

Ms. Louise-Hélène Sénécal: Can I add—

The Chair: One moment, please.

Can you send the documents to the clerk's office so he can distribute them to the committee members?

Ms. Louise-Hélène Sénécal: Yes.

Ipsos Reid is a professional polling firm, like Léger Marketing and Nanos. Those people would never accept a mandate in which we asked them to ensure the survey showed such and such a thing. It's a reputable independent polling firm.

Mr. David Rheault: That's exactly why we deal with a recognized outside company.

Mr. Darrell Samson: I'm sure. I just wanted to have a chance to consider it. Also, we may have suggestions for the future. That's why I want details on the methodology.

You probably exchanged correspondence with the company regarding the survey. Can you send it to us?

Mrs. Arielle Meloul: We'll see what we have.

Mr. David Rheault: We'll check whether correspondence was exchanged after the survey was received.

The Chair: You can then inform the clerk.

Mr. David Rheault: Absolutely. That's the plan.

The Chair: Thank you.

Mr. Lefebvre, go ahead.

Mr. Paul Lefebvre: Thank you, Mr. Chair.

I would like to go back to Mr. Généreux's comment. We would like to see Air Canada consider bilingualism an advantage rather than an inconvenience. The president, Mr. Rovinescu, told us today that he would like a level playing field, the expression used in the business world, and for everyone to be on an equal footing. That's why I think he likely sees bilingualism as an inconvenience. He could tell us it's an advantage. Even though he doesn't agree with the content of the commissioner's report, he could tell us that Air Canada wants to improve and will make every possible effort to do so on an ongoing basis. That's what we'd like to see, but today we saw frustration with the report and with having to be here. That's also somewhat frustrating for us.

I will now speak a bit about Jazz.

Ms. Sénécal, when you appeared before the committee in 2010, you said that Jazz had been created as a private company, separate from Air Canada.

Mr. Di Iorio asked a question earlier about the collective agreement. There was a discussion about the fact that employees could use the language of work of their choice. I think that applies to Air Canada. It concerns part V of the Official Languages Act.

Do Jazz employees have the same rights as Air Canada employees under their collective agreement?

Ms. Louise-Hélène Sénécal: It's not rights, but obligations.

Our relationship with Jazz is not based on control. We have a contractual relationship with the company. In our contract, we ask Jazz to provide services in the other official language when the demand is high, to comply with the act. Jazz is responsible for managing how its employees provide the service. We periodically check on the company. We tell the company that it must arrange to provide the service.

Mr. Paul Lefebvre: Service is one thing, but what about the employees?

Ms. Louise-Hélène Sénécal: Jazz employees have never had the right to work in the language of their choice.

Mr. Paul Lefebvre: However, Air Canada employees do have that right.

• (1655)

Ms. Louise-Hélène Sénécal: For Air Canada, the obligation is direct.

The obligations imposed on Jazz are set out in section 10 of the Air Canada Public Participation Act, which was amended in 2000. This section requires that Air Canada see to it that the services provided by its subsidiaries respect official languages. When Jazz stopped being an Air Canada subsidiary, it began to operate flights for us at that time. We changed our business model.

Section 25 of the Official Languages Act states that the federal institution must ensure that the companies that provide services for it comply with official languages obligations.

Whether it be a subsidiary or a separate company that provides services for us, Air Canada's obligations remain the same.

Mr. David Rheault: I would like to add something.

Over the past 15 years, at Air Canada's request, Jazz has increased its proportion of bilingual flight attendants, which has gone from 26% to almost 80%. At Jazz, almost 80% of flight attendants throughout the country are bilingual. That is what explains that more and more...

The Chair: Thank you, Mr. Rheault. Mr. Lefebvre's speaking time has expired.

We will now hear from Mr. Choquette.

Mr. François Choquette: Thank you very much, Mr. Chair.

You mentioned among other things that you did not like the commissioner's report, but in fact successive commissioners' reports have shown that there are problems.

In this regard, there have been five bills that aimed to improve the situation and to beef up bilingual services at Air Canada, in 2005, 2007, 2008, 2011 and 2015. Unfortunately, these bills never saw the light of day, which was also due somewhat to a lack of political will.

The commissioner says that that is enough and that we must act so that there is finally a bill. In this regard, I would like to move a motion I already tabled, which we may debate and vote on later. It reads as follows:

That the Official Languages Committee make it a priority to undertake an emergency study of Air Canada and the application of the Official Languages Act. That this study begin on June 13, involve a maximum of six meetings, and conclude in October 2016.

We can talk about it later.

The Chair: You may consider your motion tabled.

Mr. François Choquette: Thank you, Mr. Chair.

The CEO, Mr. Rovinescu, mentioned that none of the commissioner's recommendations were acceptable. I don't understand how it can be said that none of the commissioner's recommendations are acceptable, since he is offering parliamentarians three choices. The objective is not to slap you on the wrist, but to help you and to work with you in order that the Official Languages Act be respected.

My preamble is a bit long. I will conclude by saying this. In your document, you say you intend to consult minority official language groups. I find this interesting, because groups that represent official language minority communities, such as the FCFA, have told us that we have to give the commissioner greater powers.

I see a contradiction in what you are saying. You say that you don't want to do anything, that you would rather consult people, but at the same time, you don't want to listen to the recommendations, such as that of the FCFA, that we give the commissioner greater powers.

Mr. David Rheault: I would like to comment on part of your preamble.

You say that we disapprove of all of the commissioner's reports. I must reply that there are certain reports and certain things he did which we do approve. For instance, in 2008 and 2012, when the commissioner compared Air Canada with the airport authorities and CATSA, he compared the various industry entities. In each case, Air Canada showed a higher level of compliance with official languages than its peers in the industry. You may consult the commissioner's report. It is detailed and contains charts showing the various points of service that were analyzed. We do make efforts, which the commissioner acknowledged.

Moreover, you said that the purpose of the recommendations in the last commissioner's report was not to slap Air Canada on the wrist. However, when there is talk of imposing fines, I think we are headed somewhat in that direction. I am going to let Ms. Sénécal talk about this, but our approach is to say that we must examine the industry as a whole in order to assess the rights of passengers. The commissioner is not opposed to that. He said in his report that he was in favour of the standardization of passengers' language rights. He also quoted the Standing Senate Committee on Official Languages, which made the same recommendation. Consequently, Air Canada's approach to the industry is also shared by other authorities.

• (1700)

Ms. Louise-Hélène Sénécal: I want to specify that, in the commissioner's last report, the five recommendations you mentioned and which we oppose are coercive measures directed at Air Canada alone.

However, if we look at the facts, Mr. Choquette, if we consult the previous reports, we see that it is not true that Air Canada is the worst offender. Over most of the past years, Canada Post has had a worse record than Air Canada. When comparisons were made, airport authorities had a higher number of complaints than Air Canada. You have to look at the government apparatus itself. For statistical purposes, the commissioner chose to separate the departments. Put them back together and you will see that the number of complaints about Air Canada is minuscule in comparison to the whole.

Mr. François Choquette: Only for...

Ms. Louise-Hélène Sénécal: We are opposed to coercive measures directed only against Air Canada, which, in our opinion, would not be legal.

Mr. François Choquette: On this, Ms. Sénécal, I will reply that a measure was suggested, and I tried three times to get your CEO to say that it could turn out to be very interesting. In fact, the FCFA has also asked for that measure. I am referring to the possibility of having binding agreements. This would not only apply to Air Canada, but to any organization that did not comply with the Official Languages Act. So it is not accurate to say that it is an attack against Air Canada alone.

Yes, the commissioner observed that there were problems at Air Canada, and one of the responses to that would be binding agreements that could be turned to whenever an organization or a department did not comply with its official language obligations.

How much time do I have left, Mr. Chair?

The Chair: You have a little time left. We will hear the answer.

Ms. Louise-Hélène Sénécal: Mr. Choquette, the commissioner's report is about measures that only target Air Canada. He is suggesting amendments to the Air Canada Public Participation Act.

The Chair: Fine.

The next person to have the floor will be Ms. Lapointe.

Ms. Linda Lapointe: Thank you.

Let's continue.

According to the Official Languages Commissioner, certain complainants emphasized the negative attitude shown by Air Canada employees when they asked to be served in French. Why, in your opinion, do certain employees react negatively to service requests in French, whereas Air Canada seems full of good will and sensible on this issue? It is as though it is difficult to instill a culture, as we said earlier. What is your opinion?

Mr. David Rheault: Of course I listened to the commissioner's appearance here. They spoke of disdain and contempt being shown on some occasions. When the Thibodeau case went before the courts, the court specified that Air Canada employees had not shown contempt, and that Air Canada employees had not had a contemptuous attitude toward the passengers.

Ms. Linda Lapointe: They spoke about a negative attitude.

Mr. David Rheault: People talked about disdain and contempt. I will tell you honestly, I am coming back to that because this affected me, it affected me and affected people around me.

Ms. Linda Lapointe: That is not what I said. I spoke about a negative attitude.

Mr. David Rheault: Your question refers to attitude, which is of course a matter of individual behaviour. Institutionally, we try to instill a culture of service in our employees. That is one of our four main priorities. Now we have to reinforce the message, and we do that. After the meeting, I can show you various tools we use. You spoke about photos. We have produced an air-lexicon for our employees in order to teach them simple things. We are in the process of making cards with easy words on them which we are going to place in the airports to encourage our employees to use them.

All of the new managers at Air Canada—

The Chair: Could you table those with the committee?

Mr. David Rheault: Yes, certainly.

Ms. Linda Lapointe: Nevertheless, some of them don't seem to have received them. It seemed difficult during the flight between Montreal and Vancouver.

Mr. David Rheault: When you have thousands of employees that deal with the public, you always have to reinforce the message and you need to make sustained efforts. That is why I said earlier that there is no status quo. We keep trying.

We also understood that it is important that this be top-down, that it come from management. I'll give you an example. Every six months, we hold a meeting with all of the new managers at Air Canada. We make a presentation to them that is strictly about official languages. Even if these people are not necessarily in contact with the public, we let them know that bilingualism is important in our organization, that they must apply it in their sections and that they must be aware of it. We give them three or four simple things to do on a daily basis.

Of course, that is not a magic recipe. We have to repeat simple messages, and that is what we do.

• (1705)

Ms. Linda Lapointe: Thank you.

We encourage you to continue to improve things.

Mr. David Rheault: We are very open to that.

Ms. Linda Lapointe: I am from a client service environment, and believe me, if an employee did not answer one of my clients properly, it did not take a year for that person to hear about it. He knew in less than an hour.

Mr. Paul Lefebvre: Nor 30 years.

Ms. Linda Lapointe: He or she was made aware very quickly that our clients were our livelihood. The clients who board your planes are those who pay all of your salaries. Please keep that in mind.

I read somewhere that the language complaints came mostly from the employees. Some of the complaints came from the clientele, but according to what I read, they were mostly filed by employees who wanted to work in French but had trouble doing so.

Mrs. Arielle Meloul: On average we receive three to five complaints a year on language of work.

Ms. Linda Lapointe: Okay, but it seemed to be more than that.

Mrs. Arielle Meloul: That is not at all one of our internal problems.

Ms. Linda Lapointe: Fine.

Earlier I talked about complaints, such as the ones from the clients. How does the complaint submission process work? I spoke briefly about a link on the website. When someone uses your services, either for a reservation on the website or something else, is there some way of informing them of their right to submit a complaint? If so, where is the information on how to submit a complain?

Mr. David Rheault: It is in our *enRoute* magazine.

Ms. Louise-Hélène Sénécal: It is in the *enRoute* magazine that people can look at during their flight. There are also online services that are completely bilingual. Our services, be it on the web, web applications or at our kiosks, are all offered in both official languages. You choose the language of your choice at the beginning.

When you call our services, you choose your language and are directed toward the appropriate call service. An agent can then take your call in the language of your choice. That is already there. Moreover, on our website and—

Mrs. Arielle Meloul: It is in our *enRoute* magazine which is on all of the seats.

Ms. Louise-Hélène Sénécal: The *enRoute* magazine is there at every seat.

Ms. Linda Lapointe: So it is in the *enRoute* magazine. Fine.

Mr. David Rheault: I would like to add something.

You spoke about the client service aspect, which is very important.

Ms. Linda Lapointe: It's fundamental.

Mr. David Rheault: It is fundamental. We are a service industry.

However, you must keep in mind that insofar as official languages are concerned, it is sometimes very difficult for the industry, operationally speaking, because the employees move around a lot. In an airport, employees move a lot. There are gate changes and all of that.

There have been no complaints about the call centres. It's an environment that is quite easy for us because 60% of our employees in call centres are bilingual. So it is very easy to redirect the calls.

However, in an extremely dynamic environment like an airport, it is sometimes more difficult. The recipe is to inform the employees, and the other recipe is to recruit them. We have to hire bilingual people as much as possible. We are determined to do so.

Ms. Linda Lapointe: Thank you very much.

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

Mr. Arseneault, you have the floor.

Mr. René Arseneault: Thank you very much, Mr. Chair.

I'd like to obtain some information on the Air Canada brief presented in the context of the review of the Canada Transportation Act in February 2015. That is quite recent.

In paragraph 418, it says that a sum of \$2 million is in the budget, for handling complaints among other things. You stated that it was only for language training. However, this paragraph specifies that the \$2 million committed to comply with the provisions of the Official Languages Act comprises the following elements as well: teachers' salaries, language tests, recruitment programs, and the salaries of the employees who handle complaints relating to the Official Languages Act.

Ms. Louise-Hélène Sénécal: That is the equivalent of one and a half persons.

Mr. David Rheault: Of course, the translation budget for all of the Air Canada documents and its website is not included in that. Those are additional amounts. Yes, we have to respect our obligations under the act, but we also have to provide quality bilingual service to our clients.

• (1710)

Ms. Louise-Hélène Sénécal: That includes staff salaries while they are taking courses.

Mr. René Arseneault: Do the employees who work full time on complaints related to the Official Languages Act keep a record of the number of complaints they receive annually? If you pay one and a half employees per year for this, it means there must be complaints.

Ms. Louise-Hélène Sénécal: That person processes files with the Official Languages Commissioner. They speak twice a week. That person works in cooperation with the Commissioner of Official Languages.

Mr. David Rheault: However, these employees also do other things. The employees who process complaints related to official languages also have other mandates. This means that the employee processes the complaints, but their job description contains other aspects related to that.

Let's say there were 50 complaints a year. Often, this requires a lot of correspondence. It requires an investigative process. We have to check to see what happened, a task that is not easy, because often we are only informed of the complaint several months after the event in question.

Ms. Louise-Hélène Sénécal: Or a year later, sometimes.

Mr. René Arseneault: I don't want to repeat what I asked you earlier, but is there some way of knowing exactly how many complaints you receive in your offices? I am talking about the ones that go directly to Air Canada offices.

Mr. David Rheault: We committed to looking into that and providing information to the clerk.

Mr. René Arseneault: That's good, perfect.

Is there also some way of providing a copy of your recruitment program?

Mr. David Rheault: Which program?

Ms. Louise-Hélène Sénécal: We do not have any document that is entitled recruitment program as such—

Mr. David Rheault: Could you specify what it is you are looking for exactly?

Mr. René Arseneault: In your brief, you mention the recruitment program which you—

Mr. David Rheault: When we referred to a recruitment program, I don't think we were talking about a document as such. You have to see this as a reference to all of the efforts we make to hire people.

The Chair: So that is your recruitment policy, correct?

Mrs. Arielle Meloul: It is our recruitment policy.

The Chair: And is there some way of providing us with a copy of your recruitment policy?

Mrs. Arielle Meloul: I don't think so. We are going to check, but when we talk about a recruitment policy, it means that we explain to our recruitment team, as to all of our employees, what our language obligations are so that they understand, when they hire, that they must meet certain—

Mr. René Arseneault: Forgive me for interrupting you, but I have very little time.

You say that this is part of your \$2-million expenditures, but in reality, these are not expenses at all.

Mrs. Arielle Meloul: Yes.

Mr. René Arseneault: So you don't have a recruitment program or policy that costs you any money.

Mrs. Arielle Meloul: Correct.

Mr. David Rheault: I'll give you an actual example. Recently, we were looking for staff for the St. John's airport, in Newfoundland and Labrador. It's not easy to find bilingual people in St. John's, so we sent two people there. We dealt with a francophone association in the province to help us meet candidates. We took that step as part of our recruitment program and efforts. Now, is that initiative recorded in a document?

We undertake all kinds of ad hoc initiatives like that, as the need arises. We did the same thing in Calgary and Edmonton not that long ago. We sent personnel to French-speaking communities in Alberta to talk about our needs and try to recruit flight attendants. I don't know whether we—

Mr. René Arseneault: I understand. I don't have a lot of time.

You've often pointed to the fact that other airlines in Canada are not under the same obligation and thus the same burden as Air Canada and that it's not quite fair competition-wise.

Have you ever measured the benefits Air Canada, the country's national air carrier, derives from providing bilingual service? Have you ever measured that? Do you have a mechanism to assess the added value providing bilingual service brings?

Mr. David Rheault: Obviously, serving customers in both official languages is one of the services we offer our clientele. It's part of our service offering. We are very proud of that, but I don't think we've ever assessed that element specifically.

Mr. René Arseneault: So you don't have any program, any method, any study, or any assessment?

Mrs. Arielle Meloul: I don't think we have an assessment program, but I can tell you that, when we explain it to our staff, we do so in a very positive light. It's part of the services we offer our customers. So, in that sense, it gives us a competitive advantage. Yes, we tell our people that being bilingual is a good thing, that it matters, and that it's one of the services we provide to customers. We present it to our employees through a very positive lens, as Mr. Rheault said earlier.

Mr. René Arseneault: Do I have any time left, Mr. Chair?

The Chair: A few seconds.

Mr. René Arseneault: Thank you very much.

The Chair: It's now over to Mr. Nater.

● (1715)

Mr. John Nater (Perth—Wellington, CPC): Thank you, Mr. Chair.

[English]

First, I just want to say that I do recognize that significant efforts have been made by Air Canada to encourage bilingualism and to provide bilingual services. I use Air Canada from London, Ontario to Ottawa, and I've been quite impressed with the bilingual service, despite there not being a large francophone population in southern Ontario. I do appreciate that.

My concerns rest, though, with Air Canada's seeming defensiveness when it comes to official bilingualism, as though it were a burden. It's been mentioned time and time again by them that this is somehow a burden that's not placed upon other airlines. I just want to go back to something that Mr. Généreux said at the beginning: is there not an acceptance that Air Canada is different from every other airline? Is there not an acceptance of that simple fact that, because of the unique nature of Air Canada, it does have this extra requirement?

Mr. David Rheault: First, on your comment regarding the defensive nature of Air Canada with respect to official languages, I would just say that in some instances where we are actually sued before courts, we have to defend ourselves. That's the nature of the judicial system in which we live. If we look at the complaints—and we raised the Thibodeau matter before.... Actually, the court awarded certain damages, but the lawsuit was for half a million dollars, and the commissioner asked for a structural remedy against Air Canada, so we were put in a situation where we had to defend ourselves. That is the first thing I really want to clarify for the record.

The other thing I would mention regarding our view that we should have a level playing field and that other carriers should also be looked at, the fact of the matter is that Air Canada is looked at closely by the Commissioner of Official Languages, whereas passengers with other airlines simply have no linguistic rights. In a context where we have 50% of the domestic market share, we are saying that you can look at seeking perfection from us, but you should also be looking at what is done with the remaining passengers on other airlines.

Mr. John Nater: Okay, I accept that fact. I can go to WestJet or I can go to Porter Airlines, and they have bilingual websites. I do recognize that they are not subject to the Official Languages Act, but they do, nonetheless, as good corporate citizens make the good business decision of providing services in both official languages. That said, the fact remains that Air Canada is different: they are subject to the Air Canada Public Participation Act. They are different because as a former crown corporation, as an institution that has been privatized, they are subject to requirements of that act. Therefore, they must respect the act.

The question I have goes to the report by the official languages commissioner. He's made a number of recommendations on of how he would like to see measures taken to enforce the act. The president said earlier that he does not agree with this. He would rather see some kind of committee of all the other airlines and our aviation industry create the rules, but again I go back to the fact that the other airlines are not subject to the Official Languages Act, rightly or wrongly. That's another conversation to be had. Air Canada is, so of these recommendations that the official languages commissioner has made, are you willing to undertake or consider any of them in terms of enforcement mechanisms?

Mr. David Rheault: Just to come back to the findings of the commissioner, one thing that we know we disagree with is that the recommendations are directed against Air Canada. Some specifically are, because we are portrayed as one of the worst offenders regarding official languages.

One of the issues we have is that according to the previous audit and report conducted by the commissioner, when compared with other entities in the industry that are also subject to the Official

Languages Act, such as airport authorities and CATSA, we always rank first. Our level of compliance, as audited by the commissioner, is better than that of the other institutions also subject to the act. Therefore, our position is basically to say that these specific recommendations against Air Canada are not justified in light of the fact that we are not the worst offender in the delivery of both official languages in the transportation industry.

[*Translation*]

Mrs. Sylvie Boucher: I just have a comment and a question.

I'm troubled to see you on the defensive. I'm troubled by the tone you are taking with us, as parliamentarians who are trying to do their job. Report after report, year after year, the findings look the same. Whether it's one, two, or three people who aren't satisfied, that's three people too many. You've been consistently defensive in answering our questions.

We are trying to ensure compliance with the Official Languages Act for ourselves, as francophones, for Canadians who live in French-speaking minority communities, and for those of us who have flown Air Canada and received unacceptable service in 2016. What I'd like to understand is why you're being so defensive when we talk to you about official languages.

• (1720)

Mr. David Rheault: I think what we wanted to show in our presentation was that we had made an effort and would be taking further steps in the next few years. In that sense, then, we've taken a constructive tone. We want to show you that we are aware of our obligations and that we are communicating them to our employees. Right now—

Mrs. Sylvie Boucher: That may be, but if you're this aggressive when you discuss it with them, I can see why they don't want to talk to us in French. Your tone is aggressive, sir. No one here is attacking you. All we are trying to do is understand the situation and do our job.

Mr. David Rheault: If you think I'm being aggressive, I apologize. That wasn't my intent.

Mrs. Sylvie Boucher: I'm telling you because it's been bothering me for a while.

Mr. David Rheault: Your comment is duly noted.

Ms. Louise-Hélène Sénécal: I'd like to say a few words, if I may, Ms. Boucher. The reason we are surprised and disappointed, and feel the need to defend ourselves is the commissioner's decision to call Air Canada one of the worst offenders when it comes to official languages obligations, even though that's not what the reports and statistics show. The commissioner is saying he needs the authority to impose enforcement measures on Air Canada only, not on all the companies subject to the Official Languages Act.

What we would like you to do is consider the actions we are taking and see just how far we've come. We'd like you to take a close look at the rulings by the Supreme Court of Canada and the Federal Court of Appeal, both of which held that Air Canada did not have a systemic problem. That may help to convince you that Air Canada is being specifically targeted for no reason. The claim is misguided. It's misplaced, and it's a misrepresentation of the reality.

The Chair: Ms. Boucher, your time is up.

I'd just like to say something before we wrap up. I'm often on Air Canada's website. When I search in French for things on other websites, the page appears in French. In Air Canada's case—I'm not sure whether it's my computer or your server that's the problem; I don't know which end the problem is on—

Ms. Louise-Hélène Sénécal: It's—

The Chair: Please let me finish.

After being on your site for a while, the English page reappears. When I open the site up again, I get the English version. What's more, my city of departure is always Montreal, but Toronto is the one that shows up. I'm not sure where the problem lies: my computer or your server.

Ms. Louise-Hélène Sénécal: Does anyone else use your computer?

The Chair: No.

Ms. Louise-Hélène Sénécal: You must have booked a flight to Toronto, and so your browser is applying certain information from the past.

The Chair: At any rate, that's the situation.

Ms. Louise-Hélène Sénécal: We'll take note of it and talk to our IT people.

The Chair: Thank you very much. I was worried; I was going to have my computer fixed.

Mr. David Rheault: I just want to make sure I understand the problem. When you go to our website, the information automatically appears in English?

The Chair: Yes.

Mr. David Rheault: I can tell you that I'm often on Air Canada's website, and it always opens for me in French because of my computer settings. But we'll look into that.

The Chair: I just wanted to draw your attention to it, in passing.

I'd also like to thank you for being with us today and answering our questions. The House will recess for the summer in the next few days, but we'll definitely be discussing the matter amongst ourselves. If we need to meet with you again, we'll set a date for September or October. The committee members may have further questions or comments. Please know that the committee was delighted to have you and may need to meet with you again. Until such time, thanks again.

We're going to break for two or three minutes and resume the meeting in camera. I would ask all those who are not members or members' assistants to kindly leave the room. We will then move in camera for five minutes to discuss a few motions.

Mr. Choquette, you may go ahead.

• (1725)

Mr. François Choquette: Mr. Chair, I wanted to check something with you and the committee.

At the beginning of the session, we were in the habit of discussing committee business in public, unless we were discussing something confidential and preferred to talk about it in camera. The motions we are going to discuss, both the Conservatives' motion and the NDP's, are good motions, and the Liberals will probably introduce other very good motions. I recall that, when we were discussing Mr. Samson's motion, we did so in public. I don't see what we would have to hide, so I can't see any reason for discussing the two motions in camera.

The Chair: I was asked that they be dealt with in camera.

Mr. François Choquette: I call for a recorded division on the motion that the committee move in camera.

The Chair: Very well. The clerk will proceed with the recorded division.

(Motion agreed to: yeas 5; nays 4)

The Chair: Thank you.

We will now take a quick break.

[*Proceedings continue in camera*]

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