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**Client Satisfaction Survey
2011-2012**

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I hereby certify as Senior Officer of Ipsos Reid that the deliverables fully comply with the Government of Canada political neutrality requirements outlined in the *Communications Policy of the Government of Canada* and Procedures for Planning and Contracting Public Opinion Research. Specifically, the deliverables do not include information on electoral voting intentions, political party preferences, standings with the electorate or ratings of the performance of a political party or its leaders.

A handwritten signature in black ink that reads "M. Colledge". The signature is fluid and cursive, with a large loop at the end of the last name.

Mike Colledge
President
Ipsos Reid Public Affairs



Ipsos Reid

Executive Summary

This section details the key findings and recommendations which follow from our 2011/2012 research among clients and stakeholders of the Agency. Separate phases of quantitative and qualitative research were conducted.

The quantitative research consisted of 189 surveys conducted among five different types of client, differentiated by their interaction with the Agency, including: those who went through an inspection or new licensing process, those involved in a travel-related dispute adjudication, those involved in a non-travel dispute adjudication or multi-party determination, those whose disputes were facilitated by the Agency, and those involved in a mediation.

The qualitative phase of research consisted of 32 qualitative in-depth interviews with Canadian transportation industry stakeholders from 26 different organizations representing the railway, air, and marine industries; shipper associations; persons with disabilities; and municipalities.

This summary presents the key findings ensuing from both research components in two major sections: quantitative and qualitative. Because the audiences for these two types of research are very different, and interact with different levels of Agency personnel in very different ways, the conclusions and recommendations resulting from research analysis is presented separately.

The contract amount of this research is \$53,975.00.

Key findings following from the quantitative research

Satisfaction with the Agency

- More than three quarters of respondents (77%) report satisfaction with the service they received from the Agency. This result compares to 65% measured during both 2010/2011 and 2009/2010, and exceeds the target measurement of 70% recommended during last year's research (based on results typical of organizations like the Agency).
- Those satisfied with the Agency often mention the staff as the reason why, saying that those they dealt with at the Agency were helpful or informative (22%), professional or courteous (21%), or because they felt that they had been provided with detailed and thorough information (16%).
 - This result is consistent with 2010/2011, while 2009/2010 respondents pointed to the successful outcome of their issue as a top reason for satisfaction.
- Respondents dissatisfied with the Agency most often say that they are dissatisfied because of the outcome of their issue or because the issue was not resolved (27%), because they feel that the Agency needs more power (27%), that the outcome was biased (20%) or that the process was a waste of time and money (20%).
 - Dissatisfied respondents from both 2009/2010 and 2010/2011 were much more likely to point to the lack of a satisfactory resolution or the fact that their issue was not resolved as the reason for their dissatisfaction.



Satisfaction tied to perceptions of outcomes

- Over the past two years of research, we have consistently found that satisfaction with the Agency overall is highly correlated with perceptions about the outcome of dealings with it.
 - Along with the higher levels of satisfaction with the Agency this year, the proportion of 2011/2012 respondents saying their objectives were either fully or largely met (64%) is also substantially greater than was found in 2010/2011 (44%) or 2009/2010 (51%).
 - Satisfaction with the Agency is nearly universal among those who say their objectives were fully or largely met (91%) and also among those who say their objectives were met to an acceptable degree (95%).
 - In contrast, satisfaction is much lower among those who say their objectives were met only a bit or not at all (32%).

Satisfaction with the Agency also tied to perceptions of timely service

- This research has also found a strong connection between perceptions about the timeliness of service and overall satisfaction. Several questions dealt with this aspect of service.
- Three in five respondents (61%) say the Agency acknowledged their issue within nine days, while 74% of respondents say this time frame is acceptable.
 - While similar proportions said the Agency acknowledged their issue within nine days during both 2010/2011 (63%) and 2009/2010 (62%), the proportion saying this is an acceptable timeframe has grown from 55% in 2009/2010.
 - Despite the higher expectations, satisfaction with the time it took the Agency to acknowledge client issues grew to 77% in 2011/2012 from 60% during 2010/2011, marking a return to the 2009/2010 result (78%).
- Three in five respondents (60%) said it took between one and thirty days for their issue to be resolved, outpaced by the 72% who considered this to be an acceptable timeframe.
 - The proportion who says their issue was resolved within 30 days far exceeds 2010/2011 (26%) and 2009/2010 (22%).
 - Meanwhile, the proportion who considers this timeframe to be acceptable has also grown from the 38% saying 1-30 days was acceptable during both 2010/2011 and 2009/2010 to 72% during 2011/2012.
 - Along with the quicker time of resolution, the 2011/2012 results find greater satisfaction with the time of resolution (moving to 71% satisfied from 48% in 2010/2011 and 63% in 2009/2010).
- The connection between satisfaction and timeliness is clear: over four in five respondents (86%) who are satisfied either with the time it took to resolve their issue or to acknowledge it are also satisfied with the Agency overall; this compares to much lower satisfaction with the Agency among those dissatisfied with the time it took to resolve their issue (22%) or to acknowledge their issue (6%).
 - Those dissatisfied with timeliness or who feel their objectives were not met are also less satisfied with every attribute of service and aspect of the service experience.

Satisfaction with aspects of service from the Agency

- Along with higher levels of overall satisfaction with the Agency, clients expressed high levels of satisfaction across a broad variety of service attributes.
- The highest levels of satisfaction were accorded to:
 - Service in the official language of clients' choice (95%);
 - The courtesy (92%) and ease (89%) of dealing with staff;
 - The knowledge and competence of staff (86%);
 - Fair treatment (85%); and
 - Being informed on all they needed to do to have their issue dealt with by the Agency (83%).
- Lower levels of satisfaction were found with respect to the time the Agency took to resolve clients' matters (71%) and the time it took the Agency to acknowledge clients (77%), although in each case seven in ten were satisfied and the levels of satisfaction were significantly higher than in 2010/2011.
- All of the tested aspects of satisfaction showed improvement relative to 2010/2011. Fair treatment, quick response time, the ease of accessing and dealing with staff showed the highest improvement. The time it took to resolve the matter showed the greatest improvement since 2010/2011 (increasing 23 points to 71% from 48% in 2010/2011).
- In most cases, satisfaction with aspects of service from the Agency have returned to, or exceeded, the levels measured during the 2009/2010 research.

Satisfaction with Agency processes

- Clients were asked about various aspects of the process they experienced in dealing with the Agency. Among the aspects tested, majorities expressed generally high levels of approval, particularly with respect to:
 - Clarity in the information required for a submission (84%);
 - That the process was carried out in a professional manner (84%); and,
 - That the process was clearly explained to them (81%).
- About three in four respondents agreed that they had enough opportunity to present their case (77%), that the final outcome was easy to understand (76%) and that the process was impartial (73%).
- Clients are least likely to agree that they had enough opportunity to respond to the other party's point of view (63%).
 - This finding is unique as the only one dealing with the Agency measured in the survey which did not improve compared to 2010/2011 (when 67% agreed they had enough opportunity to respond to the other party's point of view).

Priorities for improvement

- Clients were asked to identify which aspects of service and which aspects of the process of dealing with the Agency are most in need of improvement.
- In terms of aspects of service, those *satisfied* with service from the Agency overall most often recommend attention to:

- Resolution time (26%);
- Clarity and ease of understanding of information (23%);
- The simplification of forms (19%);
- Response time (16%); and,
- Informing clients of all that is required to handle their issues (14%).
- Those *dissatisfied* with the Agency's service identify the following areas as most in need of improvement:
 - The fairness of treatment (43%);
 - Resolution time (33%);
 - The knowledge and competency of staff (30%);
 - Response time (27%); and,
 - The impartiality of staff (27%).
- That fairness should emerge as the top consideration among dissatisfied clients indicates the importance of individual outcomes to perceptions of the Agency (and is an expectation the Agency is less able to manage than other factors, such as resolution time).
- It is also worth noting that despite significant improvement in the time it took to resolve client issues during 2011/2012, this remains a key focus for improvement among both satisfied and dissatisfied clients.
 - During 2009/2010 and 2010/2011, timeliness of resolution and a quick response time were also identified as the top areas for improvement.
- In terms of the process, those satisfied with service from the Agency overall most often say that the clarity of the process (19%) and having enough opportunity to respond to the other party's point of view (13%) should be addressed.
 - In 2010/2011, being provided with enough opportunity to respond to the other party's view (54%) was most often given as the process most in need of improvement
 - In 2009/2010, respondents were more preoccupied with having a clear explanation of the process and enough opportunity to respond to the other party's point of view.
- Those who report overall *dissatisfaction* with the Agency's service identify the impartiality of the process (36%) and the need for enough opportunity to respond to the other party's point of view (36%) as areas of the process most in need of improvement.
 - In 2010/2011, ensuring that the final outcome is clear and easy to understand (48%) was most often given as the process most in need of improvement among those dissatisfied with the overall service provided by the Agency, followed by being provided with enough opportunity to respond to the other party's view (44%).
 - In 2009/2010, respondents were most concerned with having enough opportunity to respond to the other party's point of view and in having a final outcome that was clear and easy to understand.

Interacting with the Agency

- Clients most often mention a web search as their source of awareness of the Agency (39%), consistent with 2010/2011 and 2009/2010.
- When asked which method they used to get information about the Agency, clients most often mention email (72%), followed by the Agency's website (61%) and the telephone (57%).
 - Email has been the top source of information from the Agency during all three years of research (2011/2012: 72%; 2010/2011: 74%; 2009/2010: 71%).
 - The Agency's website has grown during this time as a source of information (2011/2012: 61%; 2010/2011: 56%; 2009/2010: 44%).
 - Telephone, meanwhile, has remained fairly constant as a source of information (2011/2012: 57%; 2010/2011: 58%; 2009/2010: 54%).
- These results show that despite increasing reliance on web-based communications, the use of telephone contact persists.
 - This dynamic is familiar to many customer service organizations who have found that more information on the web generally leads to better informed clients on the phone, but not necessarily fewer clients on the phone.
- Nearly nine in ten (89%) respondents said that they have visited the Agency's website, nearly half (46%) within the past three months.
- Respondents were satisfied that the Agency's website had the information they were looking for (70%), with how easy the information on the Agency's website was to understand (70%), and that it was easy to find the information they required on the Agency's website (65%).
 - These results represent an improvement over the 2010/2011 results, and a return to the levels of satisfaction measured in 2009/2010 (with exception to the ease of finding information on the site, which remains lower).

Quantitative Research Conclusions and Recommendations

- This year's results demonstrate significant improvement in overall perceptions of service from the Agency, with 77% expressing satisfaction this year as compared to 65% measured during both 2010/2011 and 2009/2010.
 - This result exceeds the target measurement of 70% recommended during last year's research (based on customer satisfaction results typical of organizations like the Agency).
 - Among the most notable improvements with respect to timeliness: respondents this year are more likely to say their issue was resolved more quickly and to say that they are satisfied with the time it took to resolve their issue.
 - This suggests that the Agency has effectively managed expectations in this area, though it is worth noting that timeliness remains among the areas of service respondents most commonly say the Agency should focus on.
 - Other key suggestions include the need to ensure that information is clear and easy to understand and for the Agency to provide clear information about what it can and cannot do.

- The Agency's dispute resolution mandate means that many of its clients will not feel that their objectives have been met, and will attribute a lower level of satisfaction to the Agency as a result.
 - This year's sample contains a significantly higher proportion of clients who feel their objectives were met. It will be important for the Agency to continue to monitor this metric against overall satisfaction.
- Among the 16% of respondents who express dissatisfaction with the Agency, most frequently indicate that the Agency's authority is too limited, that their issue was not resolved, that they were treated unfairly, or that the process was too slow.
 - Note that it may prove difficult for the Agency to dramatically increase satisfaction or influence perceptions of fairness when a client has not received a favourable outcome to their complaint.
- Satisfaction has also improved with respect to the Agency's website, but this remains an area of relatively lower satisfaction when compared to other indicators.
 - For example, whereas 82% said they were satisfied that the information they were provided by the Agency overall was clear and easy to understand, 70% said that the Agency's website was easy to understand.

In light of the quantitative findings, we are providing the following recommendations:

1. The Agency's new baseline measure of satisfaction represents a very positive level of overall satisfaction which it should aim to maintain.
2. This year's sample contains a significantly higher proportion of clients who feel their objectives were met. It will be important for the Agency to continue to monitor this metric against overall satisfaction in order to help explain shifts.
 - The Agency appears to be making strides in managing clients' expectations with regard to timelines; it should continue to work on ensuring clear communication in this regard.
3. There is room for improvement in the clarity of the information provided by the Agency, particularly with regard to what it can and cannot do, its mandate and jurisdiction, and in terms of simplifying forms.
4. While assessments of the Agency's website are more positive this year, it continues to be an area of relatively lower satisfaction. Given its very prominent role as a source of information, it should continue to be a focus for improvement.
5. In the future, we suggest that qualitative research among smaller audiences, such as the mediation clients, would be a more effective approach to understanding their perspectives than a statistically-oriented quantitative survey.
6. In addition, we recommended retaining a consistent survey instrument over the next 2 years to ensure consistency in tracking.

Key findings following from the qualitative research

Multi-Sector Issues and Themes

Dialogue and Communication

- Stakeholders are generally very satisfied with opportunities to dialogue on an informal and a formal basis with all levels of Agency staff. As in 2009/2010, this satisfaction is universal to all stakeholder groups. This collective satisfaction with opportunities for dialogue is indicative of the Agency's success in serving all of its stakeholders equally.
- In 2009/2010, although dialogue was considered good, it was seen to be driven by stakeholders: a key concern was the lack of positive outreach from the Agency. The 2011/2012 research indicates that this is being rectified, and stakeholders point to an increase in positive outreach from Agency staff - from all levels – since the 2009/2010 results were interpreted.
- This research indicates that consultations, both formal and informal, have increased; a lack of consultation was a key stakeholder concern in 2009/2010. More importantly, these consultations are seen to be meaningful: stakeholders believe the Agency values their opinions, and uses them to shape policy. The consultations on airfare all-in pricing were particularly well received.
- Stakeholders were overwhelmingly positive about the Agency staff that serves their industries or their memberships. They are characterized as being helpful, informed, interested, and “customer-focused”. Although this was also a finding in 2009/2010, some stakeholders note that under the current Agency administration, relationships are continuing to strengthen.

Dispute Resolution

- The dispute resolution team at the Agency received noteworthy praise from stakeholders for being approachable, flexible, proactive, and collegial. Although the team did not receive negative comments in 2009/2010, this is a new finding for 2011/2012, and the team's improvement is attributed to new management. The dispute resolution team is credited with reducing the number of adjudicated cases because they work actively with stakeholders to find alternative solutions.
- As in 2009/2010, facilitation continues to be a successful go-to dispute resolution strategy that saves time and resources for industry stakeholders and for the general public. Mediation is also considered an important and vital alternate dispute resolution service that benefits stakeholders in a variety of ways, and is recognized as the logical next low-cost step in dispute resolution if facilitation does not produce results. Shippers, in particular, note that mediation should remain a non-mandatory step prior to moving to a formal process. In this 2011/2012 research, stakeholders expressed some concerns with the passivity of some Agency mediators.
- Both Final Offer Arbitration (FOA) and adjudication are considered necessary options should the disputed matter necessitate the time, energy and resources that those processes demand. In both cases, the processes are considered to be well run, and fairly adjudicated. Many stakeholders do point to the inherent advantage these processes give to well-resourced organizations when their opponents are not as well funded. There are continued concerns, as in 2009/2010, about the quality of the arbitrators identified by the Agency.

- Overall, as in 2009/2010, the Agency is seen to be fair and unprejudiced. Some stakeholders do perceive prejudice in certain areas: most often, these perceived prejudices are mirrored by the opposing party: e.g., some shippers perceive a pro-railway lean on some issues; railways see shippers as being favoured on other matters. One important measure of the Agency's integrity from stakeholder's perspectives is their understanding of why Agency decisions are made. Several stakeholders noted that it is their perception that in the past two years the Agency has "made substantial gains in advancing the integrity of their reasoning in terms of transparency and understandability."
- Many stakeholders want to see the Agency's dispute resolution authority expanded: this is a new finding for 2011/2012. Shippers are particularly enthusiastic about the potential for new Agency dispute resolution processes that they believe may result from the Rail Freight Service facilitation process, which the Government of Canada has tasked with developing a template for service agreements and a streamlined commercial dispute resolution process.¹

Accessibility

- The Accessibility Advisory Committee is very well received by stakeholders; meetings are considered well organized and productive, and are seen to actually drive new policy and process for the Agency and for carriers. There are some concerns that although some major carriers agree to make policy changes at the meeting, the end result sometimes does not meet the expectations of the community of persons with disabilities. As in 2009/2010, stakeholders also note meetings should be held more frequently.
- Although Agency staff coordinating the Accessibility Advisory Committee meetings receives high marks, some stakeholders point to a lack of day-to-day communication between the Agency and accessibility stakeholders.

Railway Industry

- As in 2009/2010, railway industry stakeholders are confident the Agency provides them with good service and good oversight. Moreover, major carriers point to continuing improvement in how the Agency is serving them. Shippers, although generally pleased with the Agency, continue to believe that there are inherent flaws in the way railways serve them, and continue to point to the challenges of fairly and quickly resolving level of service complaints: the facilitation process for the Rail Freight Service Review is expected to address these issues.
- Industry stakeholders were generally pleased with the Cost of Capital Methodology Review (shippers were very pleased with the outcome).
- The grain revenue cap process is seen to be working well, although some stakeholders ponder the effect the dissolution of the Canadian Wheat Board will have on that process.

¹ Transport Canada, Media Room, News Releases 2011, <http://www.tc.gc.ca/eng/mediaroom/releases-2011-h101e-6497.htm>, October 31, 2011



- For the major rail carriers, noise and proximity issues are a major concern, as they were in 2009/2010. These complaints, many of which the industry believes are unsubstantiated, necessitate a huge expenditure of time and resources by the railways in order to prove they are not contravening noise laws, without an expectation that complainants provide reasonable evidence of damage. In 2011/2012, the Agency is seen to be moving toward a more equitable solution on the noise complaint front with the development of new guidelines of noise complaints.
- In 2009/2010 there was a concern among railway companies that the Agency was granting crossings too freely. This seems to have been alleviated by a Memorandum of Understanding signed with Transport Canada which ensures that the crossings are signed off by Transport Canada prior to receiving Agency approval.
- The line construction team and the net salvage value group were praised for their collaborative, professional approach to their areas, as they were in 2009/2010.

Airline Industry

- As in 2009/2010, airlines identify accessibility and accommodation as their key issue, with one key change: the Agency is seen to be working harder to ensure their concerns are being heard. In other areas of air industry governance, most airline stakeholders portray the Agency as a helpful and knowledgeable collaborator who assists them in fulfilling their regulatory obligations both domestically and internationally.
- Stakeholders are very positive about their interactions with the Agency staff that administrates permits, operating certificates, licenses, and international agreements. The Agency is credited with being flexible, efficient, solution-oriented, and with providing advice and guidance where warranted; these findings are consistent with the 2009/2010 research.
- Stakeholders are also extremely positive about the tariff group, welcoming the experience and expertise of the Agency as they struggle with the “complex world of filing tariffs”. The Sample Tariff published by the Agency was much applauded by some respondents.

Marine Industry

- In 2009/2010 there was a concern that there was not enough outreach to this industry from the Agency; it appears that there has been progress on this front, as one respondent now reports ongoing interaction, and another has meetings planned with Agency personnel.
- The repeated annual issuance of licenses to foreign ships to operate specific routes in Canadian waters is seen to be a key issue, as it was in 2009/2010; this is seen to be a matter of legislation more than of Agency process. Stakeholders do find the Coasting Trade licensing process efficient, and Agency staff flexible with timelines. The Agency was seen to have improved transparency in explaining its decisions on coasting trade applications since 2009/2010.
- More efficient provision of services (pilotage, the St. Lawrence Seaway, ports) leading to decreasing fees is seen as an issue that marine stakeholders should be able to address through Agency rate appeals. However, this is seen as a regulatory issue, not an Agency deficiency.

Qualitative Research Conclusions and Recommendations

Overall, stakeholders are very positive about the Agency that serves them, and the Agency is credited with continually working to improve its relationships with stakeholders, its service standards, and its regulatory processes. Moreover, stakeholders believe the Agency is being competently led by a capable management team: many stakeholders spoke positively about Agency leadership, and attributed specific successes and improvements to their direction.

The following recommendations emerge from the qualitative research:

1. Continue to Focus on Communication and Outreach Goals and Objectives

- Goals and objectives should be set for informal dialogue initiated by Agency personnel to ensure improvement continues. Specific goals for formal dialogue should also be set, in order to facilitate planned information sharing sessions.
- The Agency should continue to seek out opportunities for meaningful consultation. The all-in pricing consultation process, which stakeholders described as being particularly effective, should be mined for best practices that could be used as a consultative model.
- Care should also be taken to ensure consultations, which are time-consuming for those involved, result in a definable result, a decision, or at a minimum a clear indication of what next steps the Agency will undertake.
- Agency executive should consider raising their profiles by attending industry conferences and events more frequently, and to maximize Agency exposure by speaking at, or co-hosting, conferences and other events.
- More outreach could be made to individual stakeholders (such as shipping companies) who could benefit from knowing more about what the Agency could do for them, and what their rights are under the Act.
- Consideration should be given to having Agency staff visit stakeholders in their own environment more frequently.

2. Continue to Develop Process Templates and Communication Tools

- Consideration should be given to developing a brief (one-page) plain language synopsis of Agency decisions for dissemination to association memberships, to media, and other interested parties.
- The Agency could consider more frequent communication with its accessibility stakeholders through new communication vehicles, such as a newsletter. The Accessibility Advisory Committee should meet more frequently than every two years; if this is not feasible, other types of meeting—perhaps regional—should be considered. The Agency could also consider utilizing cost-effective conference-calling technology to hold interim meetings.

3. Improve Protocols for Staff Turnover and Training

- New staff should reach out to stakeholders to establish dialogue, and to ensure stakeholders know who to contact. Stakeholders should also have ready access to contact information for key Agency staff.
- The Agency should continue to focus on grooming new talent to decrease stakeholders' concerns about the loss of institutional memory, especially in those areas—such as

international agreements—where the Agency’s knowledge and experience can be of great benefit to Canada’s transportation industries.

- Training programs that give new Agency staff hands-on training, such as the cooperative program being done with the Railway Association of Canada, should be supported and expanded.

4. Continue to Improve Dispute Resolution Processes

- Continue to support facilitation and mediation as alternative dispute resolution processes. Dispute resolution staff should simply continue to do what they have been very effectively doing through outreach to stakeholders, and taking a flexible approach to issues.
- Further discovery on what stakeholders would like Agency mediators to change in terms of leading that process should be considered.



Background and Objectives

Ipsos Reid was commissioned by the Canadian Transportation Agency to conduct client satisfaction research among clients and stakeholders dealing with the Agency in different ways. The objectives of this research involved:

- tracking levels of satisfaction with various aspects of service and measuring improvement over time; and,
- identifying elements of service in need of improvement in order to be client-centred and responsive.

There were two separate components included in the 2011/2012 research: quantitative and qualitative research. This year's quantitative research represents the third iteration of these surveys. Two previous iterations of these surveys have taken place, including:

2009/2010 fiscal year: among two types of clients (those whose dispute was facilitated by the Agency and those involved in mediation); this also included a number of qualitative in-depth interviews with major service providers and senior officials.

2010/2011 fiscal year: included six types of clients, adding inspection and new licensing, travel-related dispute adjudication, non-travel dispute adjudication and multi-party determination, and inquiries.

This year's research includes the same audiences interviewed in 2010/2011, with exception of inquiries clients.

The qualitative research consisted of 32 in-depth interviews with Canadian transportation industry stakeholders, representing the railway, air, and marine industries; shipper associations; persons with disabilities; and municipalities. This research follows a similar study conducted in 2009/2010.

The Agency's research on client satisfaction is directly related to the Government of Canada's management accountability framework on results for Canadians. Most significantly, it will support the Government's initiative on client-centred service delivery, and also lead to better quality information for parliamentarians about the Agency's programs and results.

Client satisfaction research data allows the Agency to gauge its success as a client-centered organization. This ongoing collection of feedback on its services, relationships, and performance is part of its process for continuous improvement, and has proved invaluable in shaping the Agency's priorities. Feedback received is enabling the Agency to develop a better understanding of the responsiveness and quality of its services and processes, identify areas and priorities for improvement, and chart progress in making them clearer, simpler, and more effective.

Methodology

Methodologies for the quantitative and qualitative components of this research are presented separately.

Quantitative Methodology

Ipsos Reid conducted quantitative survey research among five different target audiences served by the Agency during the 2011/2012 fiscal year. The surveys were conducted primarily online, although a limited number of surveys were administered by paper and returned to Ipsos Reid for manual data entry.

The five audiences included in this year's research are described in the table below.

Survey Type	Target Audience
Facilitation (FAC)	Passengers with travel-related complaints processed through facilitation (including persons with disabilities)
Mediation (MED)	Those who have been involved in mediations
Travel-related dispute adjudication (ADJ)	Those with travel-related adjudicated disputes and determinations involving only one party
Non-travel dispute adjudication and multi-party determination (NTD)	Those with both non-travel-related disputes and determinations involving more than one party
Inspection and new licensing (INSP)	New licensing and inspection activity

Agency clients within each of the five audience types were asked to complete a survey. The table below provides a breakdown of the survey universe (representing the total number of clients within each audience type), the number of online and paper-based surveys administered, and the resulting number of completed surveys and participation rates.

Survey Type	Survey Universe	Online Surveys Administered	Paper Surveys Administered	Total Completes (Online/Paper)	Participation Rate
Facilitation (FAC)	275	105	8	113	41%
Mediation (MED)	12	3	3	6	50%
Travel-related dispute adjudication (ADJ)	15	5	1	6	40%
Non-travel dispute adjudication and multi-party determination (NTD)	8	0	1	1	13%
Inspection and new licensing (INSP)	241	57	6	63	26%
TOTAL	551	170	19	189	34%

Questionnaires were modified for 2011/2012 in accordance to the recommendations made following the 2010/2011 iteration of this research, including:

- asking questions to all groups using consistent language whenever possible in order to facilitate the comparison of results across groups;
- screening for disability at the front of the survey, then delivering questions related to disability only to those individuals;
- grouping questions related to the Agency's website independently, whereas they had previously been nested among a list of aspects of service;
- measuring the importance with which respondents view the various attributes of service from the Agency in addition to their satisfaction with these attributes, allowing a grid analysis to identify areas for improvement that are most likely to increase overall client satisfaction; and,
- changing the structure of the survey, so as to bring all five surveys into a single survey with branching logic, and make it easier to form comparisons across audiences.

Interpretation of Data

Among the five audiences interviewed, two audiences generated completed surveys in numbers high enough for independent statistical analysis: inspection and new licensing (n=63, when taken together), and facilitation (n=113). The other audiences, drawing from much smaller universes, did not generate large enough samples for independent statistical analysis. As a result, the data from these smaller audiences should be interpreted as directional in nature.

While some questions in the survey were specific to a particular audience, several areas of inquiry, based on the Common Measurement Tool, were common to all audiences. This report provides the results of those questions asked in a common fashion across multiple audiences.

Please also note that responses may not always sum to 100% due to rounding.

Note on tracking results

Throughout the research results are tracked to the 2010/2011 and 2009/2010 iterations. The audiences included in these years differed slightly from the 2011/2012 research. In 2010/2011, respondents who made an inquiry to the Agency were included, while during the 2009/2010 research, only facilitation and mediation clients were included.



Qualitative Methodology

Ipsos Reid conducted a total of 32 qualitative in-depth interviews with Canadian transportation industry stakeholders, representing the railway, air, and marine industries; shipper associations; persons with disabilities; and municipalities. Interviews were completed between February 21 and March 28, 2012, and ranged from thirty to ninety minutes in length.

Selection Process

A list of key contacts, representing 29 separate stakeholder organizations, was provided by the Agency, targeting transportation industry stakeholders representing the railway, air, and marine industries; shipper associations; persons with disabilities; and municipalities. Of the 29 separate stakeholder organizations identified, 26 agreed to participate. Two organizations were represented by two individual stakeholders, and one was represented by four individual stakeholders, bringing the total number of interviews to 32. This was necessary because of the size and complexity of these organizations: more than one contact had to be included to ensure the majority of the subject matter could be addressed. This high participation rate is indicative of stakeholders' recognition of the Canadian Transportation Agency's importance to their constituencies, and their belief that the Agency uses consultative processes with its stakeholders to inform policy and operating practices.

The following table shows the breakdown of participants by category:

Category	Total
Railway	4
Airline	11*
Shippers	6
Marine	3
Persons With Disabilities	7
Municipalities	1
TOTAL	32

*Airline numbers reflect four people from one airline who participated in a telephone focus group, and two people each from two other airlines who were interviewed separately.

Recruitment and Interview Guide Design

Potential respondents were first advised of the interviews directly by the Agency through an e-mail message from Geoffrey Hare, Chairman and Chief Executive Officer of the Agency, which outlined the rationale and objectives for the qualitative study, the reasons for their selection as a participant, and the areas of discovery that would be most important for the organization. Potential respondents were then contacted directly by Ipsos Reid to set up a formal appointment for the interview, which was conducted by telephone. Interviews were completed in both official languages by senior Ipsos Reid qualitative experts with comprehensive experience interviewing senior executives.

The 2011/2012 interview guide was developed by Ipsos Reid in collaboration with Agency executives, who reviewed and modified the guide used in the 2009/2010 research to ensure all relevant subject matter would be covered. The guide was sent to participants prior to their interview so they could prepare. Because of the qualitative nature of this project, wherever prudent, interviewers allowed respondents to address issues not covered in the interview guide, to ensure any issue respondents felt relevant to study objectives could be included in the results.

Interpretation of Research

Qualitative results were reviewed by the researchers, who drew out continuities and synthesized the main themes, critical "hot buttons", "typical" responses, and general levels of agreement/disagreement voiced during the sessions. The analysis of qualitative findings yields tendencies and indications of how the target audience perceives the study issues. However, results are not representative of the general population. Qualitative research involves a limited number of people who are specially selected according to pre-determined attributes. Only quantitative surveys that have a robust number of respondents who have been selected randomly from the target population can be generalized as to represent the broader population.

Detailed Findings - Quantitative

Satisfaction with the Agency

To determine the respondents' level of satisfaction with their Agency interaction, respondents were asked to rate their satisfaction with the overall quality of service provided by the Agency, explain why, and also comment upon individual attributes of client service.

Overall Satisfaction with the Agency

Respondents were asked how satisfied they were with the overall quality of service they were provided by the Agency, regardless of the outcome of their interaction with the Agency, using a scale of one to five, where one means very dissatisfied and five means very satisfied.

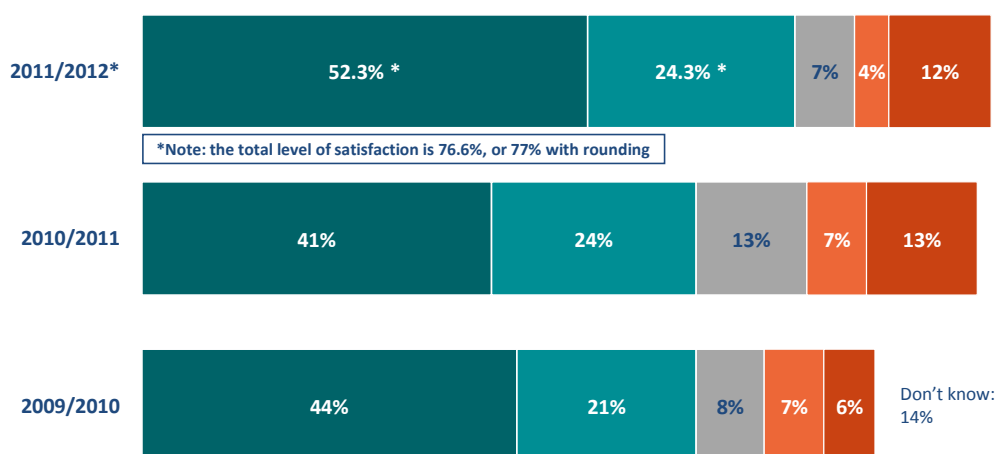
More than three quarters of respondents (77%) report satisfaction with the service that they received from the Agency (rating as a four or five on the scale). One in six (16%) report dissatisfaction with the quality of service that they received (rating as a one or two on the scale). Just under one in ten (7%) express a neutral view (rating as a 3 on the scale).

The 2011/2012 results represent a significant improvement over both 2010/2011 (65%) and 2009/2010 (65%). The question during these years was slightly different, asking respondents to rate their level of satisfaction aside from their view of the particular process they had undergone with the Agency (rather than apart from the outcome). This year's research did not include public inquiries clients. Factoring these respondents out of the 2010/2011 data does not significantly impact the results (satisfaction in 2010/2011 without the public inquiries respondents was 67% vs. 65% with all respondents).



Regardless of the nature of their interaction, three in four clients are satisfied with the overall quality of service provided by the Agency

■ Very satisfied ■ Somewhat satisfied ■ Neither satisfied nor dissatisfied ■ Somewhat dissatisfied ■ Very dissatisfied



Q44. Putting aside your views on the outcome of your dealings with the Agency [2009/2010, 2010/2011: Aside from the ...process] how satisfied were you with the overall quality of service provided by the Agency? Base: All respondents (2011/2012) n=189; (2010/2011) n=230; (2009/2010) n=72



Ipsos Reid

Reasons for Satisfaction with the Agency

Respondents *satisfied* with the Agency were asked to identify the main reason for their satisfaction with the service they received. These respondents most often say that they are satisfied because the staff were helpful or informative (22%), professional or courteous (21%), or because they were provided with detailed and thorough information (16%). Fourteen percent (14%) say it was because their issue had been addressed or resolved in a timely manner, while twelve percent (12%) say it is because their issue was resolved or they had a successful outcome.

In 2010/2011, the top reasons given for being satisfied with the overall service received from the Agency were also that the staff were helpful or informative (27%) or professional or courteous (27%). More respondents than in 2011/2012 said that it was because their issue had been addressed or resolved in a timely manner (25%), while sixteen percent (16%) said it was because their issue was resolved or they had a successful outcome.

In 2009/2010, respondents most often mentioned the success of their particular outcome and also the helpfulness of staff.



Reasons for level of satisfaction with the quality of service provided by the Agency among those *satisfied* with the overall quality of service



Q45A. Please provide the main reason why you would rate your satisfaction with the overall quality of service provided by the Agency as 4 or 5.

Base: Among those satisfied with overall quality of service (2011/2012) n=145

Reasons for Dissatisfaction with the Agency

Those who said that they were *dissatisfied* with the service they received most often say that they are dissatisfied because of the outcome of their issue or because the issue was not resolved (27%), or because they feel the Agency needs more power or should be able to help with more issues (27%). One in five say that the Agency is biased towards the transportation companies (20%), or that it is a waste of time or money (20%). It should be noted that this audience represents 30 respondents, or less than one sixth of all respondents.



Reasons for level of satisfaction with the quality of service provided by the Agency among those *dissatisfied* with the overall quality of service



Includes responses of 4% and over; *low base size

Q45B. Please provide the main reason why you would rate your satisfaction with the overall quality of service provided by the Agency as 1 or 2.

Base: Among those dissatisfied with overall quality of service (2011/2012) n=30*

In 2010/2011, the reason most often given as to why they are dissatisfied with the quality of service received from the Agency was that they were dissatisfied with the outcome of their issue or because the issue was not resolved (46%). One in five (21%) said it was because they received poor service, while fifteen percent (15%) felt that the service was slow or that the process took too long. Respondents in 2009/2010 also mentioned a general dissatisfaction with their issue, or because it was not resolved to their satisfaction.

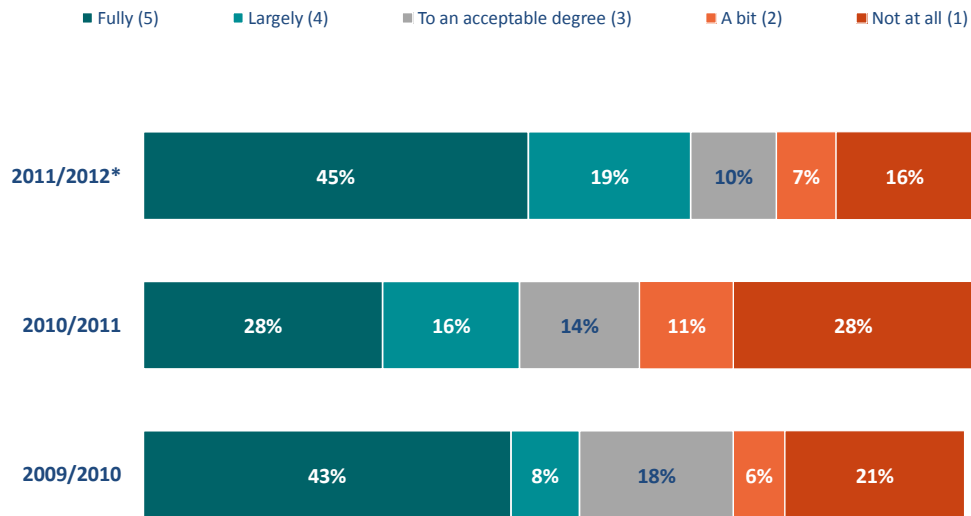


Perception of Agency Process Meeting Respondents' Objectives

Respondents were asked to rate the extent to which they felt that their interaction with the Agency met their objectives. About two thirds of respondents (64%) say that the process met their objectives either fully (45%) or largely (19%). This represents an increase from 2009/2010 to 2010/2011, when 44% said that the process met their objectives either fully (28%) or largely (16%) and from 2009/2010 when 51% said the process met their objectives either fully (43%) or largely (8%).



About two thirds of respondents report that the process met their objectives, while one in four say it did not; this ratio has shifted positively from last year



*Was asked on a numerical scale in 2011/2012

Q37. To what extent were your objectives met in your dealings with the Agency?
 Base: All respondents (2011/2012) n=189; (2010/2011) n=185; (2009/2010) n=72

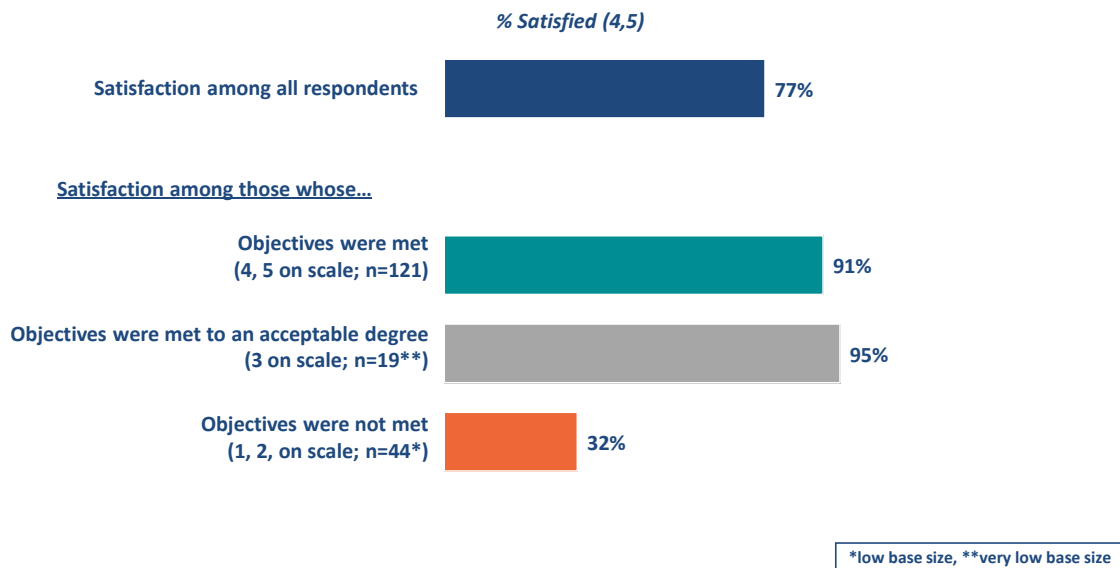


Impact of Outcome on Satisfaction with the Agency

Satisfaction with the overall quality of service provided by the Agency is closely tied to whether or not the objectives of the respondents' interaction were met. Among those who say that their objectives were met, over nine out of ten respondents report satisfaction with the overall quality of service (91% among those whose objectives were fully or mostly met, and 95% among those whose objectives were met to an acceptable degree). Among those who say that their objectives were met only a bit or not at all, satisfaction with the service they received declines to 32%.



Satisfaction with overall quality of service is closely tied to the perception that their objectives were met



Percent satisfaction with service provided by the Agency among all respondents and among respondents based on the extent to which their objectives were met. Base: All respondents (2011/2012) n=189

In 2010/2011, overall satisfaction was lower among those respondents who felt that their objectives had been met to an acceptable degree (52%), and lower among respondents that felt that their objectives had not been met at all (21%); satisfaction was 95% among respondents who felt that their objectives had been met.

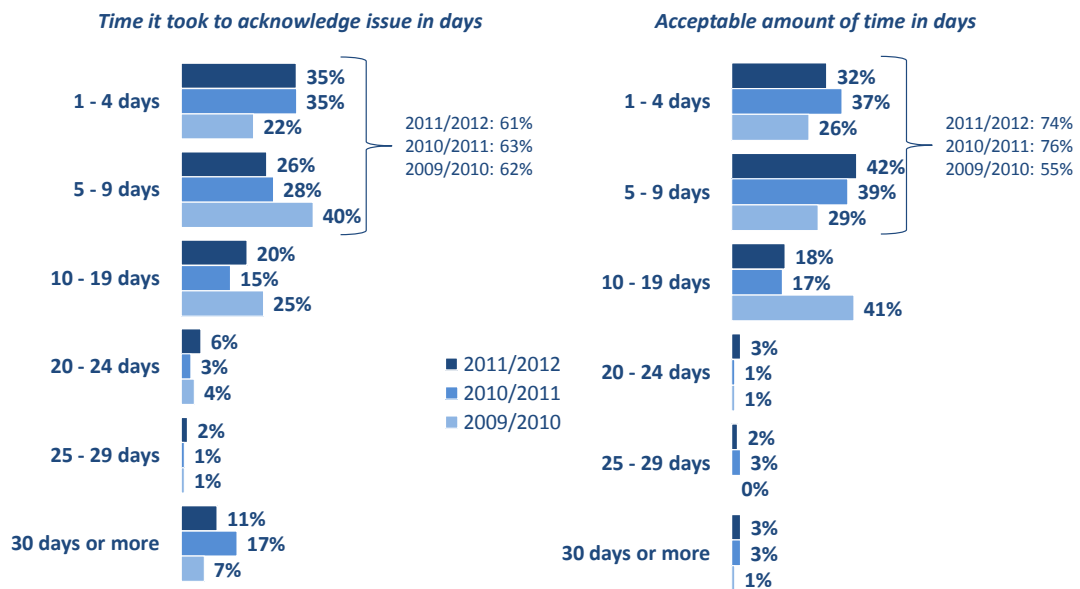


Timeliness of Acknowledgement from the Agency

Respondents were asked how long it took to receive an acknowledgement from the Agency, and what timeframe would be acceptable to receive an acknowledgement². On this basis, three in five respondents (61%) say they received an acknowledgement from the Agency within nine days, while 74% of respondents say this time frame is acceptable. This result is consistent with 2010/2011, when 63% said their issue was acknowledged within nine days and 76% said this was an acceptable time frame. Respondents in 2009/2010 were just as likely to say their issue was acknowledged within nine days (62%), but had lower expectations with fewer viewing this timeframe as acceptable (55%), and more saying 10-19 days was acceptable (41% vs. 18% in 2011/2012).



Timeliness of acknowledgement from the Agency and perception of acceptable time to acknowledge



Percentages reflect removal of 'Don't know/not sure' for comparison to previous data

Q8. Please indicate the approximate number of days it took for the Agency to acknowledge your complaint/application?
Q9. What do you consider to be an acceptable number of days for the Agency to acknowledge your complaint/application? Base: All respondents except INSP (2011/2012) n=125; (2010/2011) n=174; (2009/2010) n=68

² Questions about acknowledgement and response time were not asked of inspection and licensing respondents.

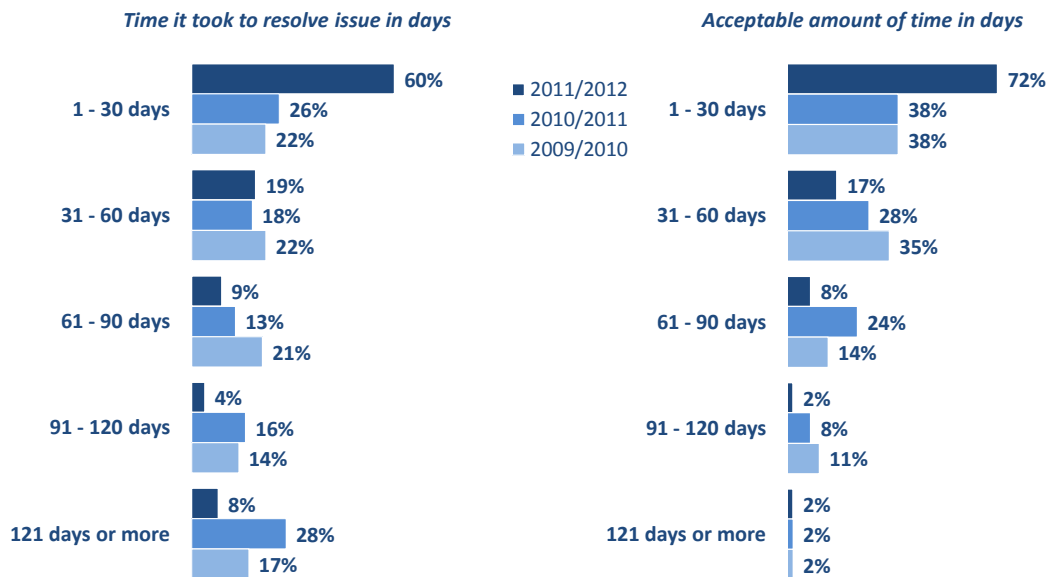


Timeliness of Resolution from the Agency

Respondents were asked how long it took from the time they submitted their issue to the Agency to the resolution of the issue, and also what they consider to be an acceptable time of resolution. Three in five respondents (60%) said it took between one and thirty days for their issue to be resolved, outpaced by the 72% who considered this to be an acceptable timeframe. The proportion who say their issue was resolved within 30 days far exceeded those who said so during either 2010/2011 (26%) or 2009/2010 (22%); however, the proportion who consider this timeframe to be acceptable has also grown from the 38% saying 1-30 days was acceptable during both 2010/2011 and 2009/2010.



Timeliness of resolution and perception of acceptable time to resolve



Percentages reflect removal of 'Don't know/not sure' for comparison to previous data

Q10. Overall, how long did it take for the Agency to resolve your issue from start to finish?
 Q11 What would be an acceptable number of days, from start to finish, for the Agency to resolve your issue?
 Base: All respondents except INSP n=126; (2010/2011) n=108; (2009/2010) n=63

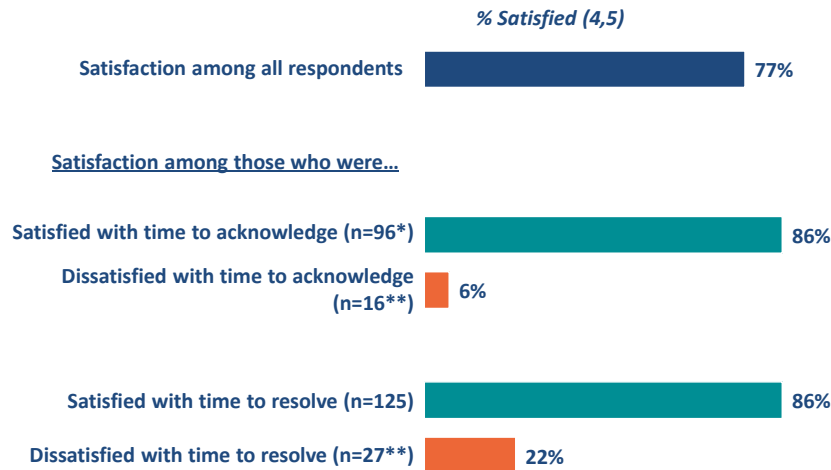


Impact of Timeliness on Satisfaction with the Agency

Satisfaction with the overall quality of service experienced by respondents is also connected with perceptions about the time it took for the Agency to either acknowledge or to resolve their issue. More than four fifths of respondents (86%) who were satisfied with the time it took to acknowledge their issue were also satisfied with the overall service they received from the Agency. By comparison, only 6% of those who were dissatisfied with the time it took to acknowledge their issue say that they were satisfied with the overall service provided by the Agency. Similarly, 86% of those satisfied with the time it took to resolve their complaint were also satisfied with the overall service provided by the Agency. Among those dissatisfied with the time it took to resolve their issue, overall satisfaction with the service they received from the Agency declines to 22%.



Clients who are satisfied with timeliness are much more likely than those who are not to be satisfied with overall quality of service



*low base size, **very low base size

Percent satisfaction with service provided by the Agency among all respondents and among respondents based on their level of satisfaction with the time it took to acknowledge and resolve their complaint.
Base: All respondents (2011/2012) n=189

In 2010/2011, the basic relationship was the same, with higher levels of overall satisfaction among those satisfied with the time to acknowledge or resolve their issue. However, satisfaction was lower among respondents satisfied with the time to acknowledge their issue (74%) and higher among those respondents who were dissatisfied with the time it took to acknowledge their issue (25%), suggesting an even greater connection between overall satisfaction and timely acknowledgement among this year's respondents.



Satisfaction with Attributes of Agency Service

Respondents were asked to indicate how important they found various aspects of service from the Agency on a scale of one to five, where one means not at all important, and five means very important. Subsequently, they were asked to indicate their level of satisfaction with those aspects of service on a scale of one to five, where one means very dissatisfied and five means very satisfied.

Respondents most often view the accuracy of the information they receive (84%) and the knowledge and competence of Agency staff (80%) as very important. Nearly all attributes of service were rated as very important by at least seven out of ten respondents, except the time it takes to acknowledge the issue (61%) or the time to resolve the matter (58%).

The fact that the time to acknowledge the issues and resolve them fall to the bottom of the list in terms of importance is noteworthy in view of the strong correlation that timeliness has with overall satisfaction with the Agency, and the fact that time of resolution ranks first among the list of two priorities the Agency should address (see pages 32 and 33 below). The low rating of importance suggests that timeliness is more of an expectation that Agency clients have than an attribute which may drive perceptions of value in Agency services. In this light, timeliness is not “important” in the way that, say, accurate information is, but it is “expected” and perceived lack of timeliness correlates with lower levels of satisfaction as a consequence.



In terms of attributes of service, respondents place the most importance on the accuracy of the information they receive, as well as the knowledge and competence of Agency staff



*not asked of INSP, or of MED or NTD if matter brought by other party n=126

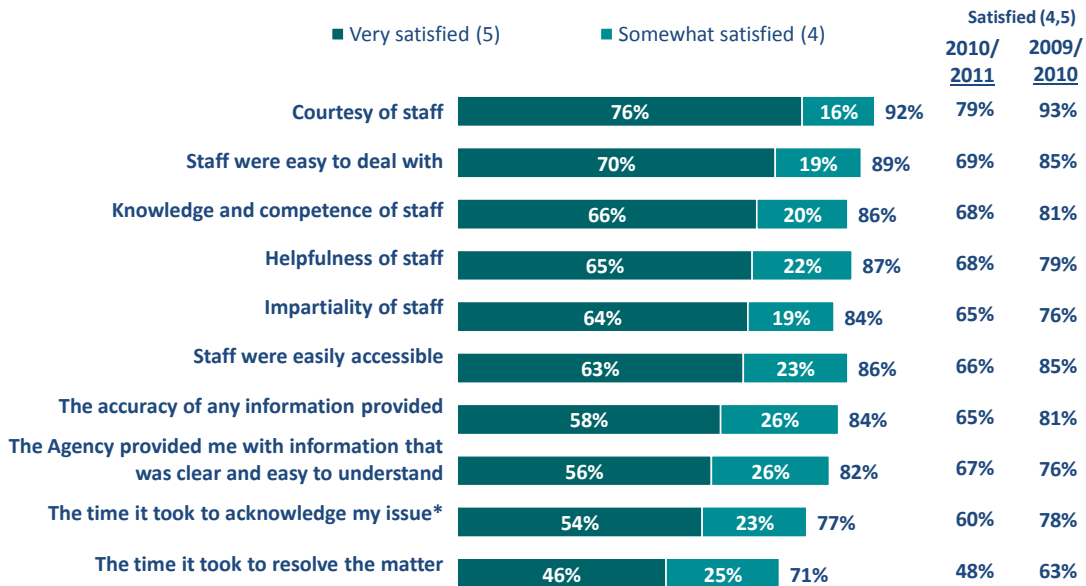
Q38. Please indicate how important or unimportant you view each of the following aspects of service from the Agency:
Base: All respondents (2011/2012) n=189



Along with the high level of importance, respondents also tended towards high levels of satisfaction with the elements of service. Respondents were most satisfied with the courtesy of staff (76% very satisfied) and that staff were easy to deal with (70% very satisfied). Levels of satisfaction were similar with respect to the knowledge and competence of staff (66%), their helpfulness (65%), their impartiality (64%), and their accessibility (63%). Lower levels of satisfaction were expressed for the accuracy of information provided by staff (58%), the clarity and ease of understanding of that information (56%), and the time required to receive acknowledgment (54%). The time it took to resolve the matter garnered the lowest level of satisfaction (46%).



In terms of attributes of service, respondents are broadly satisfied; once again, courtesy of staff is a high point, and time to resolve the issue is area of lowest satisfaction



*Not asked of INSP, or of MED or NTD if matter brought by other party

Percentages reflect removal of 'Don't know/not sure' for comparison to previous data

Q39. Please indicate the response that best describes your level of satisfaction with the following aspects of service from the Agency. Base: All respondents n=189; (2010/2011) n=182; (2009/2010) n=68

Comparing results across the three years of study shows higher levels of satisfaction in 2009/2010, lower levels of satisfaction in 2010/2011, with a return to higher levels of satisfaction during 2011/2012. A particular example of this is with the time it took to resolve the matter: where 63% were satisfied with this aspect of service in 2009/2010, just 48% were in 2010/2011, while this year 71% expressed satisfaction with the time of resolution (which is in keeping with the much higher proportion this year who say their issue was resolved within 30 days).

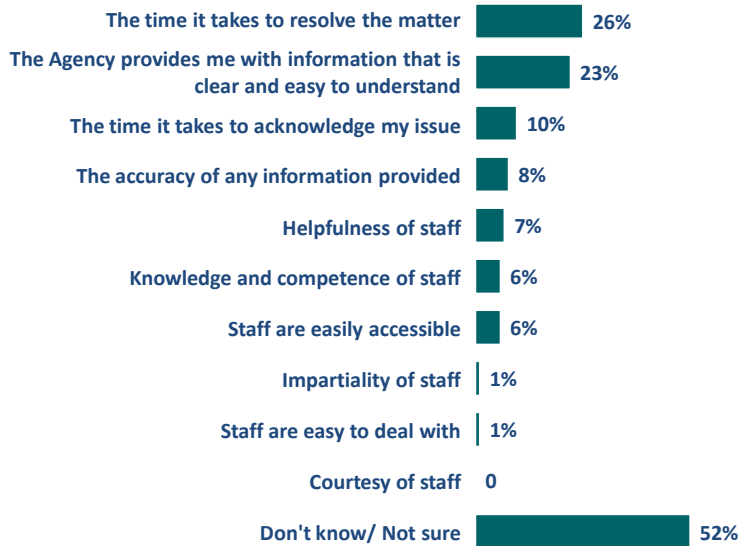


Suggestions for Improvement of Agency Interactions

Respondents were asked to identify two aspects of service upon which the Agency could improve. Among those who report overall *satisfaction* with the Agency's service, respondents most often identify resolution time (26%) and the clarity and ease of understanding of information (23%) as the areas most in need of improvement, followed distantly by acknowledgement time (10%). More than half of respondents (52%) offer no suggestion for improvement.



Suggestions for improvement among those *satisfied* with Agency service



Q40. If the Agency could improve in two of the following areas, which two should it focus on?
Base: Those *satisfied* with overall service received (2011/2012) n=145

Those who report overall *dissatisfaction* with the Agency's service identify resolution time (33%) as the area most in need of improvement, followed by the knowledge and competency of staff (30%), their impartiality (27%), and the accuracy of information they received (20%). One in six (17%) offers no suggestion for improvement.



Suggestions for improvement among those *dissatisfied* with Agency service



*low base size

Q40. If the Agency could improve in two of the following areas, which two should it focus on?
 Base: Those *dissatisfied* with overall service received (2011/2012) n=30*

In 2010/2011 and 2009/2010, timeliness of resolution, providing information clear and easy to understand information and providing accurate information were the top issues. This is largely consistent with the 2011/2012 results with exception to the accuracy of information which is somewhat less important this year.



Measuring the Importance and Satisfaction of Attributes of Service

Respondents were asked in the survey two distinct questions: first, they were asked to rate various attributes of service by level of priority, from high priority to low priority, and second, they were asked to select two areas they think the agency should focus on for improvement.

The average level of satisfaction among all attributes is 62%, while the average number of respondents that selected each option for being a focus for improvement is 10%.

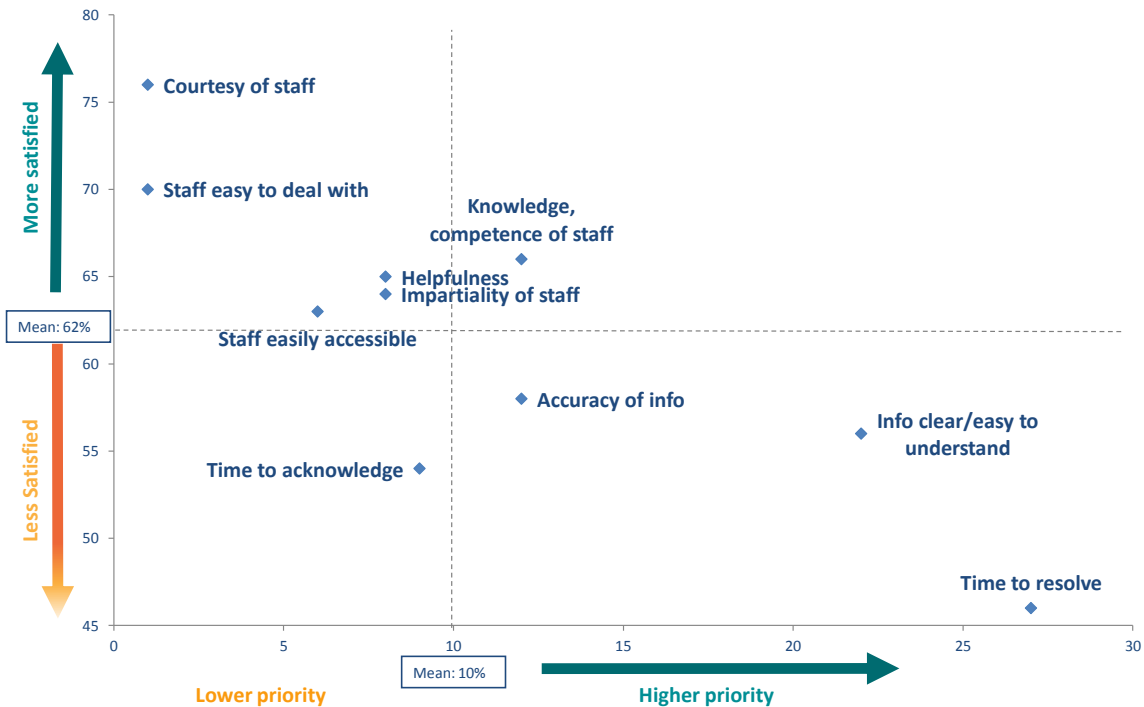
Using these averages as a benchmark, it is possible to identify higher priority areas (on the lower right quadrant) where clients' priorities are higher than average, while their satisfaction is lower than average. The higher priority areas include the time it took to resolve the matter, that the Agency provides clear and easy-to-understand information, and the accuracy of information.

Conversely, elements related to the staff (courtesy, ease in dealings, helpfulness, impartiality, accessibility) tended to rate more highly in terms of satisfaction, but lower as priorities. While these aspects are certainly strengths in terms of client perceptions, the low priority means they are less connected to clients' expectations.



Importance vs. Satisfaction: Attributes of Service

Compares satisfaction with attributes of service (Q39, based on ratings of five on the scale) with priority areas of focus (Q40).



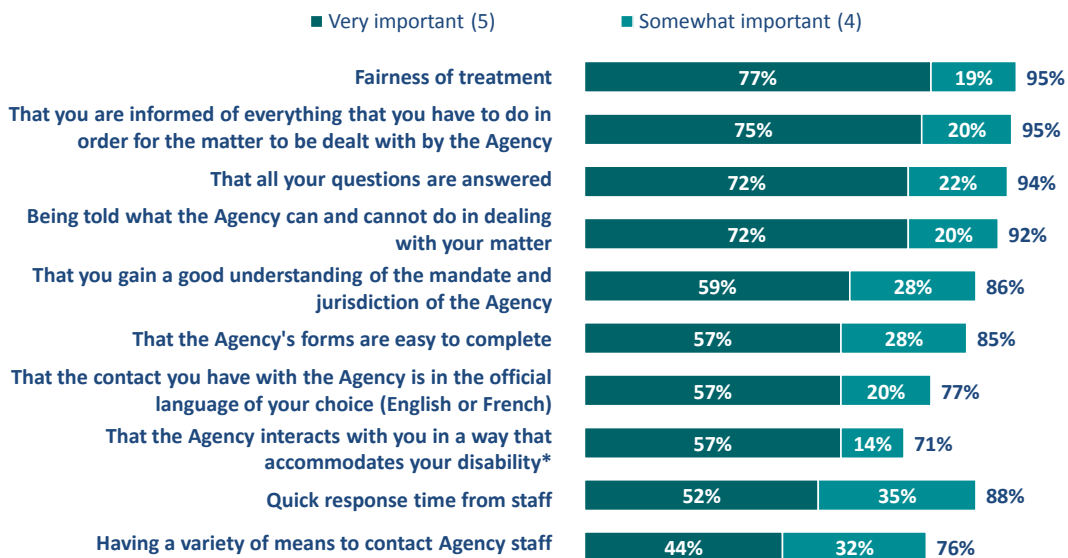
Satisfaction with Aspects of Experience with Agency

Respondents were asked to indicate how important they found several specific aspects of their experience with service from the Agency on a scale of one to five, where one means not at all important, and five means very important. Subsequently, they were asked whether or not they agreed with a number of statements about those aspects of service, using a scale of one to five, where one is strongly disagree and five is strongly agree.

Respondents place the most importance on the fairness of treatment they receive (77% very important), as well as aspects specific to the clarity of the process they undertake with the Agency, including that they receive all the information they require (75%), that all their questions are answered (72%), and that the Agency is clear about what it can and cannot do with regard to their issue (72%). Though still important, respondents place relatively less importance on the quick response time of staff (52%) or having a variety of means to contact Agency staff (44%).



Respondents place high importance on fair treatment and clarity of process



*only asked if respondent self-identified as person with a disability n=14

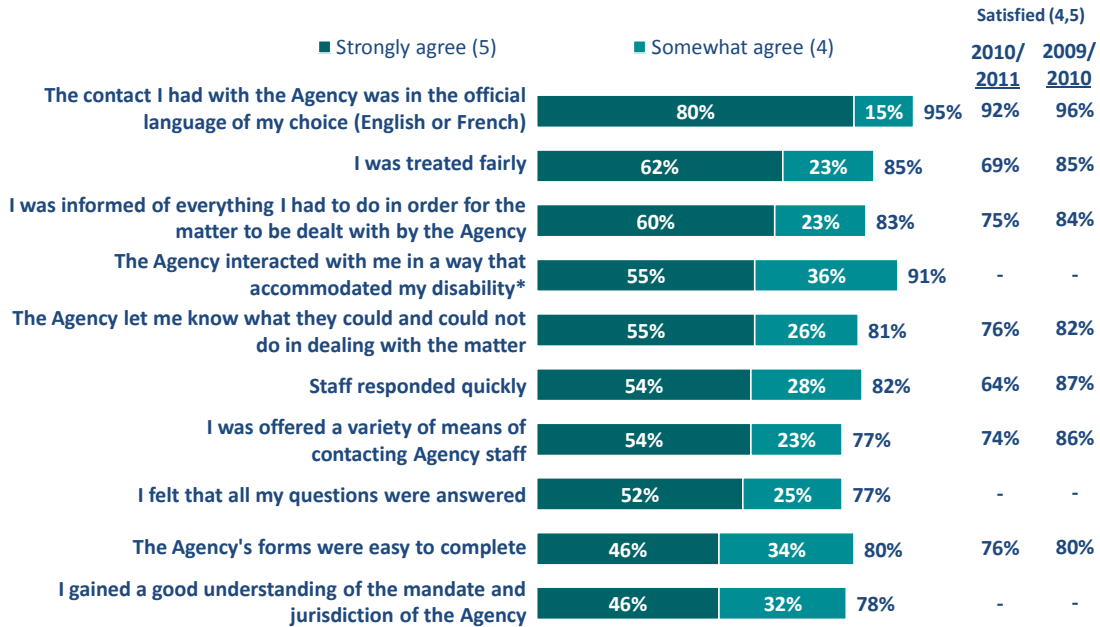
Q41. Please indicate how important or unimportant you consider each of the following aspects of service from the Agency . Base: All respondents (2011/2012) n=189



Respondents were asked whether or not they agreed with a number of statements about the same aspects of service, using a scale of one to five, where one is strongly disagree and five is strongly agree.³ Among the statements, respondents most often agree that the contact they had with the Agency was in the official language of their choice (95%, including 80% who strongly agree). At least three in five strongly agree that they were treated fairly (62%) and informed of everything they had to do in order for their matter to be dealt with by the Agency (60%). Respondents less often strongly agreed that the Agency's forms were easy to complete (46%) or that they gained a good understanding of the Agency's mandate (46%).



Assessment of various aspects of service is broadly positive



*Only asked if respondent self-identified as person with a disability

Percentages reflect removal of 'Don't know/not sure' for comparison to previous data

Q42. Please indicate whether you agree or disagree with each of the following statements about aspects of service from the Agency. Base: All respondents n=189; (2010/2011) n=182; (2009/2010) n=68

Comparing the results across the three years of study shows a pattern of higher satisfaction in 2009/2010, lower satisfaction in 2010/2011, with a return to higher levels of agreement in 2011/2012. This pattern does not hold true with respect to being offered a variety of means of contact (with 77% saying this was the case in 2011/2012 compared to 86% in 2009/2010).

³ Note, 2010/2011 and 2009/2010 asked this question on a five-point scale of satisfaction, rather than agreement, in order to better reflect the type of statements.



Suggestions for Improvement of Agency Service Attributes

When asked to identify two aspects of service upon which the Agency could improve, the simplification of forms (19%), response time (16%) and informing them of all that is required (14%) are identified as areas most in need of improvement among those who report overall satisfaction with the Agency's service. More than half of respondents (51%) offer no suggestion for improvement.



Suggestions for improvement among those *satisfied* with Agency service



Q43. If the Agency could improve in two of the following areas, which two should it focus on?

Base: Those *satisfied* with overall service received (2011/2012) n=145

In 2010/2011 and 2009/2010, a quick response time was most often given as the area most in need of improvement among those satisfied with the overall service provided by the Agency, followed by explaining what can and cannot be done in relation to their matter.

Those who report overall *dissatisfaction* with the Agency's service identify the fairness of treatment they receive (43%) as the area most in need of improvement, followed by the response time (27%), explaining what the Agency can and cannot do with regard to the matter (17%), and ensuring that all their questions are answered (17%). One in five (20%) offers no suggestion for improvement.



Suggestions for improvement among those *dissatisfied* with Agency service



*low base size

Q43. If the Agency could improve in two of the following areas, which two should it focus on?
 Base: Those *dissatisfied* with overall service received (2011/2012) n=30*

In 2010/2011, those who reported overall dissatisfaction with the Agency's service most often identified response time (42%) as the area most in need of improvement, followed by explaining what the Agency can and cannot do with regard to the matter (40%), the fairness of treatment they receive (36%) and informing them of all that is required (29%). In 2009/2010, respondents say the Agency should focus on letting them know what Agency can and cannot do for them, telling them all that they need to do to carry their complaint forward and fair treatment.



Comparing Importance and Satisfaction of Attributes of Service

Respondents were asked two questions regarding aspects of the Agency's service. The first question asked respondents to rate their level of agreement with several positive statements regarding the Agency, while the second question asked respondents to select two areas from a list that the agency should focus on for improvement.

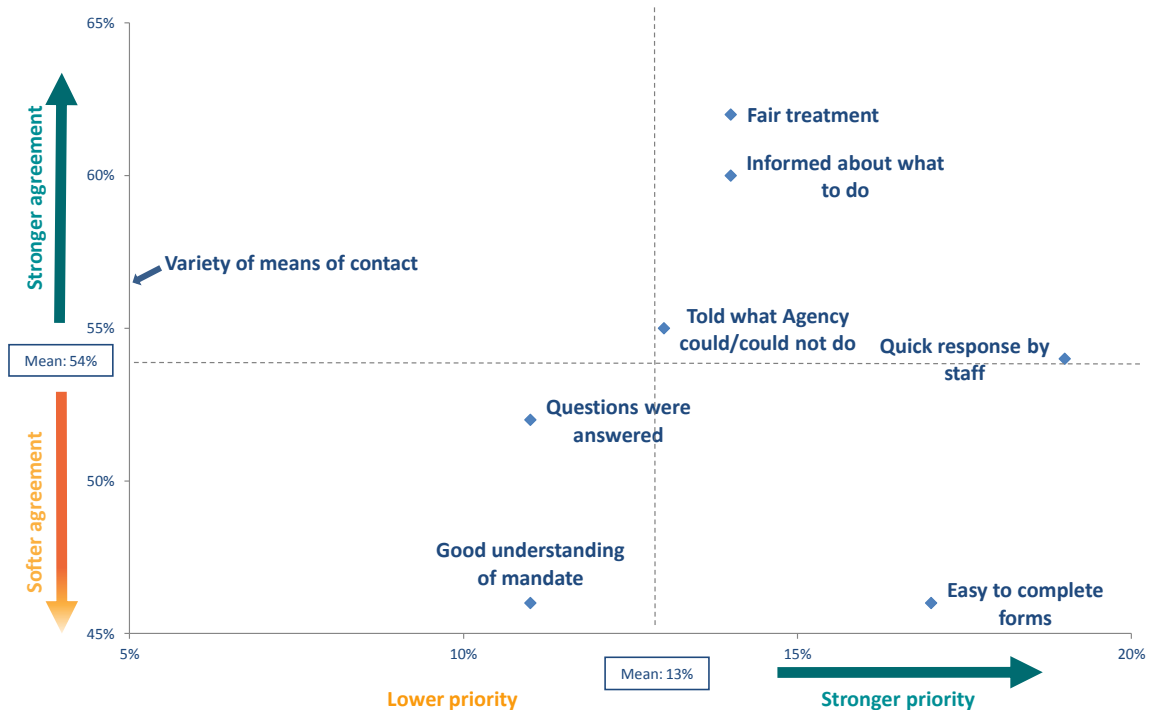
The average level of agreement for the statements is 54%, while the average proportion of respondents selecting each area for improvement is 18%.

Using these averages as a benchmark, it is possible to identify higher priority areas which clients are more likely than average to identify as priorities, but with which they are less likely than average to express satisfaction. Only one area tested meets these criteria: the ease of completing forms. Several other areas, such as fair treatment, being informed about everything required by the Agency, being told what the Agency can and cannot do, and a quick response time are all higher priority areas, with higher levels of satisfaction – suggesting that these are strengths where the Agency is meeting client expectations. Other areas – having all questions answered, and providing a good understanding of the Agency's mandate – are areas of lower satisfaction, but also of lower priority, indicating that focusing on these needs may not be as effective in meeting client expectations as focusing on the higher priority: ease of completing forms.



Importance vs. Satisfaction: Specific Aspects of Agency Service

Compares agreement with statements about service from CTA (Q42, based on ratings of five on the scale) with priority areas of focus (Q43).



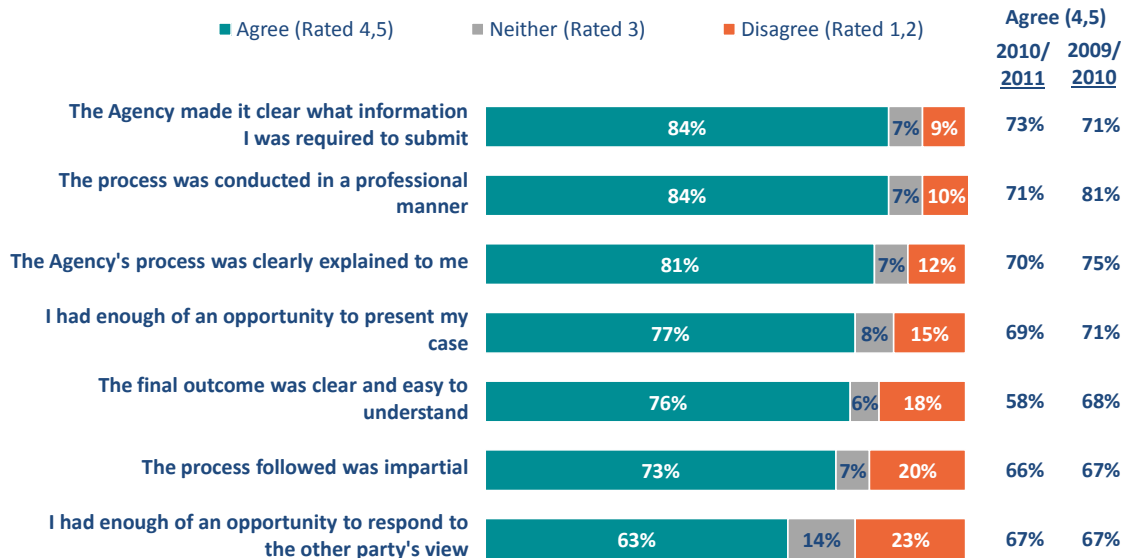
Views on Agency Processes

Respondents were asked whether or not they agreed with a number of statements about Agency processes, using a scale of one to five, where one is strongly disagree and five is strongly agree⁴.

Over four in five respondents agree that the Agency made clear the information required for submission (84%), that the process was carried out in a professional manner (84%), and that the process was clearly explained to them (81%). About three in four respondents agreed that they had enough opportunity to present their case (77%), that the final outcome was easy to understand (76%) and that the process was impartial (73%). Respondents were least likely to agree that they had enough opportunity to respond to the other party's point of view (63%).



The clarity and professionalism of the process are highly rated



Percentages reflect removal of 'Don't know/not sure' for comparison to previous data

Q31. Please indicate the extent to which you agree or disagree with each of the following statements about this process (based on process described per audience)

Base: FAC, ADJ, NTD (2011/2012) n=120; (2010/2011) n=128; (2009/2010) n=63

Comparing these results across the three years of study shows a significant improvement in the sense that the Agency made clear what clients were required to submit (moving from 71% in 2009/2010 to 84% this year). The results also find improvement in perceptions around the impartiality of results (73% compared to 66% in 2010/2011 and 67% in 2009/2010).

⁴ This question was not asked of inspection and licensing respondents.



Suggestions for Improvement of Agency Process

When those satisfied with the overall service from the Agency were asked to identify two aspects of the process upon which the Agency could improve, the clarity of process is most often mentioned (19%), followed by the need for enough opportunity to respond to the other party's point of view (13%), clarity regarding what information is required to be submitted (11%) and ensuring the clarity and ease in understanding the final outcome (11%). More than half of respondents (58%) offer no suggestion for improvement.



Suggestions for improvement among those *satisfied* with Agency service



*Not asked of FAC

Q32. If the Agency could improve in two of the following areas, which two should it focus on?
 Base: FAC, ADJ, NTD; Those *satisfied* with overall service received (2011/2012) n=88

In 2010/2011, being provided with enough opportunity to respond to the other party's view (54%) was most often given as the process most in need of improvement among those satisfied with the overall service provided by the Agency, followed by ensuring that the final outcome is clear and easy to understand (42%) and that the process is clearly explained (29%). In 2009/2010, respondents were more preoccupied with having a clear explanation of the process and enough opportunity to respond to the other party's point of view.



Those who report overall *dissatisfaction* with the Agency's service identify the impartiality of the process (36%) and the need for enough opportunity to respond to the other party's point of view (36%) as the areas of the process most in need of improvement. Other suggested improvements include clearly explaining the process (14%) and providing enough opportunity to present one's case (14%). About one in five (18%) offers no suggestion for improvement.



Suggestions for improvement among those *dissatisfied* with Agency service



*Not asked of FAC

Q32. If the Agency could improve in two of the following areas, which two should it focus on?
 Base: FAC, ADJ, NTD; Those *dissatisfied* with overall service received (2011/2012) n=22 (very low base size)

In 2010/2011, ensuring that the final outcome is clear and easy to understand (48%) was most often given as the process most in need of improvement among those dissatisfied with the overall service provided by the Agency, followed by being provided with enough opportunity to respond to the other party's view (44%), having enough opportunity to present their case (36%), ensuring that the process is clearly explained (24%) and that it is conducted in a professional manner (24%). In 2009/2010, respondents were most concerned with having enough opportunity to respond to the other party's point of view and in having a final outcome that was clear and easy to understand.

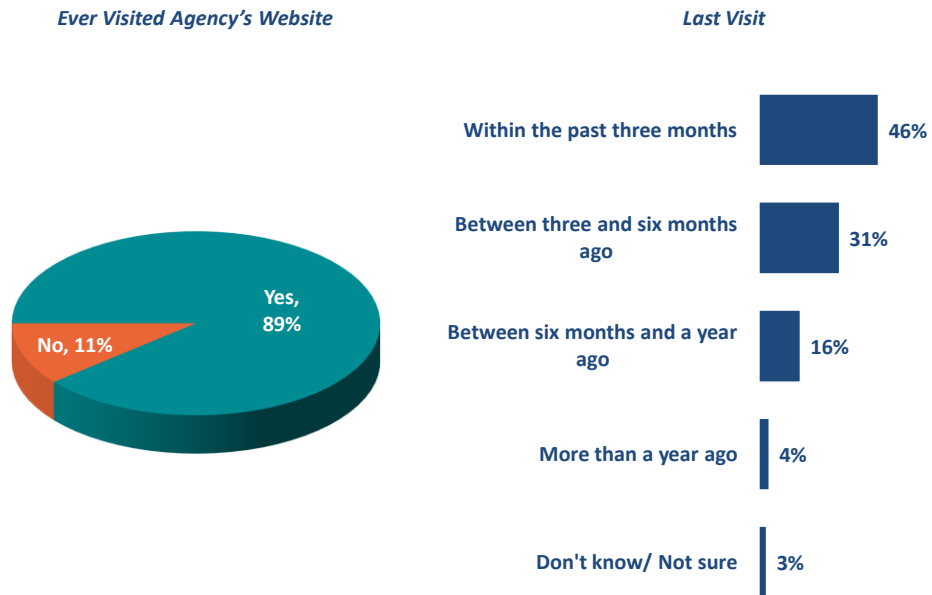


The Agency's Website

Respondents were asked if they had visited the Agency's website. About nine in ten (89%) respondents said that they have visited the Agency's website. Among these respondents, nearly half (46%) had visited the Agency's website within the past three months.



Nine in ten indicate that they have visited the Agency's website, nearly half within the last three months



Q14. Have you ever visited the Agency's website? Base: All respondents (2011/2012) n=189

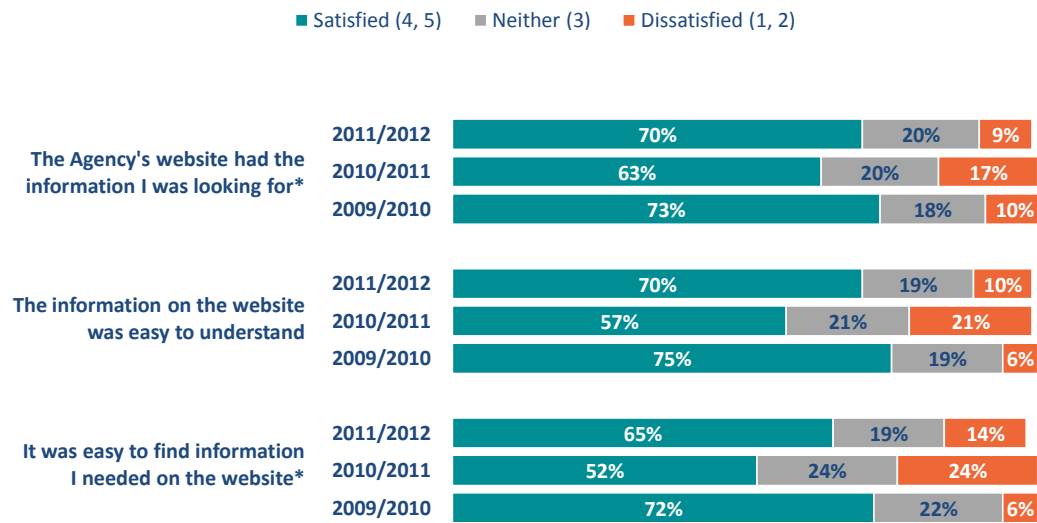
Q15. How recently did you visit the Agency's website? Base: Visited Agency website (2011/2012) n=168

Respondents were asked to indicate their level of satisfaction with various aspects of the Agency’s website on a scale of one to five, where one means very dissatisfied and five means very satisfied.

Seven in ten respondents expressed satisfaction (rating as four or five on the scale) with that “The Agency’s website had the information I was looking for”, marking an improvement from 63% measured in 2010/2011, and a return to the 73% measured in 2009/2010. Seven in ten also expressed satisfaction that, “The information on the website was easy to understand”, a significant improvement over 57% in 2010/2011, but shy of the 75% measured in 2009/2010. Two in three expressed satisfaction that “It was easy to find information I needed on the website”, improving from the 52% measured in 2010/2011, but still down from the 72% measured in 2009/2010.



Satisfaction with the Agency’s website is higher in 2011/2012



*question wording varied slightly in previous years

Q16. Please indicate the response that best describes your level of satisfaction with the following aspects of the Agency's website.

Base: Respondents who have visited the Agency’s website (2011/2012) n=168; (2010/2011, 2009/2010) base varies



Interacting with the Agency

Source of Awareness of the Agency

Respondents were asked how they became aware of the Agency. Nearly two fifths (39%) most often mention a web search as their source of awareness. About one quarter (24%) say that they already knew of the Agency. About one in ten mention having previous contact with the Agency (13%), or that the information came from a transportation service provider (12%) or from another government department (12%).

Since 2009/2010, web searching has remained the most important means of learning about the agency. This is particularly the case among facilitation respondents (43% mentioned a web search in 2009/2010, 59% in 2010/2011 and 58% in 2011/2012).



Nearly two in five respondents learned about the Agency by searching the Web; a quarter already knew about the Agency



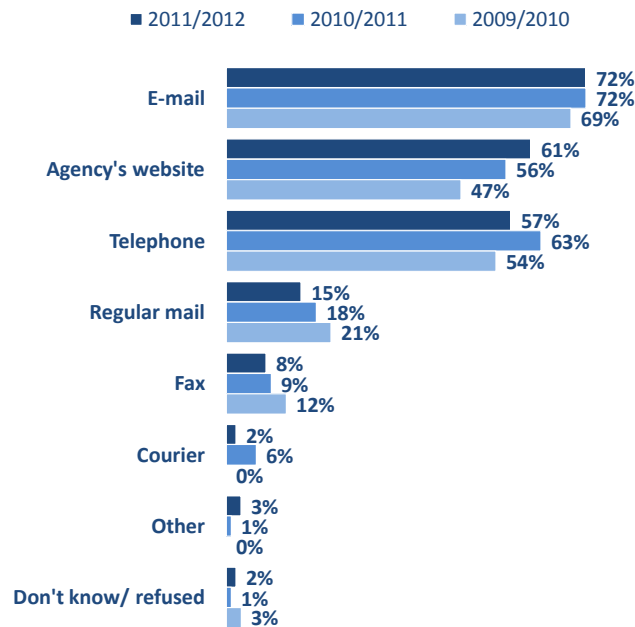
Q6. How did you become aware of the Canadian Transportation Agency?
Base: All respondents (2011/2012) n=189

Source of Information about the Agency

Respondents were asked which method they used to get information about the Agency during the course of their interaction with the Agency. Overall, the method most often used to obtain information about the Agency is email (72%), followed by the Agency's website (61%) and the telephone (57%). Other methods of obtaining information are much less frequently used, including regular mail (15%), fax (8%), and courier (2%). These results, coupled with the fact that web searches emerge as the highest source of awareness, suggest that Agency clients view online forms of communication as the Agency's front door to a greater extent than other public facing organizations.



E-mail, the Agency's website, and telephone are most often used to obtain information about the Agency; fewer used telephone compared to 2010/2011



Q12. In the course of your interaction with the Agency, which of the following did you use to get information about the Agency? Base: All respondents (2011/2012) n=189; (2010/2011) n=180; (2009/2010) n=68

Since 2009/2010, email has been the top source of information from the Agency (2011/2012: 72%; 2010/2011: 74%; 2009/2010: 71%). The Agency's website has grown during this time as a source of information (2011/2012: 61%; 2010/2011: 56%; 2009/2010: 44%). Telephone, meanwhile, has remained fairly constant as a source of information (2011/2012: 57%; 2010/2011: 58%; 2009/2010: 54%). This dynamic is familiar to many customer service organizations: the inclination of clients to reach organizations by telephone hasn't diminished even as more information becomes available online. What has changed is the relative amount of information that clients have available to them, meaning that when they call, they do so to clarify or act on information they've already found; or, alternatively, may be directed to find this information online in answer to their query.



Respondents were then asked which method they would most prefer to use to get information about the Agency. Nearly half say email (46%), followed by the Agency's website (31%) and the telephone (18%).



Most respondents would prefer to use e-mail to obtain information about the Agency, followed by the Agency's website



Q13. Which one of the following ways would you most prefer to use in order to get information about Agency?
Base: All respondents (2011/2012) n=189

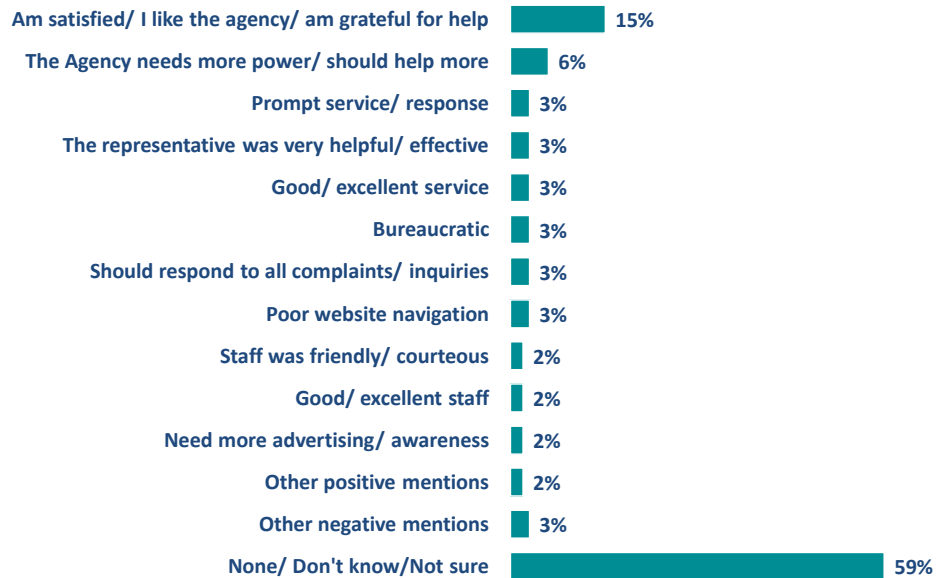


Additional comments

When asked to provide additional comments related to their level of satisfaction with Agency services, those *satisfied* with the service they received mention gratitude for the help they have received (15%), and mention that the Agency needs more power or should be able to help with more issues (6%). Three out of five satisfied respondents (59%) had no additional comments.



Additional comments among those *satisfied* with overall service



Includes responses of 2% and over

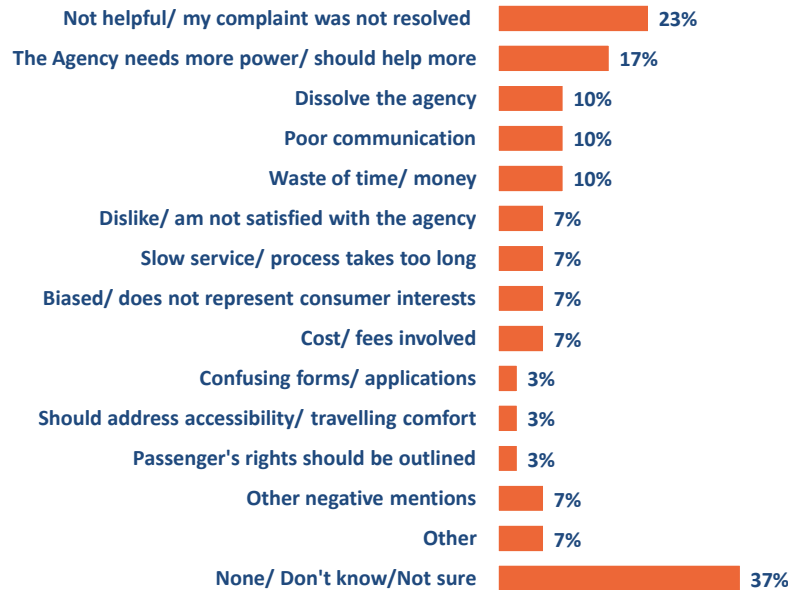
Q46. Do you have any additional comments about the Agency and/or its services?
Base: Those *satisfied* with overall service received (2011/2012) n=145



Those who report overall *dissatisfaction* with the Agency's service comment that they did not find the Agency helpful or that their issue was not resolved (23%), and mention that the Agency needs more power or should be able to help with more issues (17%). One in ten dissatisfied respondents say the Agency should be dissolved (10%), that there was poor communication with the Agency (10%), or that it was a waste of time or money (10%). Over one in three dissatisfied respondents (37%) provided no further comment.



Additional comments among those *dissatisfied* with overall service



*low base size

Q46. Do you have any additional comments about the Agency and/or its services?
 Base: Those *dissatisfied* with overall service received (2011/2012) n=30*



Selected verbatim comments

Below are some verbatim responses given when respondents were asked to provide additional comments about the Agency and/or its services:

“Perhaps it should be made clearer that it does not have an ombudsman role but only a limited technical responsibility.”

“I could not easily get to the web forms I required without asking the inspector for guidance. Something I thought should not have been necessary.”

“They need to pay far more attention to the facts of the case 'on the ground, at the time' and not simply go 'by the book', which is how their judgment of my case was explained to me; this makes no sense when they are talking about availability of flights and those flights to which they refer were full on that day.”

« L'Office doit imposer une amende aux compagnies si elles ont causé un préjudice aux usagers. Elles ne font plus attendre qu'on saisisse l'Office pur réagir. »

“The agencies complete lack of accessibility and appropriate communication in dealing with even a relatively simple issue nearly bankrupt our company during our last experience with the CTA. I feel that this is totally unacceptable.”

“The Agency demonstrated a balance between thorough casework, and response time. Although the case was resolved over a period of 2 to 3 weeks, I was satisfied how the Agency approached my case, and their regular follow-up updates both during and after the case.”

“The inspector that handled our audit was very helpful, direct, and expedient in service.”

« Je ne crois pas que j'aurai à nouveau recours aux services de cet Office, car ses contraintes (p.ex. impossibilité d'avancer quelque chose de constructif qui sort du simple constat d'aberrations administratives, mais contre lesquelles l'Office ne peut rien. »

“If CTA exists only to defend air carriers like Air Canada it should shut down and save the taxpayers some money.”

“I understand that the agency does not handle customer service issues; however, there needs to be someone who does. I think that the agency should be aware of, and suggest other options. I had no recourse for my problem with Air Canada. The only thing left for me is to simply never fly Air Canada again and discourage my friends and family from flying Air Canada. Not much of a solution.”

“The web site should offer examples or case studies of travel problems and the resolutions to problems the CTA enabled and examples of travel situations beyond their jurisdiction.”

« Les exigences sont de plus en plus contraignantes et principalement pour des petits exploitants (moins que 3 aéronef) et les changements constant de notre personne ressource au près de l'office. »

"I find it unfortunate that the legislation regarding quality of service for airlines is so poor (essentially, airlines can do whatever they want, as long as they state in their terms of service that they don't guarantee anything). For any other product, companies are held responsible for the quality of their products. But not airlines. If the current legislation had more teeth, then I think that the Agency could actually achieve more for the clients that contact them with complaints. (Looking at the legislations concerning airlines in Europe, passengers are definitely more respected than in Canada)."

"I think Agency should cease to exist. Waste of Federal money and taxpayers' time. I didn't spend my time writing a complaint so you can have work."

"Excellent experience. Thanks to the CTA for going beyond the bureaucracy and thanks for the follow up survey."



Detailed Findings - Qualitative

Findings are presented in five sections: multi-sector issues and themes, accessible transportation, the rail industry, the airline industry, and the marine industry. The first section explores subjects, issues, processes that are not specific to a particular industry. The second, although a multi-sector issue, focuses on accessible transportation as it is one of Agency's identified sectors. The last three sections are the rail, airline and marine industries; within these sections findings related only to those specific industries are presented.

Many of the findings of this 2011/2012 research parallel 2009/2010 findings, which were, for the most part, very positive. Wherever possible, reference to relevant 2009/2010 findings will be included in this report in order to identify and highlight continuing themes and concerns, and to underscore areas where improvements are seen to have occurred. Of course, in some cases subjects that were of interest and were topical in 2009/2010 were not commented upon by respondents during the course of this research, while some new topics have emerged. Of particular interest are findings indicating that stakeholders (many of whom were interviewed in 2009/2010) have seen discernible improvements in several key areas – including dialogue and consultation – since the last research was done.

As in 2009/2010, some concerns about process and dialogue and suggestions for improvement were uncovered. This is to be expected: the majority of stakeholders interviewed for this research are deeply committed to their own constituencies, and are continually advocating for policy and process changes that will benefit their industries or their memberships on a variety of fronts. Overall, though, these stakeholders respect the Agency, respect Agency executive and staff, and believe that the Agency does its best to work in collaboration with them. Considering the divergent priorities of the stakeholders interviewed, this is a considerable achievement.

“Keep up the great work in terms of recent improvements, such as consultations with stakeholders and with dispute resolutions. I am reserving my judgment on consumer balance, but I want to thank them for their transparency and for their openness in being available for us to discuss our issues with them.”

- Major Carrier (Air)

“My biggest concerns have been somewhat relieved by the latest administration. It wasn't that long ago that some of their staff wasn't comfortable working with [us]. They felt they had the right to be very private, and they told us only what they wanted to tell us, and they kept information from us. They also weren't proactive and that has changed totally; that was a big problem for many years. They seem to have opened up a lot more, and they want to be a lot more customer-focused, and I find their respect for our industry has increased.” - Association (Rail)

“We deal with international agencies around the world for aviation purposes and I have to say that what we see from the Agency is at an international standard; we are proud of how our [Canadian] regulator deals with these complex issues.”

- Major Carrier (Air)

Multi-Sector Issues and Themes

This section explores subjects, issues, processes that are not specific to a particular industry.

Dialogue and Communication

Dialogue

Stakeholders are generally very satisfied with opportunities to dialogue on an informal and a formal basis with all levels of Agency staff. As in 2009/2010, this satisfaction is universal to all stakeholder groups, including shippers and railways, airlines and advocates for persons with disabilities, as well as the marine industry. This collective satisfaction with opportunities for dialogue is indicative of the Agency's success in serving all of its stakeholders equally.

This open dialogue is seen to facilitate, in a broad sense, enhanced efficiencies for the Agency and for its stakeholders on a variety of fronts. By interacting regularly with key stakeholders Agency personnel are able to keep abreast of emergent issues and concerns, key to ensuring its agenda and priorities are relevant to the industries it supports. It also allows stakeholders to seek advice from Agency staff which can save them time—and the Agency time—prior to formally submitting applications, complaints, or requests to the Agency. It is easier to guide a stakeholder through a submission process once, than to review five incorrect iterations of that same submission. This dialogue also allows the Agency to discuss its priorities and possible positions on files with its stakeholders which can lead to adjustments to policies and procedures prior to their becoming a *fait accompli*.

"I certainly think that in terms of approaching the Agency, and in terms of informal contact, they are very good, and that's important because sometimes they will provide informal advice as to how to approach a problem a shipper may have."

- Association (Shipper)

"In that learning curve, we made a lot of mistakes, and they have been gentle with us, giving a head's up, and have often said 'you might want to consider this', or, 'be careful of that' and we have benefitted from their flexibility...and the relationship is really solid." - Major Carrier (Air)

"We have a couple of contacts there that we talk to occasionally and I would describe the relationship as very positive. If we have questions or concerns, they are always open to receiving those approaches from us, and what is even better is that with those same contacts, if there is something they want to explore or ask us...they feel comfortable contacting us. And that's a really positive and healthy scenario."

- Association (Shipper)

In 2009/2010, although dialogue was considered good, it was seen to be driven by stakeholders: a key concern was the lack of positive outreach from the Agency. Research indicates that this is being rectified, and several stakeholders specifically point to an increase in positive outreach from the Agency.

"It is noticeable in the amount of positive outreach from the Agency. I've gotten calls without necessarily having a major issue. So from that standpoint, I think that's a real improvement over previous years. That gets more airlines involved with Agency,



without the hanging sword of a proposed regulation, to talk about issues that the industry needs to be concerned with.” - Association (Air)

“I think the relationship is very solid, and the senior and mid-management people make a real effort in working with us and being transparent, more so than ever. It is a much more open environment than it used to be; they make sure that our industry has input into consultations, and they seem to be careful these days that we get our say, and that has been a real positive for us. I am really impressed in the last few years with the good relationship we have with the Agency and I have been involved with this kind of stuff for many, many years.” - Association (Rail)

*“We had this invite coming from the person in charge of the Agency coasting trade adjudication who said, ‘I am going to Montreal, can we touch base?’, just so we would be aware of the new structure of the Agency...it came from them, but I now have an open invitation to go and see their people...so we can increase the awareness.”
- Association (Marine)*

Consultative Processes

In 2009/2010, stakeholders pointed to a lack of outreach from Agency personnel, and also more specifically to a deficiency in the amount of consultation the Agency did when issues that would affect policy and processes were emerging.

“What could be better? Better consultation...so we’d have a head’s up when issues were forthcoming.” - Major Carrier (Air), 2009/2010 Qualitative Report

This research indicates that consultations, both formal and informal, have increased since 2009/2010. A number of respondents made positive mention of the Agency’s commitment to consulting with their stakeholders on a proactive basis. Perhaps more importantly, these consultations are seen to be meaningful: stakeholders believe the Agency values their opinions, and uses them to shape policy. Most of the stakeholders interviewed work with numerous government agencies, and the Agency’s approach to the consultative process is seen to be the exception to the rule: whereas often they are presented with a set of regulations that is already written in stone, they believe the Agency takes their opinions and concerns into account before regulations are finalized.

“I would never accuse the Agency of failing to consult. They deserve an “A” on that, and whenever they think there is an issue [that] they think involves us, they always consult. And that’s good.” - Association (Rail)

*“The consultations are on a regular basis and I think they are a good way to keep us informed and to ensure that our constituency is being accommodated.”
- Association (Persons with Disabilities)*

“When somebody has a proposed set of regulations, and they present them to you, I have rarely seen government move off of them... [the Agency] have a tendency to be very flexible, and the fact that we were not presented with a set of regulations, and we talked about general principals and problem areas that both parties could identify was

positive. And that is the exception to the rule. There are a lot of other agencies out there and they have altogether different approaches.” - Major Carrier (Air)

One consultative process was particularly well received by Agency stakeholders: all-in pricing for airfares. Stakeholders from the airline industry, who will be profoundly affected by these new regulations, were unreserved in their praise for the way the Agency handled this process. Stakeholders were happy to be asked for their opinions, but more importantly, they were convinced that the Agency was going to inform the new regulations based on what they heard from the industry. One stakeholder felt that the all-in pricing was just the beginning of several Canadian initiatives stemming from the United States Department of Transportation’s “Passenger Bill of Rights”⁵ protections, and noted that he would like to continue to be included in those discusses, and suggested that the all-in-pricing consultations should serve as a model for any future consultations.

*“On all-in pricing... I think they have been very forthcoming and supportive, and it’s...very clear that they are looking for us to provide substantive input that will assist in writing regulations that will meet the needs of the industry, so that is positive.”
- Major Carrier (Air)*

“We have had interactions with the CTA on the all-in pricing. We were scheduled to bring three of our members to a consultation, and the point was that it did not seem like there was a preconceived notion from CTA as to how they were going to proceed. They seemed genuinely interested in thoughts from us that would hopefully help develop their regulations.” - Association (Air)

“...how much are they going to pursue the Passenger Bill of Rights, and are they going to pursue it one issue at a time, or is it going to be a one-stop shopping exercise? But if they approach it like they’ve approached the all-in-pricing as a model, I have no concerns.” - Major Carrier (Air)

Several stakeholders also noted that they welcome and appreciate the opportunity to participate in evaluative surveys, which they saw as another example of the Agency’s commitment to consultation and to continual improvements.

“I welcome the opportunity to do this interview; the fact that they are conducting this type of survey is good and I hope it helps them moving forward. When we received the invitation, we were quite pleased to participate, because it gave us an opportunity to share our ideas to make CTA even better.” - Association (Shippers)

⁵ US Department of Transportation, <http://www.dot.gov/affairs/2009/dot19909.htm>, December 21, 2009

*“First of all, the very fact that I am having a chat with you today on this is allowing me to have the opportunity to say things that I have no other venue to say.”
- Major Carriers (Rail)*

“I think the fact that the Agency has been interested in doing what you are doing in the last few years, in getting feedback from their stakeholders, is indicative of their desire to improve. They aren’t resting on their laurels.” - Association (Shipper)

“Generally I find that the Agency is pretty open to comments about improving themselves, because it is not the first time we have had a third party talk to us about how the Agency is and how could it be better ... and every two or three years we have some kind of consultation being handled by a third party, to see how they could improve this or that. We know that they have this continuing questioning to try to continue improving, so we think it’s great.” - Association (Marine)

Suggestions for Improvement

There are some other suggestions for improved dialogue. A few stakeholders would like to see Agency personnel attend industry conferences more frequently, and to have a higher profile at them, perhaps by speaking, or by co-hosting events. There was some concern that although Agency interaction with the associations representing certain stakeholders was very good, more outreach could be made to individual stakeholders (such as shipping companies) who could benefit from knowing more about what the Agency could do for them, and what their rights are under the Act. As well, some stakeholders felt that it would benefit the Agency to more frequently visit stakeholders in their own environment so that they understood their industries better. It is worth noting on this final point on Agency personnel travelling to their stakeholders, a number of respondents did praise Agency staff for doing just that: the key message here would be that when Agency personnel are able to get outside Ottawa and into the offices and operations of their stakeholders, the time and effort they take to make those journeys is appreciated, and is seen to improve the stakeholder/Agency relationship.

*“We certainly have opportunities within [our organization] for the CTA to have a more prominent voice, and they do come to our annual conference...we are always looking for them to be more prominent at the conference.”
- Association (Non-Industry)*

“Get out and interact more with all of your stakeholders in a balanced manner. Get out and visit the potash mines, the lumber mills, and educate your people as to their rights under the Act.” - Association (Shippers)

“The CTA has actually taken the time to come out to Calgary to meet face-to-face whenever there are new players involved here; [Agency staff] is really good at ensuring that they understand what the Agency team is responsible for, and how we can interact with them.” - Major Carrier (Air)

One final note on dialogue: when stakeholders, many of whom are extremely time and resource challenged in their own positions, are asked to take part in any consultation that requires a concerted effort to gather or present evidence, those consultations should always

result in a definable result, a decision, or at a minimum a clear indication of what next steps the Agency will undertake.

“... in terms of areas of improvement for the Agency one [area] stems from the study of limited distribution that the Agency did, and I would characterize the results of that process as being inconclusive; if we understood it correctly, it was a compendium of submissions received, but there was no assessment or plan... there should be a clear set of results or next steps coming out of a process like that.” - Association (Shipper)

Agency Staff

As in 2009/2010, stakeholders are overwhelmingly positive about the Agency staff that serves their industries or their memberships. They are characterized as being helpful, informed, interested, and “customer-focused”. This characterization reflects the embodiment of the Agency’s commitment to its core value of Quality Service: stakeholders are seen as the customers that Agency staff serves.

“All the Agency folks are good folk and they all listen and are interested, and are all helpful. I find their staff informed and helpful; I am quite pleased with the people there.” - Association (Shipper)

“[Agency staff] has always been a pleasure to work with and [the staff] is very customer-focused and understands [their] place in the universe...the Agency has been extremely accommodating and my understanding is that they are flexible [in serving] the industry.” - Major Carrier (Rail)

It is interesting how often stakeholders refer to the positive “relationship” they have with Agency staff: a relationship many see to be continually improving. It is reasonable to infer that these positive relationships inform and support stakeholders’ positive regard for the Agency. It is more difficult to criticize or complain about an organization when you have relationships with that organization’s representatives, primarily because concerns are likely addressed on an ongoing basis. Some stakeholders note that under the current Agency administration, relationships are getting stronger.

“[We have a] better relationship with CTA than [we have with] so many other agencies -- I can’t think of anything that they need to improve. Any problems we have had in the past, we seem to be resolving as we go on. It might be [Agency executive] or other people, but from my perspective it is amazing how things that were once stalled have moved forward...Whether there has been a big change [in corporate philosophy] I don’t know, but in some areas, the relationships have gotten stronger and more meaningful.” - Major Carrier (Rail)

“I think that the relationship is actually quite healthy and there is a lot of confidence to approach each other.” - Major Carrier (Air)

“My relationship with staff, and my colleagues’ relationships with staff, deserves an A+.” - Major Carrier (Rail)



One area where the Agency might improve its efforts to build and maintain relationships is in managing the transition from one staff member to another when an Agency employee leaves a position. New staff should be encouraged to reach out to introduce themselves to those stakeholders who might benefit from the contact: new staff members are likely to benefit as well, as this would open dialogue that would likely enhance their learning curve and their competency in terms of understanding the stakeholders they serve. Departing staff could prepare a reference list as a part of the new person's orientation package. As well, when departments reorganize it is vital that those changes – which can seem both confusing and perhaps superfluous – are well communicated to the people departing staff serve.

“It used to be [that we had] a lot better informal dialogue, but because they have new staff, it doesn't happen... because I only contact them every six months, I don't know what staff is responsible for what. The chap who organizes meetings has retired and I don't know who took [his] place.” - Association (Persons with Disabilities)

“But once [Agency employee] left - and she [used to come] down to our committee meeting, and she was good to give us an overview of what the CTA was doing - now people don't get that information. That's not there anymore and I don't really have the same contact.” - Major Carrier (Marine)

*““The working relationships are very strong, but...there have been some reorganizations and restructuring that have been somewhat confusing in terms of who does what and why different branches are called different things now, and people have different titles, and that is confusing although not worse. I am unclear why changes have been made...Some group changed to the industry determination branch and that might be licensing but I can't remember. 'Industry determination'? I need a definition to determine who I am talking to and what they are responsible for. I am always resistant to change for the sake of change.”
- Major Carrier (Air)*

Stakeholders continue to be concerned about institutional memory loss, an acknowledged societal issue driven by prevailing demographics. Stakeholders look to Agency staff for expertise: expertise that is gained with years of experience and an understanding of the history of complex issues and processes which can be called upon to inform solutions to new challenges. Industry also counts on Agency staff to be a “strong” presence and advocate for industry issues both within the Agency, and when Agency staff represents Canadian industry abroad. There is certainly acknowledgement in the 2011/2012 qualitative findings that the Agency has been working to address this issue since it was identified in 2009/2010, by hiring industry experts with the appropriate background, and by supporting innovative training programs such as the cooperative program with the Railway Association of Canada. Yet, it does continue to be a concern.

“We are worried that they are losing expertise, and they have lost a lot of expertise over the years. There needs to be a transfer of knowledge so you have an Agency full of people with a strong position on industry issues...in order to have a strong and efficient regulator, vis-à-vis submissions, or issuing letters, or negotiation, you need strong people and expert people to properly convey the message from the industry... this role of Agency personnel as strong, expert, and knowledgeable regulators has to be maintained...this is how they can help us best.” - Major Carrier (Air)

“The Agency has lots of incredible expertise on the rail side, but they are typical of many civil servants where the expertise is going out the door because they are baby boomers...[new staff] might know the market characteristics, industry structure and performance, but they don’t have the insights that come with true expertise. And I understand [CTA management] is working hard to develop that; on noise complaints [they] have hired an engineer with that expertise. But...in some areas they are lacking in expertise.” - Major Carrier (Rail)

*“... but what [the Agency has] done is we have two day courses, and [new Agency staff] actually get on a property, and on a train, and they have been very proactive in getting their staff into this training in the past two years... and it really opened up their eyes and [has] given them some tools to make good decisions...that was a big issue, that [new Agency staff] didn’t understand railways, and I think that is improving.”
- Association (Rail)*

The Agency’s website

Not many stakeholders commented on the Agency’s website, although those who did venture an opinion were very positive, and noted that recent changes were good. The Agency’s website is seen to be current, easy to navigate, and also provides access to helpful tools stakeholders can use to assist with specific Agency processes. The Agency’s website is also seen as a useful vehicle for informing and educating the general public; Fly Smart information (also available as a brochure) was identified as being particularly helpful to airlines as it helped to educate their customers on complex issues. One stakeholder noted that online tools should be examined to ensure they are useful to a wide variety of stakeholders with differing capacities.

“The website covers the issues that they are responsible for and I find it easy to navigate. They keep it current, and anytime I refer to it, I can find the information I am looking for.” - Association (Shippers)

“The Agency is always available to respond, and they make an effort through various media to get their message out. They have a good website; they try to have a good relationship with industry associations like ours, so I don’t really have any suggestions on what else they could do.” - Association (Shipper)

“...for example, the Fly Smart brochure which helps and educates customers; we certainly value that for explaining complex concepts like fare changes. And we do appreciate the educational role that the Agency is playing. It helps when we have more educated travelers. I really think Fly Smart is well done and it keeps being updated with new things.” - Major Carrier (Air)

“A lot of the materials on the CTA site are great, there are guides and toolkits...but in some cases [some members] don’t have the resources the toolkit assumes that they have...so more generally, the toolkits have to be refined with the understanding that some [of our members] have a limited capacity.” - Association (Municipalities)

Dispute Resolution

Stakeholders continue—as they did in 2009/2010—to embrace alternative dispute resolution processes, although there are a few caveats: there were several comments on the passivity of Agency mediators in mediation sessions, and numerous shippers express concern about the potential for mediation becoming a necessary step prior to final offer arbitration (FOAs). Shippers are primarily talking, however, about the potential role of the Agency in a new service dispute resolution process that could result from the current facilitation process ordered as a response to Transport Canada’s Rail Freight Service Review. Overall, stakeholders find the Agency fair, although there are some perceived partialities, generally balanced by a perception of partiality from the opposing camp. In terms of transparency, the Agency is seen to have improved its communications of the rationale behind decisions: this is seen as a significant improvement.

“Their decisions are very good, and we have been happy with their decisions, even though there are a couple that we have lost. But we can’t complain because their evaluation was solid.” - Association (Rail)

Dispute Resolutions Staff

One subject not included in the 2009/2010 report that warrants mention because of the volume of comments is the newfound respect that stakeholders have for the dispute resolution team at the Agency, seen to have resulted from a management change. The dispute resolution team is seen to be flexible, proactive, and collegial by industry stakeholders. This approachability is credited with reducing the number of formal trials because the team is seen to work actively with stakeholders to find alternative solutions.

*“I am concerned about how the dispute resolution process will play out with more complicated matters involving code share agreements, but I know that I can go to CTA for advice and dialogue; that’s especially true of the dispute resolution section.”
- Major Carrier (Air)*

“With the dispute resolution branch, we are very involved with proximity issues and I must say that historically, CTA was very guarded, they were very hard to reach, and we could never talk to their senior people. But since [staff member] joined, that has changed. She is open and candid; she gives us the right information when we need it. She is proactive and she attends a lot of our meetings, she is very interested, and we have formal and informal meetings and that has improved dramatically in the last year or two.” - Association (Rail)

“Actually, I know a number of the people in the dispute resolution section and we dialogue with them informally fairly frequently. We have made arrangements for them to have a speaker at various seminars that we run, and they are knowledgeable and approachable, and do reach out to us; it depends on what issues are at play, and they may want feedback. It’s very amenable.” - Association (Shipper)

“In matters where we cannot resolve a complaint with a guest and it has escalated to a formal complaint with CTA, CTA has been very flexible in providing a variety of options for dispute resolution, such as mediation, and then ultimately getting to a formal trial if necessary; the flexibility of the CTA has helped to reduce the number of formal trials that we have participated in, and they are to be commended for that.”
- Major Carrier (Air)

Facilitation

“Facilitation involves an informal exchange between you and the transportation operator. It is a relatively quick, no-cost alternative to the Agency’s other dispute-resolution options. The Agency’s role in this informal discussion is to offer its expertise and help define the issues involved. This helps to put issues into focus, which can clear the way for an agreement.”⁶

Agency staff is credited with making informal facilitation a successful go-to dispute resolution strategy that saves time and resources for industry stakeholders and for the general public. Its continued popularity as an alternative dispute resolution process has been bolstered by what is described as an increase in communication between Agency staff and industry since 2009/2010. This is a vital dispute resolution process and continued, if not increased, resourcing of the facilitation team would likely be welcomed by stakeholders, and by the general public.

“I like the fact that CTA facilitates our ability to have the discussion with the guest to resolve the issue, [which is] always our first course [of action].”
- Major Carrier (Airline)

“On the rail side is where the staff relationship is important, and I will get an e-mail or a phone call from [Agency staff] saying, ‘this has come in, can you do anything about it’, and if you do can you try to resolve it...and how well it works depends on the Agency staff. Once I get back to the complainant, [and] the Agency gets back to the complainant we can often solve it.” - Major Carrier (Rail)

⁶ AGENCY, Dispute Resolution, Facilitation, <http://www.Agency-otc.gc.ca/eng/disputes>, n.d. (accessed April 7, 2012)

“We have gotten to a good place where we are comfortable with working with them on files, whereas it could be that we would try to contact them as little as possible: the less the better. But that is not the case, and we have changed that [through working together]. I think that the interactions with CTA [dispute resolutions team] in my role with central services have strengthened in the past two years in that we now know who [the CTA team] are and what they do...to the benefit of us, and the guest as well.”
- Major Carrier (Air)

Mediation

“Mediation has been used to resolve disputes with major rail and air carriers, airport authorities and private citizens. It allows parties to understand each other’s perspective, identify facts, check assumptions, recognize common ground, and test possible solutions.

Mediation is an informal alternative to the Agency’s formal decision-making process. It can be faster and less expensive, and can produce an agreement that benefits both sides. It has worked well in disputes involving several major transportation service providers. In fact, a number of carriers have mentioned in recent years that they consider mediation their first alternative for dispute resolution.”⁷

Mediation, as in 2009/2010, continues to be considered an important and vital alternate dispute resolution service that benefits stakeholders in a variety of ways. It is recognized as the logical next step in dispute resolution if facilitation does not produce results, one that also minimizes the resources that stakeholders need spend in order to find compromise by avoiding the costly and time-consuming formal processes. There do seem to be some mixed messages in the stakeholder community about the future of this well-received Agency process in the 2011/2012 findings: some believe the Agency is planning to promote and expand the program, while others believe there will be cutbacks.

“I am a big proponent of the mediation program. [Our company] has shown our enthusiasm for mediation by taking part in a number of mediations. And the outcomes are non-binding. I think the CTA staff is fully on board with promoting and expanding the program, and the value-added is tremendous from an economic perspective, as compared to the cost of a trial; it is a tremendous savings in resources and time and effort.” - Major Carrier (Airline)

“They can be useful in some circumstances, and they tend to be quicker and lower cost, and having a third party does help...” - Association (Shipper)

⁷ AGENCY, Dispute Resolution, Mediation, <http://www.Agency-otc.gc.ca/eng/disputes>, n.d. (accessed April 7, 2012)

“The protocols in their laws and guidelines have been good, and we fully accomplish what we need to accomplish before we can’t get to ‘yes’ with a complainant, then there is that mediation step. And CTA mediation services have been very good and have been used by [company name] on all cases where they can’t get to compromise; other railways have used it, and we have been happy...our major railways count on the CTA mediation services and feel that they are fair and professional and that they don’t try to push anything one way or another. ...I heard that they are going to tone down on that side of things, and I am not sure why, but that would be disappointing as we appreciate their mediation services. We wouldn’t want to see that disappear.”

- Association (Rail)

Stakeholders have seen a change in the approach that mediators are taking, which some stakeholders believe has somewhat diminished the effectiveness of this dispute resolution process. Whereas in the past mediators were seen to actively – and appropriately – push parties toward compromise, a loss of personnel is seen to have changed Agency mediators’ approach to one that is more passive, which some consider less constructive. This was not the case in 2009/2010, when mediators were more commonly praised by respondents. There is acknowledgement that new management may alleviate this issue.

“The first five or six mediations I did were all with [Agency mediator], who is unquestionably the best mediator I have even worked with - and she is very fair, very transparent; it never crossed my mind that she took either side - she was clear in presenting options. Because it was expanding, more resources had to be brought in and they are not always to the same calibre and they were still on a learning curve.

Some were less clear and less transparent, and maybe a little biased, but it wasn’t really a detriment to the outcome. The outcome and the process were very efficient and transparent.” - Major Carrier (Airline)

“I do have a serious issue with mediation and I am a huge believer in mediation and I do it for the company, but the Agency mediators of late - and they have a new Director but before his arrival - the mediators were very passive in contrast to the mediators [who were] there the last couple of years who were fully engaged with the process and the participants, and they were proactive in [finding] solutions.”

- Major Carrier (Rail)

“The loss of key agency personnel in mediators is a serious loss to the mediation program because the mediators who are left at the Agency don’t have the depth of understanding and insight to push the parties toward a solution. The dialogue is minimal, whereas before they were a full participant in driving to a solution. Instead of going to a mediation where we always knew we would get a settlement, it is now a 50/50 chance. I do think that with the new director of mediation that they are on the right track.” - Major Carrier (Rail)

Among the members of the shipper stakeholder group there is continued concern that mediation remain a non-mandatory step prior to moving to a formal process, as there was in 2009/2010. If a shipper is planning to mount an FOA process, the mediation step is seen to benefit the railway, as it lengthens the overall process (always seen to benefit the railways) and uncovers details about the case that could help railways to mount a defence.

“For mediation and any other facilitation to work, you have two parties get together who haven’t gotten together in a room with a third party and inject the voice of reason into the discussion. But at that point, they have already met numerous times, so all the mediation process does is prolong the process again - the time it takes to get to a resolution. And that is in the railroads’ favour.” - Association (Shipper)

“The only reason you would [go to mediation] is that mediation is the gateway to arbitration. We don’t like mediation. In the models I have seen, you have to take this step, and it is a bad idea. If both parties agree to mediation, great, but to make it mandatory benefits the railroads.” - Association (Shipper)

“There has been some talk of making mediation mandatory before going to FOA, but that’s an issue, because the shipper’s complaint details become known during the mediation process, and that may make it easier for the railroads to mount a defence. But that is an issue only if mediation is made a mandatory first step. That would be in the railway’s interest in terms of mounting a defence, and in terms of the timeline. Anything that spins a final decision out over a longer period is to the advantage of the railroads, because they want to maintain the status quo.” - Association (Shipper)

Final Offer Arbitration

“Final offer arbitration (FOA) can be used in certain cases to resolve a dispute between commercial shippers, railways, and transit authorities.”⁸

As in 2009/2010, stakeholders regard the FOA process as one that is an absolutely necessary option should the disputed matter necessitate the time, energy and resources that the FOA process demands. Although most stakeholder try to avoid FOAs, that avoidance in and of itself does lead to compromise at the alternative resolution stage. Its primary fault is seen to be the fact that smaller players cannot partake in the process because they simply do not have the resources to do so.

“The other process that works very well from the shippers’ point of view is the dispute resolution process FOA. The Agency... oversees it and ensures that the process works well. I think it does all work pretty well.” - Association (Shippers)

⁸ AGENCY, Dispute Resolution, Final Offer Arbitration, <http://www.Agency-otc.gc.ca/eng/disputes>, n.d. (accessed April 7, 2012)

“Is the process fair? My answer is yes, and it places an equal burden on both sides. It is as efficient as it can be, according to its nature, and I think it is balanced and fair...But there is a huge problem in terms of participants being comfortable with the process...it is only worth it for huge shippers.” - Association (Shipper)

A recurring concern, highlighted in the 2009/2010 study, is the issue of the quality and impartiality of the arbitrators identified by the Agency. Stakeholders indicate they believe the Agency is moving toward resolving this issue.

*“The one issue which they had (I know [Agency executive] is trying to deal with it) is that they have a list of arbitrators, and essentially if you thought you could be an arbitrator you could get on the list whether you had any expertise or not...”
- Major Carrier (Rail)*

“The Agency’s role in FOAs is limited, but I think the role they do have is on the arbitrator list. When parties to an FOA can’t come to an agreement on the selection of an arbitrator, the Agency appoints one from an established list. Some on the list do not appear to be particularly qualified; one is [known to have a particular bias], and that calls into question all the other names. That list should be transparent and there should be an up-to-date CV connected to each name...My understanding is that they are looking into this.” - Major Carrier (Rail)

Adjudication

“When you file a complaint with the Agency, the Chair appoints a panel to consider it. The panel will consist of at least two tribunal members, and will operate much like a court. The Agency panel reaches its decision through a process that is impartial, transparent, and fair. Its decision is binding, and can carry the force of a judgement from the Federal Court of Canada or a superior court of any province.

You will need to file a submission to set out your complaint against the transportation operator. Then the operator will be asked to file its answer within 30 days. After the Agency receives the answer, you will have ten days to reply.

Then the panel members will consider the evidence, the research, and advice provided by Agency staff, as well as the legislation, regulations and legal principles that apply to the matter. They will issue a binding decision, normally within 120 days. The parties can extend the deadline if they all agree.

Most cases are settled through written arguments. Cases that are more complex can involve hearings, providing Members with a better understanding of the parties' positions on the issues, with an opportunity to hear expert evidence, and allowing cross-examination. These hearings are normally open to the public.”⁹

In 2009/2010, major carriers were generally happy with the tribunal process, while associations representing shippers and consumers characterized the process as being biased toward major carriers simply because they are better resourced: the process itself is seen to be fair. In the course of this research major carriers noted that, like FOA, the Agency’s quasi-judicial process is generally avoided because it is fraught with risk as decisions are binding. This risk is recognized by some stakeholders as a means to drive parties toward compromise before the fact. Major carriers also comment that timelines are perhaps too inflexible, especially if both parties agree to different timeline parameters, and that the process itself is excessively opaque in that the summaries that Agency staff provide for Members cannot be reviewed by the parties involved.

“And the record will show that [company] will do handstands to avoid these processes because it is such a high risk game [that] no prudent business person, railway or customer, would want to do that.” - Major Carrier (Rail)

“The tribunal part of the Agency is the part where I feel there is a black hole. I know that you put in a complaint or an application, but I don’t know what their internal process is. I don’t know what staff does within the tribunal role of the Agency. They are very good at making decisions within 120 days, but even when parties are willing to extend it they are not very flexible...if the parties are willing to extend the time, the

⁹ AGENCY, Dispute Resolution, Decision Making Process, <http://www.Agency-otc.gc.ca/eng/disputes>, n.d. (accessed April 7, 2012)

Agency should be willing to. And I would like to see what staff summarizes for members: does it reflect what the parties involved think that it should?"
- Major Carrier (Rail)

"It provides a good framework in documenting a challenge and responding to it, because when all the cards are on the table in the way that would be [done] by the CTA to render a decision, the parties are not stupid and can then see what the outcome is or will be. The process itself is a good way to settle and that is what happened in the last case...it was started with CTA and at some point they realized that the case was not very strong so they came to a conclusion before the CTA imposed it. So the process itself is very valuable." - Association (Marine)

As with the FOA process, the tribunal is seen to be out of reach for a large majority of shippers, and for those associations that represent consumers or persons with disabilities. Some believe the railways in particular can leverage the threat of these potentially monumental costs against smaller players in order to push them toward compromise.

"There is a general feeling that the railways use the CTA process as a threat, or at least leverage, especially with a small [stakeholder] who doesn't have a lot of resources." - Association (Non-Industry)

"The railways take them to court on motions and all sorts of measures to try to force a result that effectively takes the tribunal decision out of the reach of 95% of the shipper community...so there the Agency is only serving ...10% of the shippers and it is out of reach for the rest. That is fundamentally wrong." - Association (Shipper)

One thing shippers and railways do agree upon is the neutrality of the Members making decisions. However challenging it might be to mount a tribunal, once mounted, stakeholders are confident that cases are adjudicated fairly on the "merits of the case presented".

"Once the facts are on the table, the Agency is pretty scrupulous under [Agency executive] in being [as] unbiased, neutral, fair and as judicial-like as they can be. Once a case is before the tribunal, it tends to rely on the merits of the case presented." - Association (Shipper)

"On the integrity side, I have a lot of faith in [Agency Executive] and I don't believe that he or any of the members have any bias against the railways. I believe the members are...extremely hard-working individuals who are trying to do the best they can. The members' decision-making is impartial." - Major Carrier (Rail)

There is some concern, especially among airline industry executives, that the timing of responses demanded by the Agency during the tribunal process is too inflexible: one respondent noted he was contacted on Boxing Day and told to submit materials within a week: this is extremely challenging at any time, but especially so during the holiday season. (To add to his frustration with this episode, he characterized the complainant as a "serial" nuisance complainant, well known to the Agency and to the airline industry.)

“In the tribunal role, they have a unique ability to entertain complaints from the public and associations, and in recent years we have seen a more strict approach on timelines or deadlines to respond for the industry and I think that is going in the wrong direction. There is a power for them to give time extensions, and I think it is getting a bit more difficult. I think the Agency changed their standard turnaround time for the industry from 30 to 20 days, and even if you do your best, you need a lot of internal input, you need to plan detailed answers because the matters are of a very complex matter, and the expectation is perhaps too high. And we have seen a recent trend on that. We raised that in the one-on-one that we had with [Agency personnel] that came to meet with us. We hope to have a better understanding of that kind of reverse. We understand that as a regulator, you have to improve your service level to complainants, but the 10 day difference for a file that would last a year or two years is too much.” - Major Carrier (Air)

*“You manage your time to provide [what is needed], but to have 20 days on a complex file is not a lot...there should be a recognition that for complex matters - not simple ones - it would require 30 days. Instead of us requesting an extension, it would be great if the Agency independently recognized it is more complex.”
- Major Carrier (Air)*

Agency Impartiality

The stakes are huge; the decisions the Canadian Transportation Agency make have the potential to have an enormous effect on the Canadian economy. The Agency is held to very high standards by the stakeholders it adjudicates, and overall, it is seen to be fair and unprejudiced. Of course, some players do perceive prejudice in certain areas: most often, these perceived prejudices are mirrored by the opposing party. These findings are consistent with those of 2009/2010: some shippers perceive a pro-railway lean on some issues; railways see shippers as being favoured on some matters. Airlines feel the Agency may be too focused on accommodation without taking inherent costs into consideration; advocates for persons with disabilities believe the inherent cost of Agency processes put them out of reach of most of their constituencies. It is unlikely that every stakeholder will ever consider the Agency completely impartial; indeed, no court on earth could make that claim.

“There is a huge amount at stake here and they want it to work with the same kind of integrity that the Supreme Court of Canada operates at. That’s the kind of high bar that members look to the Agency to reach.” - Association (Shipper)

“Some shippers feel that there is a perceived bias toward railway. If that is the case, and that is a matter of opinion, we simply want them to make decisions based on the merits of cases.” - Association (Shipper)

“And the minute a shipper is involved, even if they think I am pretty well right, it is almost impossible to win. I always have a hill to climb. If the shippers complain, there must be something wrong.” - Major Carrier (Rail)

It is important to mention that when speaking to the Agency’s impartiality, many shippers noted that the Transport Canada’s Rail Freight Service Review findings point to an inherent imbalance because railways were found to be in a market dominant position over shippers.

“And when it comes to fair, the rail freight service review panel took 2.5 years to come to some conclusion which the government supported. One of the conclusions was that the railways were in a market-dominant position over shippers. That was a huge deal, because the railways were equal in the process; for them not to prevail was exciting for shippers, given that the railways utilize tactics to stall and thus drive costs up. For the Agency to adhere to the rules of court is in effect unfair, because it doesn’t account for the market dominance of the railways, and I would argue that the way the railways conduct themselves in these proceedings is an exercise in them flexing those muscles and I think the Agency should take steps to level that playing field.” - Association (Shipper)

Agency Transparency

One important measure of the Agency’s integrity from stakeholder’s perspectives is their understanding of why Agency decisions are made. If they believe the logic to be faultless, they cannot question the rulings. In 2009/2010 this research pointed to a perceived lack of transparency based on the less than fulsome decisions released by the Agency: stakeholders suggested that releasing more fulsome decisions would increase transparency and that would likely result in stakeholders being more confident of the Agency’s inherent fairness. In this research, several stakeholders note that it is their perception that the Agency has “made substantial gains in advancing the integrity of their reasoning in terms of transparency and understandability.”

“I have to rely on their expertise and I have to rely on their integrity. If those two things are lacking the... CTA is tarnished, and I and the people I work with lose trust in it. And how I understand that those two factors are being maintained is in the way the Agency speaks, and in its decisions. I don’t have to win all the files, but I certainly have to understand why the Agency decided as it did. The reasons [behind the decision].” - Major Carrier (Rail)

“I don’t mind losing a case, as long as I understand clearly why, and I can say to myself and the people I work with that you can see that what the Agency did was reasonable. You might disagree with it, but you can see that it was reasonable and support it. There has been a huge improvement [in explaining decisions]...it is much better at this and I see [Agency executive’s] prints all over that. It is clear that they have made substantial gains in advancing the integrity of their reasoning in terms of transparency and understandability.” - Major Carrier (Rail)

“Decisions are fuller and give reasons, and that is a critical improvement. As long as I understand the reasons, I don’t have to agree with it.” - Major Carrier (Rail)

There are still calls for even more transparency, and stakeholders do note that Agency decisions are, reasonably, researched by those wanting to avail themselves of an Agency process in order to determine what the likely outcome might be: more transparency provides more information on which to base, for example, business decisions about, as an example, airline licensing.

“Rulings could still use more transparency. Disseminating so there is a body of law that has been established and the CTA is a court and practitioners involved in licensing matters should be aware of why and under what circumstances decisions are made. It’s about subsequent rulings...There should be adequate background material provided so that independent third parties can review it and understand the basis of the decision.” - Association (Air)

Some stakeholders do request that Agency decisions be presented in a simple format—as an adjunct to the fulsome technical decision—that can be utilized to disseminate information to their membership and to the media, and to ensure decisions are not misinterpreted.

“Exhaustive results are always going to be read by the experts, but I would request that when they do make a decision, they should write it up in a one page [in a simple format]...some of the things they are issuing judgments on are huge and quite technical, and the capital costs is a good example of how technical this work is....it is very important when rolling out results for these kinds of processes that it be done at a level that it is possible for [membership] to understand. The media would be interested in having a scrum, and we are [also interested], and we need it distilled down to the essentials to facilitate that.” - Association (Shipper)

“Sometimes the wording on the CTA decision website is causing confusion, such as how you describe the decision, and how the public perceives [it]. In the media there can be misperception or confusion created by the way Agency decisions are distributed by subscription mailing list, and the way to improve that would be to be careful about the wording and how you summarize.” - Major Carrier (Air)

An Increased Role for the Agency?

Some stakeholders believe that despite the movement toward deregulation on some economic fronts, the Canadian Transportation Agency's vision to facilitate a "competitive and accessible transportation system that fulfills the needs of Canadians and the Canadian economy"¹⁰ necessitates that the Agency be given more regulatory strength, not less. Many stakeholders want to see the Agency's dispute resolution authority expanded; this was not reflected in the 2009/2010 findings. It is certainly a complement to the Agency and its executive staff that this theme has emerged in 2011/2012: if stakeholders did not inherently trust the Agency, they would not be calling for its regulatory powers to be expanded.

"And despite elected officials' propensity to feel that less is more, when it comes to the regulatory environment this is not your ordinary file. If there is any file that needs more regulatory strength, it is this one. That is one of the biggest challenges because there is not a lot of interest in expanding regulatory structures."

- Association (Shippers)

"In the near future, we still have lots of coasting trade questions pending, but there is only so much that the CTA can do unless there is a change in the Act."

- Association (Marine)

"I think they are doing what they are mandated to do. We may go the Minister of Transport to say that their mandate should include airport regulations, for instance, if Transport undergoes a review. CTA staff would be capable of it."

- Association (Airline)

"[I would say to the CTA] find a way to convince elected officials to give you more power to help make sure that shippers get the service they need."

- Association (Shippers)

Shippers are particularly enthusiastic about the potential for new Agency dispute resolution processes that they believe may result from the Transport Canada Rail Freight Service Review facilitation process, which the Government of Canada has tasked with negotiating a template service agreement and streamlined commercial dispute resolution processes. And Canada's shipping community sees the Agency as the obvious organization to host these new processes.

"As we have discussed, the FOA is an effective tool but we see a lot more opportunity for the CTA to play that type of role, and we would be very keen to see them play

¹⁰ AGENCY, Mission - Mandate, Vision, <https://www.otc-Agency.gc.ca/eng/mission-mandate>, n.d. (accessed April 7, 2012)

*more of that role as an adjudicator to help to level the playing field with railways....we would like to see them do more, and we see a lot more potential for the Agency.”
- Association (Shipper)*

“On the Transport Canada Rail Freight Service Review process, our members were very excited about the recommendations that came out of that report, and two of our member company reps are serving on the facilitation process that Transport Canada has launched as a reaction to the review. And we see the CTA as part of the solution.” - Association (Shipper)

“One of the things on our wish list with regard to the future of dispute settlement at CTA, and we realize this requires a legislative change, would be a shipper-initiated dispute resolution process.” - Association (Shipper)

So hopeful are shippers that a new process will be initiated within the Agency that they are offering suggestions as to how it might work. As well, they also note that they expect to be consulted on the issue. Railways would likely ask for the same courtesy.

*“A better dispute resolution process for us would be something that a shipper could initiate, and the idea both parties having to agree to take a dispute forward just doesn’t work. And the timing needs to be faster than the current 60-day process. In a perfect world, it should be seven to ten days, so that you show up with your supporting documentation on the complaint, you have someone appointed to oversee the dispute, you make your case and then the decision is made rapidly and is binding...the railways have big budgets devoted to litigation and so time is on their side.”
- Association (Shipper)*

“We would love to see the current timelines for resolving disputes at the CTA tightened up from the current timeline.” - Association (Shipper)

*“One thing I would like to see the Agency do is to conduct a poll of potential customers and talk about what it should really look like, and how it could really benefit shippers. Or get the list of the 5000 shippers and find out what they know about the Agency. They should test the waters and find out what potential shippers know, not at this level. Get a poll to establish where you are with all the rail freight shippers.”
- Association (Shipper)*

Accessible Transportation

“The Canadian Transportation Agency is responsible for removing undue obstacles to the mobility of persons with disabilities from federally regulated (air, rail, marine and interprovincial bus) transportation services and facilities.”¹¹

The Agency is tasked with removing undue obstacles to mobility for persons with disabilities in the transportation sectors it regulates, but this must, reasonably, be balanced with its responsibility as an economic regulator for those industries. Endeavouring to find solutions and compromises that work for both of these parties is a challenging task because while some solutions seem very clear to some stakeholders, others stakeholders might argue that imposition of those solutions may actually be impossible. What seems clear when examining the opinions of stakeholders on both sides of this issue is that they believe the Agency’s Accessibility Advisory Committee is facilitating cooperation and compromise among these stakeholders, and finding workable solutions to accommodation issues.

Accessibility Advisory Committee

Stakeholders are very positive about the Accessibility Advisory Committee, and find the meetings to be well organized and productive. The Agency staff that organizes and attends the meetings receive many complimentary remarks from advisory committee members; they are praised for the organization of the meetings, including the provision of appropriate accommodation for those in attendance with disabilities, and on their perceived interest in the information being exchanged. Agency staff involved with this committee does a very good job of communicating the Agency’s commitment to this facet of the Agency’s mandate through their professional handling of these meetings. This points to an opportunity for Agency executives to underscore the Agency’s commitment to this constituency, as well, by taking the time to address this group.

“There couldn’t have been enough nice things said about them [a major carrier] and it gives us the opportunity to thank them for all they are doing [for persons with disabilities]...Actually, I greatly respect the CTA and I hope that they continue to have the meetings, and I am praying they never stop because they are some of the best meetings I have ever attended....we greatly appreciate that they want to hear from us, and I do greatly appreciate them bringing us together with the carriers... I greatly respect the CTA people and they control the meetings so well.”
- Association (Persons with Disabilities)

¹¹ AGENCY, Accessible Transportation, <https://www.otc-Agency.gc.ca/eng/accessible-transportation>, n.d. (accessed April 9, 2012)

“When I interact with CTA, it is normally quite positive and the staff is as accommodating as they can be. In October, we had the Accessibility Advisory Committee meeting and I was impressed overall with how, as an Agency, they are able to have both individual carriers and community members interact in a respectful way and learn from each other. I find that very unique in my dealing with government and government agencies.”

- Association (Persons with Disabilities)

As in 2009/2010, the Accessibility Advisory Committee meetings are considered working meetings that actually drive new policy and process for the Agency and for carriers. In one specific example uncovered in the 2011/2012 research, a proposed training timeline for carriers was discussed at the meeting, and a compromise that worked for both sides of the issue was reached: without this face-to-face discussion, it is likely the Agency driven-solution would have pleased neither carriers nor those representing persons with disabilities. Stakeholders note that Agency follow-up to this committee’s decisions is very good, with synopses sent out in a timely matter, giving stakeholders another opportunity to review and comment, perhaps after consulting with their constituency. The one grievance: these meetings are held every two years (at best) and should be held more frequently. This was also a finding in 2009/2010.

“The CTA meeting was very beneficial for our association and our membership because it gave us the opportunity to discuss these issues face-to-face with the industry. In the past, some e-mails of ours had gone unanswered and this was a much better forum for us. [And it has led to improvements], for example, I am working with the CTA to include [an accommodation for better communication] on their website. That will increase our membership’s knowledge of the Agency and what it can assist them with when they have issues.” - Association (Persons with Disabilities)

“I really like the meetings that the CTA have and I learn a lot from them, and I like the fact that they include all disabled groups and the aging population. It is good to hear what other disabled issues are, because sometimes I haven’t thought of an issue that might affect me and I find it helpful that the CTA are taking notes and I feel we are being heard...the staff that is facilitating the meeting is really listening.”

- Association (Persons with Disabilities)

“They had disability stakeholders and carriers around the table and they gave us a lot of advance material. I thought there was a lot of transparency and accountability, and I felt they really listened to both sides. I felt we were heard, but I also thought the industry was heard. They were talking about making personnel training regulated for every two years but industry said they were on a three-year cycle. And we agreed it would be all right on a three-year cycle, as long as it was refreshment courses. It was a great [opportunity for dialogue]. And they had interpreters and were very good at accommodating. I was very impressed, and afterwards they gave us feedback on and wanted further feedback on the recommendations coming out of the consultations. Within a month, they gave us a synopsis of what they were proposing and then gave us two more weeks comment on that.” - Association (Persons with Disabilities)

There are some concerns among stakeholders representing the community of persons with disabilities that although some major carriers are committed to fulfilling their requirements from both a regulatory perspective and by making changes agreed to at the meeting, others do not manage those changes at a level that meets the expectations of the community of persons with disabilities. One respondent pointed to poorly written training materials that, although done in consultation with their association, were not, in the end, written to their standards. As well, some stakeholders note that the meetings are held too infrequently – every two years, at best – and that communication in between the meetings, even about decisions made at the Advisory Committee meetings, was sporadic. A more organized and formal approach (through a newsletter, perhaps) might help to bridge the time between meetings. As well, the Agency could consider more regular smaller scale meetings, or the utilization of conference-calling technology to increase the number of meetings being held if budget is an issue.

“I assume that all companies are like us. We have to comply with a lot of regulatory requirements and I have been concerned that we haven’t been doing as much as we should, and after the meeting in October [we realized that employees] have to be refreshed every three years and we are hoping to get most of our workforce in [the refreshment training] by the end of next year... we have high standards for service and safety.” - Major Carrier (Marine)

“I do find them helpful because over the years I have seen things improved with training; for instance with [major carrier] they have included disabled people in their training, and so somebody heard us and changed the way they did things. Some of the transportation providers like [major carrier] sent us their training package; they might think that was involving us, but it was very poorly done. But I do think it is very helpful, and I do really appreciate the fact that the CTA gives us an opportunity to be heard.” - Association (Consumer)

“The CTA meetings are very respectful, and they said at the last meeting that they were going to put things on the website and sometimes it would be nice when things change [they would let us know]...it would be nice if they sent us a newsletter...if they say that they are going to do things at the CTA meeting, then we won’t hear from them for two years, so if they do these things, why not send us notification so we can pass it on to our membership, or ask us for comment when they do it, so they know how we feel about it?” - Association (Consumer)

Communication

Although Agency staff coordinating the Accessibility Advisory Committee meetings receives high marks from stakeholders, some point to a lack of day-to-day communication between the Agency and accommodation and accessibility stakeholders, including those working with major carriers; this was seen to be an erosion of the amount of outreach these stakeholders had seen from the Agency in the past, and this was not a finding in 2009/2010. Some suggest staff turnover has meant they have lost the contacts they knew; this could easily be rectified if new staff makes an effort to reach out to key stakeholders, perhaps from an Agency-held contact list. As well, some stakeholders are not sure whom to contact; again, this could be easily rectified.

“That’s not there anymore and I don’t really have the same contact...they are doing a wonderful job with the meeting [but] it used to be a lot better [in terms of] informal dialogue; because they have new staff it doesn’t happen. And because they don’t have staff that live with a disability, there is more education [needed] on our part and we have to go into a little bit more detail...” - Association (Consumer)

“What would be really helpful is to have [made clear] who is responsible for what at the Agency. Because I only contact them every six months, I don’t know staff is responsible for what.” - Association (Consumer)

*“[Agency staff member who left] was good to come down to our committee meeting and give us an overview of what the CTA was doing; now people don’t get that information. That’s not there anymore and I don’t really have the same contact.”
- Major Carrier (Marine)*

Accommodation and Air Carriers

Because most accommodation issues involve airlines, and because the very design of airlines make some accommodation challenging, Canada’s airlines continue to feel, as they did in 2009/2010, economically squeezed by the decisions the Agency makes. (Major carriers in other sectors did not express the same concerns with accommodation.) This is becoming more problematic, according to some airline stakeholders, because Canadians are starting to utilize flights originating just south of the U.S. border for foreign travel in order to save money: airlines operating in the U.S. do not have the same regulations around accommodation, giving them an operational cost advantage over Canadian airlines.

“And if it is economic versus accommodation, then accommodation is always going to win, and that’s about human rights and that’s fine. It has been my personal opinion that the trend at CTA has been a ...tendency to default to the consumer and the only argument is that if it is not undue hardship, because the test for that is will it kill you. So that’s tough for the industry. If you add the allergy buffer to One Person One Fare...it seems the CTA has lost the balance of looking at the economic impact on the carrier. In the old days they would have looked at other options that don’t necessarily meet exactly what complainants are looking for.” - Major Carrier (Air)

“One of the things that continues to frustrate me with the agency is that they seem to be bolstering their role as a consumer advocate and not as a regulator...some rulings on accommodation drive significant cost for airlines...We are under financial pressure, and competitive pressures, and we are required to do things that competitors in other countries including south of the border are not required to do. I can be at two airports from here within 90 minutes and airlines there don’t have the incremental cost of giving an obese person two seats, or have buffer zones for people with allergies, and although those are under the guise of accessibility and consumer protection, they drive significant costs. In a fragile industry that has challenges being sustainable on a year to year basis, that’s a problem.” - Major Carrier (Airlines)

Several airline stakeholders stated that there were encouraging signs that the Agency is beginning to be more realistic about their unique challenges; this was seen to be an improvement made since the 2009/2010 survey. It should be reiterated that these

stakeholders are not arguing against accommodation: they simply want to ensure solutions to accommodation issues are reasonable for their industry. The study on the continuing growth of scooters is seen as an indication that the Agency is considering airlines' viewpoints; as well, the Agency's decision on pet allergies¹², in allowing for a buffer zone, was seen to suggest the Agency was taking "a more balanced approach".

*"The area we've dealt with most in the past year is accessibility, and there has been good dialogue in regards to that, and it's an area of improvement. I have been barking on the continued growth of scooters and there is a study underway to set some guidelines and ideally [CTA] will come out with a recommendation."
- Association (Air)*

"Now with the cat decision they did consider the interests of the carrier, and that does give me hope that they are swinging back to a more balanced approach. And I hope that trend continues." - Major Carrier (Air)

"In the quasi-judicial decisions, they may not be seen as being supportive of the industry at all times, but in terms of code share and licensing, they certainly support our operational needs, and where we are going, so in general we see them as supporting us, and supporting aviation policy and they do support our expansion plans...when they impose requirements which may not be seen as supporting us, but if it is done in a balanced and reasonable way, balancing the interests of the industry versus the users, that is fine. But sometimes we feel they are going too much on the user side. But at the core I think they support our needs." - Major Carrier (Air)

¹² AGENCY, Rulings, Decisions by Year, 2011, Decision No. 430-AT-A-2011, www.otc.Agency.gc.ca/eng/ruling/430-at-a-2011, December 15, 2011



Other Issues

The Agency's commitment to regulating accommodation for persons with disabilities in Canada's transportation sector is evidenced, more than anything, by its decisions. It is important, though, that the Agency maintain focus on this important constituency in all of its endeavours. One association of persons with disabilities noted that when the Agency's website was launched, accommodation for their membership was not included. This is being rectified, but it underscored the need to keep this constituency top-of-mind.

Some respondents note that although the Agency has made decisions on matters that have been brought to the Agency by a member of their association, that same person can often come upon the same issue with the same carrier even though the Agency decision clearly identified that protocols had to change. Others feel that the Codes of Practice are not well monitored enough to have real "teeth".

"I would like CTA to remember that...it is the job of the CTA to ensure there is accessibility for all of us...for instance, the CTA launched a new website that did not include [accommodation for my membership] and I wished the CTA would have communicated with us before it launched. But they learned something that they will do in advance [and they are fixing it]." - Association (Persons with Disabilities)

*« Dans un monde idéal, l'OTC disposerait de plus de pouvoirs afin de s'assurer que les décisions de l'office ne soient pas considérées comme facultatives mais bien des décisions finales auxquels les divers partis sont liés de façon formelle. »
- Association représentant des personnes ayant une déficience*

*"I know one individual filed a complaint with the CTA on a specific issue and got a resolution, and still on a regular basis he will encounter the same problem. And he tries really hard to work with the carrier to avoid it, and he brings information with him to ensure that he can rectify it, but having to be prepared every time you use transportation...the impression is that complaints aren't a big deal."
- Association (Persons with Disabilities)*

*"There is no teeth to the [regulation of] Codes of Practice. They are considered guidelines...but with the [major carrier] complaint, the Supreme Court said that because carriers signed on to the Codes of Practice, you have a legal obligation to adhere to them. There is on occasion a bit of spot checking..."
- Association (Persons with Disabilities)*

Railway Industry

The railway industry in Canada is, of course, unique: there are two major carriers, and many lines are serviced by only one of them. As in 2009/2010, railways understand the need for regulation in order to ensure that Canadian shippers are served fairly; they are generally very happy with the Agency, and are confident it provides them with good service and good oversight. Moreover, major carriers point to continuing improvement in how the Agency is serving them. Shippers, although generally pleased with the Agency, continue to believe that there are inherent flaws in the way railways serve them, and continue to point to the challenges of fairly and quickly resolving level of service complaints: the facilitation process put in place as the government's response to the Rail Freight Service Review¹³ is expected to address these issues. The facilitation process is tasked with developing a service template, which heretofore did not exist, and a streamlined commercial dispute resolution process which, as previously noted, Canadian shippers would like to see housed within the Agency.

In this section those issues not previously covered in the multi-sector section which are specific to the railway industry will be examined. Overall, stakeholders are generally pleased with Agency processes, and this section will report stakeholders' specific commentary on many of them. Some issues may not be covered, as stakeholders did not focus on them during their interviews. As to what key challenges stakeholders identified for their industry at present: all eyes are focused on the Rail Freight Service Review.

“Railways aren't just there to be a nuisance, they help the local economy, they help to support employment, and they help the Canadian economy. [The Agency] has done a good job in recognizing that, more than they used to, and it used to make decisions that set unfair precedents, but I think they have been a lot better. We don't win them all, but they are carefully analysed and they are very consistent with their views. Someone there is keeping it consistent and I would have to give the management [kudos]. The working relationship with CTA is really good.” - Major Carrier (Rail)

“What is good is that there has been some clarity on process in the revenue cap, and the net salvage guidelines, and the noise complaint guidelines. And there has been more clarity on noise complaint decisions... [That is a] positive change and I attribute that to the rail dispute area and to ... the chief administrator.” - Major Carrier (Rail)

¹³ Transport Canada, Media Room, News Releases 2011, <http://www.tc.gc.ca/eng/mediaroom/releases-2011-h101e-6497.htm>, October 31, 2011

Cost of Capital Methodology Review

In 2009/2010 shippers were extremely concerned about the Cost of Capital Methodology Review, felt it was being done because of railway pressure, and did not feel it was warranted. Two years later, while railways were neutral on the subject, shippers note that they were extremely pleased with the outcome. One respondent did question the use of a particular company as a consultant in the process, as he believed that consultant had done previous work for railways. This respondent did not believe there was any impropriety, but felt the Agency must ensure it appeared unbiased in every regard.

“We couldn’t complain about the result [of the cost of capital review], in fact we were very pleased with the result which argues for our effectiveness, not theirs, because they only act on the facts. That being said, we think they gave in to railway lobbying pressure to conduct the review in the first place, and it was very expensive for us. They got the review they wanted, but not the result they wanted and I’ll say this about the Agency, the railways in all likelihood didn’t present as compelling a case.”
- Association (Shipper)

“The Cost of Capital methodology, that was of huge interest to our members and they were pleased with the result, but for some of our members, some question the third party integrity in that one of the main contractors used in the process, [company name], which was hired to help the Agency, and some members felt from their understanding they had done work for railway in the past so, there was some real concern about objectivity. I am sure CTA has strict rules in terms of conflict of interest, but in a conversation with the Agency that is something we’ll raise. Next time out you might want to spend a few minutes to ensure whomever you are hiring is as snow white as they should be, even in terms of appearance.” - Association (Shipper)

Grain Revenue Cap

Railways continue to see the grain revenue cap as being evidence of a “shipper preference”, although they do point to recent staff changes which they believe have resulted in improved process since 2009/2010. Shippers tend to be positive about the grain revenue cap, and are pleased they are given the opportunity to provide input before the rate is established. There is, of course, speculation about what effect the dissolution of the Canadian Wheat Board will have on the grain industry overall; shippers believe that until that process is completed, and its effects understood, the Agency should maintain status quo on the grain revenue cap front.

“On the grain revenue cap, which is strictly administrative... [CTA] has been very pro-grain shipper so that in a 50/50 case, the nod will always go to the grain shipper. But they hired a new [staff member] and he has tried to implement some processes that work, and he has, and they do work. So process-wise, there is no issue, but from time to time I worry about grain shipper preference. I would say it is the only area I see it [staff bias].” - Major Carrier (Rail)

“They give us the opportunity to give input well before they have to establish the rate on the grain cap and so forth. I would say [they are fair].” - Association (Shipper)

“Right now we are looking at other changes in the grain business, specifically the dissolution of the Canadian Wheat Board, and we have to first see where that is going to settle before we talk about revenue cap. The Wheat Board is involved in every aspect of the grain business and that is going to change in a big way, and we are going to end up with voids and areas that are going to be filled with something, and we don’t know what effect that will have on revenue cap...if we remove the rev cap, you’ll see increased costs therefore reduced value to the farmer. So it is probably a good idea to retain the rev cap, at least for the foreseeable future.”

- Association (Shipper)

Noise and Proximity Issues

Although the railway industry at large is focused on the Rail Freight Service Review, for the major rail carriers, noise and proximity issues might constitute an even bigger challenge. These complaints, many of which the industry believes are unsubstantiated, necessitate a huge expenditure of time and resources by the railways in order to prove they are not contravening noise laws. As in 2009/2010, industry believes that the present complaint process allows the triggering of a full-blown formal investigation without a reasonable amount of evidence being presented by the complainant. Railway executives are especially troubled by complaints that are initiated by a simple e-mail, yet necessitate a full-scale investigation on their part. Although still a major sticking point with railway companies, in the 2011/2012 findings the Agency is seen to be moving toward a more equitable solution on the noise complaint front: there is much hope that the Agency’s yet-to-be-released new guidelines on noise complaints will help to alleviate this key concern.

“Noise vibration is incredibly huge, and it is eating resources and patience, and while I know that the Agency has to deal with it...Some of these cases are so obvious we need some pushback from the Agency...it should not be because someone just sends an e-mail that we have to trigger this whole investigation...there must be more sifting up front to see which complaints necessitate further analysis. I think there should be a little more onus on the complainant, it is too easy for them to fill out a form, and then it is our problem.” - Major Carrier (Rail)

“Noise complainants who say they don’t like the railway noise ... well, I have to say to CTA staff there are lots of railway noises: the clickety-clack, the idling of units, brake noise - and I could go on. I don’t even know what I have to address, so I have to assess each and every type of railway noise in the area of the complainant in my reply. I shouldn’t have to do that. Someone at the Agency should say [to the complainant] that they have to fill in significant gaps in the information. It should be more than ‘it is so noisy I can’t sleep’ for us to go into a formal process.

My sense is that this is exactly what the Agency wants to do with the [new] noise guidelines and so [complainants] can’t come in with a one-liner based on a ‘press the send button’ on the website. They have to say that you have to file the following information before the Agency can formally treat this matter.” - Major Carrier (Rail)

“We have worked with the CTA on a guideline for noise measurement which is now published on their website, and we are now working on more guidelines on vibrations. So we have worked with the CTA independently on a lot of guidelines and the CTA adopted and made reference to all our work in their own guidelines...”

- Major Carrier (Rail)



Ipsos Reid

Crossing Issues

In 2009/2010 there was a concern among railway companies that the Agency was granting crossings too freely. This seems to have been alleviated by the Agency through a MOU signed with Transport Canada which ensures that the crossings are signed off by Transport Canada prior to receiving Agency approval. Railway companies continue to be concerned, however, that when there are cost apportionment issues the Agency can be predisposed to road authorities: if the road authority is crossing their rail line, why should a large amount of that cost be borne by the railways? Railways suggest they will be pushing back on these decisions by pursuing dispute resolution processes more often.

“The people that I work with are absolutely terrified of the Agency on crossing disputes, because three years ago it encountered an Agency decision on a grade separation wherein [railway] had to spend [several] million, and it thought it would only have to spend five. It is terrified that the Agency is predisposed to road authorities...and I mediate a lot of these and a lot of my colleagues are [concerned] when a cost apportionment goes before the Agency we will lose.” - Major Carrier (Rail)

“We are trying to limit the number of new crossings created. We should reduce them, not increase them, and there has to be an acknowledgement of that for safety purposes. Transport Canada is there, but they are not the ones with authority to grant the crossings, the Agency does, and there is so much pressure for cutting back on public expenditures, including by the municipalities, with everyone trying to offload all the costs on the railway. I think we will be going more and more to the Agency to adjudicate on these issues...crossings, grade separations, etc.” - Major Carrier (Rail)

“We have had concerns about opening of new crossings, and we felt they were rubber-stamped by CTA, so they signed an MOU upon our urging with Transport Canada, to ensure that crossings are fully signed off from a safety point-of-view [from] Transport Canada before they acknowledge the opening of a crossing. So they are open to anything.” - Major Carrier (Rail)

Other

Some other rail specific processes received minimal commentary from stakeholders, but comments generally point to a very positive working relationship between industry stakeholders and Agency staff. The line construction team is commended for its collaborative spirit, as it was in 2009/2010. The net salvage value publication is being well received, as is the ongoing consultation process on it as it is being developed. The Agency is also seen to be handling the interswitching rates process very well.

“I find that on line construction, they are really good, and I think it is working very well. We share a lot of information, so there is a lot of transparency, and they say ‘if you want us to expedite this because you need this quickly, we’ll do our best’ ...to get it done before the 120 days.” - Major Carrier (Rail)

“I especially see as helpful the latest net salvage value publication that [Agency staff] put together, because it puts in a one-stop shopping tool that cities and municipalities



can use. It is extremely well done and it is extremely helpful in draft form, and we are filing some comments on that draft and it is a really exceptional tool. The Agency should be commended on that.” - Major Carrier (Rail)

“Interswitching rates...I think the Agency does a good job of it. It is defined, and they can be pretty pragmatic about it, and there is a formula, and I think that they do a good job.” - Association (Rail)

*“In terms of some of their more formal issues they deal with, the law requires that there be interswitching agreements, and there are rates the Agency sets for the switching of railcars between railways, and that works very well. I think the way it is handled is a good process and the Agency handles it very well.”
- Association (Shipper)*

Airline Industry

In this section those issues not previously covered in the multi-sector section which are specific to the airline industry will be examined. Some issues may not be covered, as stakeholders did not focus on them during their interviews.

In 2009/2010, the biggest issue for the airline industry in terms of its relationship with the Agency was accessibility and accommodation, and the potential effect that accommodation could have on the bottom line. In 2011/2012, with an even more volatile economic environment magnifying the effects of any decisions affecting financial viability, airlines still identify accessibility and accommodation as their key issue, with one key change: the Agency is seen to be working harder to ensure their concerns are being heard, and that those concerns are being considered when decisions are being made. In other areas of air industry governance, most of the stakeholders from this industry see the Agency as helpful and knowledgeable collaborators who assist them in fulfilling their regulatory obligations both domestically and internationally. Overall, Canada's airlines are very happy with the Agency. Some of them even note that when they are in the international arena, they are "proud" of their Canadian regulator.

"Sometimes when you are branded as a governing agency people get their backs up... but we have come leaps and bounds toward understanding their purposes and what their boundaries are around supporting the customer and the airline. They are absolutely collaborators." - Major Carrier (Air)

"In terms of dialogue, if they keep up what they have done this last year we'll be very happy. They were very successful in terms of their interactions with [our industry]." - Association (Air)

"Generally, my discussions and work with the Agency is helpful in that when we seek guidance from them, they answer questions with respect to what may be required from us, and at the staff level, they are supportive of what we need to do, in particular the group in the international agreements section, and the licensing section, and also the tariff section." - Major Carrier (Air)

"I think [CTA] is in the leading aviation regulators in managing the same issues that other countries deal with, and CTA is professional in a leading way compared to other international regulators." - Major Carrier (Air)

Permits, Operating Certificates, Licenses and International Agreements

Stakeholders are very positive about their interactions with the Agency staff that administrates permits, operating certificates, licenses, and international agreements, as they were in 2009/2010. There is an obvious respect for the knowledge and expertise that Agency staff bring to the table, but more than that, there is strong evidence that stakeholders believe that the Agency works collaboratively with them on these matters. The Agency is credited with being flexible, efficient, solution-oriented, and with providing advice and guidance where warranted.

“The Licensing Division in the Agency is a stable team so in a sense the great interaction I described two years ago is still the same: there is expertise there, the response rate is good, turnaround is good, and the needs of the carrier are met with great speed. I would give a very high mark to them; no change from the last survey, but the same. With the expertise in this division you can have an easier discussion. They understand the industry, they can be flexible, and they can share ideas on ways of addressing complex issues. We value this.”

- Major Carrier (Air)

“With charter permits; we are dealing a lot with people...and the turnaround time and the way we draft applications they have expertise and a quick solution and flexible approach; and sometimes we could come with new ways to approach the same things and the Agency receives those suggestions in a positive way which we value.”

- Major Carrier (Air)

“On bilateral air agreements, in terms of licence and operating certificates, every time we add new points of service through a codeshare agreement, we need to update those documents ...to reflect that there is authority under the bilateral route rights and that the agreements between those two countries to operate are there. And what CTA does is that they act in a research role and provide assistance and guidance as to what we can and cannot do, and we sometimes ask what would be considered traditional...the CTA has to make sure that we have the rights under our license, Canadian rights, insurance, et cetera; they do that for us, and we have a good relationship in that regards.” - Major Carrier (Air)

Stakeholders do have some suggestions for improvements for this team: a simpler reference document for international codeshare licensing, and, where possible, specific timelines for decisions (to assist with planning sell dates).

“They do have their licensing regulations (for international codeshare) written in ‘legalese’ with many cross-references and we’d like something simple which would say ‘here is what you need to do for this type of application’, and that would have been helpful when we started. And when we apply for a licence there is sale date, and you can’t sell until approval, and I understand the intention, but if we had a better picture on timelines, it helps with the marketing; knowing when I can start selling without a condition. And in some cases where there are no agreements, it could take months.”

- Major Carrier (Air)



The international agreements group involved in negotiations received high praise from industry stakeholders for their experience, expertise, and collaborative approach. Stakeholders do express concern that the loss of institutional knowledge could negatively impact this team's functionality when some of the more experienced members move on; however, there is acknowledgement that the Agency is working to groom staff to ensure continuity.

"The group in international agreements are involved in negotiation, they are part of the delegation that the Canadian government uses to negotiate international agreements, and they are a valuable resource and having been there they provide a valuable resource as to how and why certain language is used; I consider them to be very supportive of our business interests." - Major Carrier (Air)

"[With regard to] Bilateral route rights, when we go to negotiations, the CTA participates in the negotiations between Canada and another country and we find them extremely helpful; but keep in mind that they have a limited group of senior folks at the Agency and most of these folks have sat in on 10 or 15 years of agreements, and they have all the institutional memory in their experience. So when they retire, they'll be left with people who don't necessarily understand the subtleties of the language used; but, they are doing their best to groom people to take on that role." - Major Carrier (Air)

Tariffs

There was some concern in 2009/2010 that organizational upheaval within the tariff group would negatively impact their effectiveness and approachability; those fears seem to have been alleviated, as airline stakeholders are extremely positive about the tariff group at present. Indeed, stakeholders welcome the experience and expertise of the Agency as they struggle with the "complex world of filing tariffs". The sample tariff published by the Agency was much applauded by some respondents; one noted that not only would the template improve their tariff submissions, it would also save them countless hours, making the process much more efficient. This team is characterized as being an "invaluable resource" to the stakeholders it serves.

"In the tariff group, you have great expertise, such as [Agency staff] and his team that have been around for years, and again I am not directly involved with the filing of tariffs so I'm not sure how the people two floors below would describe their interaction, but I am involved when we have more complex or sensitive or legal issues and you have people at the Agency with great expertise and experience in this complex world of filing tariffs... we have nothing negative to say about their approach because they have to apply a different set of regulations. We have had differing opinions, but the way they handled these are in a very professional way and with great knowledge of how to address complex issues." - Major Carrier (Air)

"Tariffs are challenging. They are static and rigid in the sense you have to be very careful what you put in there or people can complain, and the CTA tariffs department is a collection of a very wise and experienced folks that have been an invaluable resource to us... especially as we have moved from domestic tariffs which is cut and paste to a degree, to formal recognition of the legal component expected in the international tariffs. We have come a long way and it is all at the hands of our friends

at CTA. They have been guiding us and coaching us in how to write a tariff, and most recently they published a sample tariff which we have adopted wholeheartedly; the amount of work and detailed effort they put into that has saved us hours, and days, and weeks of trying to get that level of sophistication in our tariffs. And it was voluntary; they didn't impose this on the carriers.” - Major Carrier (Air)

One respondent did report a frustration with bilateral agreement administration as it related to tariffs, and a change that had been made without formally advising the industry of that change. This is an issue that could likely be easily rectified through communications outreach to the industry.

“My discussions with the tariff people tends to be less regular, but more strategic; or having to do so with longer term vision or issues. I deal on a global basis and I have to admit that although the people are very business-like and friendly and good to work with, there is a frustration with the tariff team with some of the things they have done with very little information and notice to the industry as a whole... and not advising the industry when they have changed how they are going to administer rules. At a minimum, they should advise the industry formally that they are going to look at them from a different perspective and that has not happened. This has gone on for over a year and through written correspondence I identified that, and [they said] that they would get back to me and they have not. Their answer is that due to cost and staff shortage, they had to find ways to lessen their workload which to me is unreasonable. I can't stop doing things I am required to do by regulation or law just because I don't have the people to do it.” - Major Carrier (Air)

Other

There were several comments related to the industry that raise interesting points, although the subject matter received minimal reference. One respondent noted that the Agency documents produced to assist airlines with the rigid protocols around insurance requirements in codeshares were helpful, but that the Agency requirements for these documents were perhaps too onerous. There were a few concerns raised about the legitimacy of foreign carriers and crews being utilized for seasonal operations; this was not seen to be a systemic problem, but one that warranted oversight to ensure it did not become one. As well, timeframe adjustments necessitated by calls for more information by the Agency in granting operational right to new airlines in Canada was seen to be unduly challenging.

“Recently we expanded into codeshare and I can say industry- wide the CTA has, because of legislation, extremely rigid protocols around insurance: in most cases where we file codeshare application, the insurance documentation has to be revised. We have gotten better at doing them but the way it is written is so meticulous in terms of technical detail and we kept getting comments back. And we now have a document which assists us in meeting that detail, but there must be a faster and more efficient way to do this. And our counterparts in the US find it much more onerous than what they are used to.” - Major Carrier (Air)

“I have heard rumours that CTA can be fairly liberal on its acceptance of foreign carriers using foreign crews for seasonal operations. And even we do that, though to a lesser extent; it remains to be seen if the CTA has the teeth they need to defend the Canadian industry against blatant abuse. You can grab an aircraft and a crew from a

foreign company to operate for a period of time and it is not fair if Canadian carriers aren't given the opportunity to operate those routes. We are concerned that CTA is more liberally applying the rules or if they believe there is no one else who can do certain runs. They need to keep an eye on foreign ownership rules."

- Major Carrier (Air)

"The CTA has interpreted timeframe as reopening every time they ask for new information, so to get a decision is not timely when making decisions on new airlines. If they ask for additional information, it should be included in the original application timeframe [in order that new airlines can adequately plan its operational rollout]. The delay in getting the airlines started was very concerning...to have a regulatory process extend like that is challenging." - Association (Airline)

Marine Industry

As in 2009/2010, the sample provided for this industry is very small, although the respondents do represent associations, and are therefore representative of a larger number of marine stakeholders. Because respondents represent ship owners with sometimes diametrically opposed viewpoints driven by their theatre of operations, their opinions on key issues are not in tandem. One association represents ocean-going ships, while one represents ships that operate exclusively in Canadian waters.

In this section those issues not previously covered in the multi-sector section which are specific to the railway industry will be examined. Some issues related to the marine industry may not be covered, as stakeholders did not focus on them during their interviews. As an example, in terms of pilotage, stakeholders note that service is more important than rates for ocean going ships, while the opposite is true for those operating domestically, because that cost represents a much smaller proportion of an ocean voyages overall operating expenditure. That being said, those realities are more important in terms of legislation than in terms of Agency operations; still, they bear consideration as viewpoints are presented here.

In 2009/2010 there was a concern that there was not enough outreach to these groups from the Agency; this seems to have been rectified, as one respondent now reports ongoing interaction, while the other has meetings planned with Agency personnel.

“We had this invite coming from the person in charge of the CTA coasting trade adjudication who said, ‘I am going to Montreal, can we touch base?’, just so we would be aware of the new structure of the CTA...it came from them, but I now have an open invitation to go and see their people...so we can increase the awareness. I would say it came both ways, we realized we had to see them again and see how they had developed since the last time we saw them and the same thing from them.”

- Association (Marine)

“We haven’t had a lot of interaction over the last two years, other than providing commentary on the new guidelines for the coasting trade application process... we would see them once in a while at a CMAC meeting, but there hasn’t been a need for a lot of interaction...I think that it is probably a good idea for an agency of that nature to continue to keep in touch with the community that is impacted by what they do, for sure. Having said that, both the [Agency staff] for dispute resolution and coasting trade have recently asked us to meet with them.” - Association (Marine)

Temporary License Applications and the Coasting Trade

As in 2009/2010, the repeated annual issuance of licenses to foreign ships to operate specific routes in Canadian waters is seen to be a key issue: ‘You don’t build a ship and train a crew for one year’s investment, you are never going to make that investment if somebody is continuously getting a preferred ability to get licensing year after year.’ However, this is seen to be a matter of legislation more than of Agency process. On the process itself, stakeholders credit the Agency with doing a very good job: those seeking licenses find the process efficient, and Agency staff flexible in trying to meet timelines. One respondent also noted that there was improved transparency from the Agency in explaining its decisions on coasting trade applications.

“I think [the consultation process was meaningful] it was to a large extent ...they didn’t agree with everything we asked for. One of the major concerns we raised is that statistically the number of licences approved continues to increase, which we read as an erosion of the coasting trade and its intended purpose. We asked them to do a review of that and to see if there might be ways of reversing that trend, and the key issue is that the way the process works, you apply on an annual basis, but you can keep applying and certain operators have been able to continue operating [in the coasting trade] through annual applications. We had asked the CTA to address that issue in some way to limit the ability to keep coming back, or provide some sort of process to Canadian carriers to get into that kind of business. You don’t build a ship and train a crew for one year’s investment; you are never going to make that investment if somebody is continuously getting a preferred ability to get licensing year after year.” - Association (Marine)

“It is an administrative matter, but when you have some Canadian ship owners showing interest in the matter, then it becomes an adjudication if we have to determine whether there is a suitable Canadian ship or not. And yes, the Agency is seen as being fair, and they don’t have lots of leeway, and they have to follow criteria; so the Agency doesn’t have a lot of say because what is in the Act is in the Act. In the near future, we still have lots of coasting trade questions pending, but there is only so much that CTA can do unless there is a change in the Act.” - Association (Marine)

“And we have had a couple of members to seek coasting trade licence recently, and to my knowledge they were particularly helpful and I had positive comments from members that the Agency was really trying to get to a decision as quickly as possible, and trying to process the case in a timely manner. They were very appreciative of that.” - Association (Marine)

“In fairness to the guidelines that were prepared with respect to the coasting trade, I think they did a better job on certain areas in terms of explaining their decisions, and the basis for decisions they make. Aside from the issues I talked about that they didn’t address, I think there were some improvements there. From an administrative process perspective, I think it works fairly well.” - Association (Marine)

Rate Appeals: Another Call for Increased Agency Regulatory Authority?

As noted in the preamble to this section, respondents representing ocean-going ships are more concerned about service than rates, while ships operating domestically are more concerned about cost.

“For us, the tariff challenge was simply a leverage to get to a level of service target, because that is the only leverage that we have, so we were able to have the CTA reach a decision because the service provider was not able to have a level of service ...and then they asked for a high tariff increase and the CTA found it was not in the public interest to grant them such a tariff increase when they were lagging so behind in level of service. In pilotage cases [service] is not something that is in the Act; you can challenge only when you have tariff issues. So by using this kind of leverage when we don’t have a good match between tariff increase and level of service, we can use it for leverage [to increase service].” - Association (Marine)



“That is another interesting issue, and if you look at the domestic industry versus the ocean-going industry, we pay a large proportion of the pilotage authority costs, because we are operating in their territory all the time. So for us, cost is more important than service because it is such a large proportion of our costs. But foreign operators can come in to Canada and they have to take pilots but it’s a smaller proportionate cost of their voyage time, so for them what is more important is the service side of it. If costs go up, they can demonstrate that they provide a better level of service to the foreign carriers, and our costs go up, too.” - Association (Marine)

One respondent notes that in those areas where government austerity measures may affect service levels while also increasing costs from government organizations that regulate Canada’s marine industry, the marine industry may be forced to challenge government oversight more aggressively. The fact that higher costs could potentially be mitigated by more efficient provision of services (pilotage, the St. Lawrence Seaway, ports) is seen as an issue that marine stakeholders should be able to address; this is seen as a regulatory issue, though, not an Agency deficiency. One respondent questions ‘whether the powers [the Agency] has are broad enough’.

*“I think that the future holds a much more interesting environment for both the Agency and ourselves if we understand where the government is going in response to the need to reduce expenditures. We know that they are going to cut back people and services and at the same time generate more revenues from the benefits they provide to industry. So if a department is providing services, and they regulate us, and they charge us to be regulated, and they increase the fees to regulate us, then in a number of areas we’ll be in a challenge situation with Agencies going forward. Not sure if the Agency plays a role, but if they do that would be a number one issue.”
- Association (Marine)*

“It seems their mandate is limited to investigating discriminatory pricing, where to us the real issue is when you have a monopoly organization, and the CTA is there to ensure they don’t abuse their monopoly situation. It goes far beyond discriminatory pricing; the heart of the matter is whether that crown agency is operating in a cost-effective manner and whether rate increases are justified and whether they are taking the right cost effective measures to minimize rate increases. And it doesn’t seem that the Agency has the ability to get into those kinds of issues. The fault is likely with the regulations.” - Association (Marine)

*“Under the Act, any Crown Corporation in the transportation field, whether it is ports, the Seaway or the pilotage authority, the Agency is there to resolve disputes between industry and those organizations and I think the issue is whether the powers they have are broad enough, not whether they are administering that role effectively.”
- Association (Marine)*

Appendix I – English Questionnaire

Canadian Transportation Agency Client Satisfaction Questionnaire – 2011/2012 October 6, 2011

Note: This survey is tailored to five different and distinct audiences. References to these audiences are abbreviated throughout the surveys as follows:

- Travel-related facilitation – **FAC**
- Travel-related adjudication – **ADJ**
- Mediation – **MED**
- Non-travel/ multi-party dispute resolution – **NTD**
- Inspection and licensing – **INSP**

INTRODUCTION

The Canadian Transportation Agency, which settles disputes related to transportation and acts as the sector's economic regulator, recently looked into a matter in which you were involved. As part of the Agency's ongoing efforts to improve its service delivery, it would be greatly appreciated if you could take a few minutes to complete the attached survey. The information collected in this survey will be used by the Agency to understand how to better meet clients' needs within its regulatory framework and make improvements to the services it provides.

Your responses will be kept confidential and will be reviewed by an independent third party, not the Agency. Any information provided during the survey process will remain protected and not be used for any other purpose than to evaluate the quality of service provided by the Agency.

The Agency is interested in what you have to say about its **[FAC: facilitation process] [ADJ: formal adjudication process] [MED: mediation process] [NTD/INSP: processes]** and its services. It values the time you will devote to this survey, which should amount to no more than 10 minutes. Thank you in advance for taking the time to share your views.

If you have any questions about the survey and the use of this information, please feel free to contact the Canadian Transportation Agency at sondage-survey@otc-Agency.gc.ca or call us at 1-888-222-2592 (TTY: 1-800-669-5575).



[ALL QS ARE SINGLE PUNCH UNLESS OTHERWISE INDICATED]

1. Some questions in this research deal with the accessibility of services. Do you identify as a person with a disability?

- Yes
- No
- Don't know/ Refuse

[ASK ALL EXCEPT INSP]

2. What type of transportation service did the matter involve? Please choose all that apply.

RESPONSE OPTIONS		
FAC, ADJ	MED	NTD
Passenger rail	Rail	Rail
Airline	Air	Air
Passenger ferry		
Airport, rail or ferry terminal		
	Marine	Marine
	Accessible transportation for persons with disabilities	
Other (please specify _____)		

[ASK ONLY INSP, NTD]

3. Which of the following best describes you, your organization, or whom you represented in the matter?

- Air carrier
- Railway company
- Ship operator
- Airport, rail, or marine terminal operator
- Other (please specify _____)
- Don't know/ Not sure



[ASK ONLY MED, NTD]

4. Who brought the matter before the Canadian Transportation Agency?

- Myself / my organization
- The other party
- Both parties
- Other (please specify _____)
- Don't know/ Not sure

[ASK ALL EXCEPT INSP]

5. What was the nature of the complaint?

- [OPEN]
- [INCLUDE CHECKBOX FOR 'Don't know/ Not sure']

6. How did you become aware of the Canadian Transportation Agency? Please choose all that apply. [MULTI-PUNCH]

- An Agency brochure (please specify _____)
- An association
- 1-800 OCANADA/Government
- Another government department
- Web search
- Friend/family member
- Transportation service provider (airline, etc.)
- Travel agent
- Have made complaint(s) to Agency before
- Already knew about Agency
- Had previous contact with the Agency
- Telephone directory
- Other (please specify _____)
- Don't know/ Not sure

[ASK ONLY INSP]

7. What type of contact have you had with the Canadian Transportation Agency?

- Inspection
- New license issued
- Don't know/ Not sure



[ASK ALL BUT INSP, OR IF MED OR NTD Q4 = 'The other party', SKIP TO Q10; VARIES AS INDICATED]

8. Please indicate the approximate number of days it took to acknowledge your...(varies)

AUDIENCE	QUESTION WORDING
FAC, ADJ, MED	Please indicate the approximate number of days it took for the Agency to acknowledge your complaint
NTD	Please indicate the approximate number of days it took for the Agency to acknowledge your application
INSP	NOT ASKED

[PROVIDE DROPDOWN BOX FOR NUMERICAL ENTRY FROM 1, 2, 3...30, 30+]
[INCLUDE CHECKBOX FOR 'Don't know/ Not sure']

[ASK ALL BUT INSP, OR IF MED OR NTD Q4 = 'The other party', SKIP TO Q10; VARIES AS INDICATED]

9. What do you consider to be an acceptable number of days for the Agency to acknowledge your...(varies)

AUDIENCE	QUESTION WORDING
FAC, ADJ, MED	What do you consider to be an acceptable number of days for the Agency to acknowledge your complaint
NTD	What do you consider to be an acceptable number of days for the Agency to acknowledge your application
INSP	NOT ASKED

[PROVIDE DROPDOWN BOX FOR NUMERICAL ENTRY FROM 1, 2, 3...30, 30+]
[INCLUDE CHECKBOX FOR 'Don't know/ Not sure']

[ASK ALL BUT INSP]

10. Overall, how long did it take for the Agency to resolve your issue from start to finish?
Please indicate the approximate number of days.

[PROVIDE DROPDOWN BOX FOR NUMERICAL ENTRY FROM 1-30, 31-60, 61-90, 91-120, 121+]
[INCLUDE CHECKBOX FOR 'Don't know/ Not sure']

[ASK ALL BUT INSP]

11. What would be an acceptable number of days, from start to finish, for the Agency to resolve your issue?

[PROVIDE DROPDOWN BOX FOR NUMERICAL ENTRY FROM 1-30, 31-60, 61-90, 91-120, 121+]
[INCLUDE CHECKBOX FOR 'Don't know/ Not sure']



12. In the course of your interaction with the agency, which of the following did you use to get information about the Agency? Please choose all that apply. [MULTI-PUNCH]

- Agency's website
- Email
- Telephone
- Regular mail
- Courier
- Fax
- Other (please specify _____)
- Don't know/ Not sure

13. Which one of the following ways would you most prefer to use in order to get information about Agency? Please choose only one.

- Agency's website
- Email
- Telephone
- Regular mail
- Courier
- Fax
- Other (please specify _____)
- Don't know/ Not sure

[ASK Q14 EXCEPT IF SELECTED 'Agency's website' AT Q12; ELSE SKIP TO Q15]

14. Have you ever visited the Agency's website?

- Yes
- No
- Don't know/ Not sure

[ASK Q15 IF Q14 = 'Yes' OR IF SELECTED 'Agency's website' AT Q12; ELSE SKIP TO Q17]

15. How recently did you visit the Agency's website?

- Within the past three months
- Between three and six months ago
- Between six months and a year ago
- More than a year ago
- Don't know/ Not sure

16. Please indicate the response that best describes your level of satisfaction with the following aspects of the Agency's website:

GRID DOWN, RANDOMIZE

The Agency's website had the information I was looking for

It was easy to find information I needed on the website

The information on the website was easy to understand

GRID ACROSS

1 – Very dissatisfied

2

3

4

5 – Very satisfied

Don't know/ Not sure

[ASK ONLY NTD]

17. What agency process was used to resolve your matter? Please choose all that apply if more than one process was used. [MULTI-PUNCH]

Facilitation (an Agency staff member acted as an intermediary between the parties)

Mediation (involving a meeting with the other party and an Agency mediator)

Final offer arbitration

Formal Agency adjudication (a court-like decision process which requires written submissions)

Don't know/ Not sure

[ASK ONLY ADJ, MED]

18. Prior to deciding to pursue [ADJ: adjudication/ MED: mediation], did you first try facilitation (with an Agency staff member acting as an intermediary between you and the transportation provider) to address the complaint?

Yes

No

Don't know/ Not sure

[IF Q17 ≠ 'Facilitation...' OR IF Q18 = 'No' or 'Don't know/ Not sure', ASK Q19]

19. What was the main reason you did not try to address your complaint through a facilitation? Please choose all that apply. [MULTI-PUNCH]

Was not offered

I wanted the case to be adjudicated because of its importance as an issue [ADJ ONLY]

Was not applicable to the type of matter I was involved in

Other (please specify _____)

Don't know/ Not sure

[ASK MED RESPONDENTS, OR IF q17= "Mediation"]



20. What was the main reason you opted to use mediation?

- I was encouraged to use it by peers/friends
- It was offered by Agency staff
- Less time consuming than formal adjudication
- Less costly than formal adjudication
- Provided an opportunity to directly deal with the other party
- Had heard it provided better solutions, settlements
- Other (please specify _____)
- Don't know/ Not sure

[ASK ONLY ADJ]

21. Prior to deciding to pursue adjudication, did you try mediation (involving a meeting with the other party and an Agency mediator) to address the complaint?

- Yes
- No
- Don't know/ Not sure

[IF Q17 ≠ 'Mediation...' OR IF Q21 = 'No' or 'Don't know/ Not sure', ASK Q22; ELSE, SKIP]

22. What was the main reason you did not try to address your complaint through a mediation? Please choose all that apply. [MULTI-PUNCH]

- Was not offered
- Didn't understand what it involved
- Didn't want to go through mediation (please specify why not _____)
- The other party did not agree
- I wanted the case to be adjudicated because of its importance as an issue
- Was not applicable to the type of matter I was involved in
- Other (please specify _____)
- Don't know/ Not sure

[Q23-30: ASK ONLY MED]

23. How would you assess the mediator's timeliness in dealing with your questions or requests?

- 1 – Much worse than expected
- 2
- 3
- 4
- 5 – Much better than expected
- Don't know/ Not sure

24. How would you assess the usefulness of the mediator's responses in dealing with your questions or requests?

- 1 – Much worse than expected
- 2
- 3
- 4
- 5 – Much better than expected
- Don't know/ Not sure

25. The mediation resulted in the dispute being...

- Not settled
- Partially settled
- Fully settled
- Don't know/ Not sure

26. Knowing what you now know about the mediation process, would you use it again if faced with a similar situation?

- Yes
- No
- Don't know/ Not sure

[IF Q26 = 'No' or 'Don't know/ Not Sure', ASK Q27; ELSE SKIP TO Q28]

27. What is the main reason you would not use mediation again (or are not sure whether you would do so)?

[OPEN]

28. Please rate the extent to which you agree or disagree with each of the following statements about the mediation process you followed.

During the introduction to the mediation process, the mediator...

GRID DOWN – RANDOMIZE

- Clearly explained his or her role of neutrality
- Clearly explained the role of the participants to co-operate
- Outlined the mediation process that was to take place
- Clarified the rules of confidentiality
- Clarified the rules for caucusing and how it would be managed if requested by a participant or the mediator
- Provided you the opportunity to make an opening statement
- Provided you the opportunity to ask questions
- Set the ground rules and obtained commitment to these rules from you and the other party before proceeding

GRID ACROSS

- 1 – Strongly disagree
- 2
- 3
- 4
- 5- Strongly agree
- Don't know/ Not sure

29. Please rate the extent to which you agree or disagree with each of the following statements about the mediation process you followed.



During the mediation process, the mediator...

GRID DOWN – RANDOMIZE

- Summarized your statements accurately
- Helped to identify and summarize the issues using neutral language
- Assisted in creating and prioritizing the agenda
- Focused your attention on the issues and shared interests
- Was a good listener
- Allowed you to express your emotions in a constructive manner
- Understood your perspective, needs and concerns
- Remained neutral, unbiased, open-minded and non-judgmental
- Welcomed questions and provided answers that were clear and precise
- Used language and terms that you understood
- Used praise and positive reinforcement at appropriate times
- Promptly stopped any verbal or psychological abuse
- At no time provided solutions, legal advice or made judgments
- Provided an objective view when warranted to help you evaluate proposed solutions
- Maintained a professional and confident manner throughout the process

GRID ACROSS

- 1 – Strongly disagree
- 2
- 3
- 4
- 5 – Strongly agree
- Don't know/ Not sure

30. Based on your experiences during the mediation process, please complete the following statements.

The strengths of the mediator were... [OPEN TEXT BOX]
[INCLUDE CHECKBOX FOR 'Don't know/ Not sure']

The mediation process would have been more effective if... [OPEN TEXT BOX]
[INCLUDE CHECKBOX FOR 'Don't know/ Not sure']

[ASK ONLY FAC, ADJ, NTD; VARIES AS INDICATED; ELSE, SKIP TO Q33]

31. You were involved in...[varies]. Please indicate the extent to which you agree or disagree with each of the following statements about this process.

AUDIENCE	QUESTION WORDING
FAC	You were involved in the facilitation of a complaint where an Agency staff member acted as an intermediary between you and the transportation provider. Please indicate the extent to which you agree or disagree with each of the following statements about this process.
ADJ	You were involved in a formal Agency adjudication, a court-like decision process which requires written submissions. Please indicate the extent to which you agree or disagree with each of the following statements about this process.
NTD	You were involved in the Agency's formal decision or determination process. Please indicate the extent to which you agree or disagree with each of the following statements about this process.

GRID DOWN – RANDOMIZE

- The Agency's process was clearly explained to me
- The process was conducted in a professional manner
- The process followed was impartial
- The Agency made it clear what information I was required to submit
- I had enough of an opportunity to present my case
- I had enough of an opportunity to respond to the other party's view
- The final outcome was clear and easy to understand
- [ADJ/NTD] I understood the rationale for the Agency's decision

GRID ACROSS

- 1 – Strongly disagree
- 2
- 3
- 4
- 5 – Strongly agree
- Don't know/ Not sure



[ASK ONLY FAC, ADJ, NTD; RESPONDENT CAN SELECT UP TO TWO; DK IS EXCLUSIVE]

32. If the Agency could improve in two of the following areas, which two should it focus on?

RETAIN RANDOMIZED ORDER FOR Q31

Clearly explain the process

Conduct the process in a professional manner

Conduct the process impartially

Make it clear what information needs to be submitted

Provide enough opportunity to present my case

Provide enough opportunity to respond to the other party's view

Ensure that the final outcome is clear and easy to understand

[ADJ/NTD] Ensure that the rationale for the outcome is clearly explained

Don't know/ Not sure

[ASK ONLY INSP: IF INSP Q7 = 'Inspection', ASK Q33 AND Q34, ELSE SKIP TO Q35]

33. Please indicate the extent to which you agree or disagree with each of the following statements about the inspection process.

GRID DOWN – RANDOMIZE

I was given advance notification of the inspection

It was made clear to me what documents and/or facilities were to be inspected

The inspection process was conducted in a professional manner

The inspector was courteous and helpful in dealing with me

I had a clear idea of why inspections are carried out

The inspection helped me understand deficiencies I need to address

The inspector made it clear how to fix deficiencies or problems found

Overall, I was satisfied with how the inspection was managed

GRID ACROSS

1 – Strongly disagree

2

3

4

5 – Strongly agree

Don't know/ Not sure

[RESPONDENT CAN SELECT UP TO TWO; DK IS EXCLUSIVE]

34. If the Agency could improve in two of the following areas, which two should it focus on?

RETAIN RANDOMIZED ORDER FOR Q33

Provide advance notification of inspections

Make it clear what documents and/or facilities are to be inspected

Conduct the inspection process in a professional manner

Courteousness and helpfulness on the part of the inspector

Provide clear explanations as to why the inspections are being carried out

Clearly identify the deficiencies that need to be addressed

Provide information on how to fix deficiencies or problems

Don't know/ Not sure

[ASK ONLY INSP: IF INSP Q7 = 'New license issued', ASK Q35 AND Q36, ELSE SKIP TO Q37]

35. Please indicate the extent to which you agree or disagree with each of the following statements about the licensing process.



GRID DOWN – RANDOMIZE

The time it took to process the license was acceptable
I was informed of everything I had to do to in order to get the license issued by the Agency
It was made clear to me what the process for issuing a license entailed
The guidelines for the application filing process were clear
The Agency was very helpful in guiding me through the licensing process

GRID ACROSS

1 – Strongly disagree
2
3
4
5 – Strongly agree
Don't know/ Not sure

[RESPONDENT CAN SELECT UP TO TWO; DK IS EXCLUSIVE]

36. If the Agency could improve in two of the following areas, which two should it focus on?

RETAIN RANDOMIZED ORDER FOR Q35

The time to process the license
Information about what is needed to get the license
Information about what the process for getting a license entails
Clarity in guidelines for the application filing process
Helpfulness in guiding me through the licensing process
Don't know/ Not sure

37. To what extent were your objectives met in your dealings with the Agency?

1 – Not at all
2
3
4
5 – Fully
Don't know/ Not sure

[ALL RESPONDENTS UNLESS OTHERWISE INDICATED]

38. Please indicate how important or unimportant you view each of the following aspects of service from the Agency [MED: prior to the mediation itself].

GRID DOWN - RANDOMIZE

The time it takes to acknowledge my issue [OMIT FROM INSP OR IF MED OR NTD Q4 = 'The other party']

The time it takes to resolve the matter

The accuracy of any information provided

The Agency provides me with information that is clear and easy to understand

Courtesy of staff

Helpfulness of staff

Knowledge and competence of staff

Impartiality of staff

Staff are easy to deal with

Staff are easily accessible

GRID ACROSS

1 – Not at all important

2

3

4

5 – Very important

Don't know/ Not applicable

[ALL RESPONDENTS UNLESS OTHERWISE INDICATED]

39. Please indicate the response that best describes your level of satisfaction with the following aspects of service from the Agency [MED: prior to the mediation itself].

GRID DOWN - RETAIN RANDOMIZED ORDER FOR Q38

The time it took to acknowledge my issue [OMIT FROM INSP OR IF MED OR NTD Q4 = 'The other party']

The time it took to resolve the matter

The accuracy of any information provided

The Agency provided me with information that was clear and easy to understand

Courtesy of staff

Helpfulness of staff

Knowledge and competence of staff

Impartiality of staff

Staff were easy to deal with

Staff were easily accessible

GRID ACROSS

1 – Very dissatisfied

2

3

4

5 – Very satisfied

Don't know/ Not applicable

[RESPONDENT CAN SELECT UP TO TWO; DK IS EXCLUSIVE]

40. If the Agency could improve in two of the following areas, which two should it focus on?

[REPEAT Q38 OPTIONS; RETAIN RANDOMIZED ORDER FOR Q38]

Don't know/ Not sure

41. Please indicate how important or unimportant you consider each of the following aspects of service from the Agency.

GRID DOWN - RANDOMIZE

Quick response time from staff

Fairness of treatment

Having a variety of means to contact Agency staff

Being told what the Agency can and cannot do in dealing with your matter

That the Agency's forms are easy to complete

That the contact you have with the Agency is in the official language of your choice (English or French)

That you are informed of everything that you have to do in order for the matter to be dealt with by the Agency

That the Agency interacts with you in a way that accommodates your disability [ASK ONLY IF Q1 = 'Yes']

That all your questions are answered

That you gain a good understanding of the mandate and jurisdiction of the Agency

GRID ACROSS

1 – Not at all important

2

3

4

5 – Very important

Don't know/ Not applicable

42. Please indicate whether you agree or disagree with each of the following statements about aspects of service from the Agency.

GRID DOWN – RETAIN RANDOMIZED ORDER FOR Q41

Staff responded quickly

I was treated fairly

I was offered a variety of means of contacting Agency staff

The Agency let me know what they could and could not do in dealing with the matter

The Agency's forms were easy to complete

The contact I had with the Agency was in the official language of my choice (English or French)

I was informed of everything I had to do in order for the matter to be dealt with by the Agency

The Agency interacted with me in a way that accommodated my disability [ASK ONLY IF Q1 = 'Yes']

I felt that all my questions were answered

I gained a good understanding of the mandate and jurisdiction of the Agency

GRID ACROSS

1 – Strongly disagree

2

3

4

5 – Strongly agree

Don't know/ Not applicable

[RESPONDENT CAN SELECT UP TO TWO; DK IS EXCLUSIVE]

43. If the Agency could improve in two of the following areas, which two should it focus on?

[RETAIN RANDOMIZED ORDER FOR Q41]

Having a quick response time

Offering fairness of treatment

Having a variety of means to contact them

Explaining its role and what it can and cannot do in dealing with your matter

Simplifying its forms

Offering both official languages (English and French)

Informing you on all that is required for the matter at hand

Interacting with you in a way that accommodates your disability **[ASK ONLY IF Q1 = 'Yes']**

Answering all your questions

Providing their mandate and jurisdiction

Don't know/ Not sure

44. Putting aside your views on the outcome of your dealings with the Agency, how satisfied were you with the overall quality of service provided by the Agency?

1 – Very dissatisfied

2

3

4

5 – Very satisfied

Don't know/ Not sure

45. Please provide the main reason why you would rate your satisfaction with the overall quality of service provided by the Agency as a '<INSERT Q44 RESPONSE>'.

[Open]

[INCLUDE CHECKBOX FOR 'Don't know/ Not sure']

46. Do you have any additional comments about the Agency and/or its services?

[Open]

[INCLUDE CHECKBOX FOR 'Don't know/ Not sure']

On behalf of the Canadian Transportation Agency, Ipsos Reid would like to thank you for your time and attention in completing this survey.



Appendix II – French Questionnaire

Canadian Transportation Agency Client Satisfaction Questionnaire – 2011/2012 October 6, 2011

Note: This survey is tailored to five different and distinct audiences. References to these audiences are abbreviated throughout the surveys as follows:

- Travel-related facilitation – **FAC**
- Travel-related adjudication – **ADJ**
- Mediation – **MED**
- Non-travel/ multi-party dispute resolution – **NTD**
- Inspection and licensing – **INSP**

INTRODUCTION

L'Office des transports du Canada, qui règle les différends reliés au transport et agit à titre d'organisme de réglementation économique dans ce secteur, a récemment traité une affaire qui vous concernait. Afin de continuer à améliorer les services offerts à ses clients, l'Office vous serait très reconnaissant si vous pouviez prendre quelques minutes pour répondre au sondage ci-joint. L'Office utilisera par la suite les renseignements recueillis de ce sondage pour déterminer la meilleure façon de répondre aux besoins de ses clients en fonction de son cadre de réglementation et ainsi apporter des améliorations aux services offerts.

Vos réponses resteront confidentielles et seront examinées par une tierce partie indépendante plutôt que par l'Office. Tout renseignement fourni dans le cadre du sondage demeurera protégé et servira uniquement à évaluer la qualité des services offerts par l'Office, et ne sera pas utilisé à aucune autre fin.

L'Office souhaite connaître votre opinion à propos de **[FAC: son processus de facilitation] [ADJ: son processus de règlement formel] [MED: son processus de médiation] [NTD/INSP: ses processus]** et de ses services. L'Office apprécie le temps que vous accorderez à ce sondage qui ne devrait pas prendre plus de 10 minutes et vous remercie d'accepter de lui faire part de vos points de vue.

Si vous avez des questions à propos du sondage ou au sujet de l'utilisation des renseignements recueillis, n'hésitez pas à envoyer un courriel à l'Office des transports du Canada à l'adresse sondage-survey@otc-Agency.gc.ca, ou à téléphoner au 1-888-222-2592 (ATS : 1-800-669-5575).



[ALL QS ARE SINGLE PUNCH UNLESS OTHERWISE INDICATED]

1. Certaines questions du présent sondage portent sur l'accessibilité des services. Êtes-vous une personne ayant une déficience?

Oui
Non
Je ne sais pas/ refus

[ASK ALL EXCEPT INSP]

2. Quel type de service de transport était-il question dans l'affaire qui vous concernait? Veuillez choisir tout ce qui s'applique.

RESPONSE OPTIONS		
FAC, ADJ	MED	NTD
Passager ferroviaire	Ferroviaire	Ferroviaire
Aérien	Aérien	Aérien
Passager traversier		
Terminal d'aéroport, ferroviaire ou de traversier		
	Maritime	Maritime
	Transport accessible pour les personnes ayant une déficience	
Autre (veuillez préciser _____)		

[ASK ONLY INSP, NTD]

3. Lequel des énoncés suivants vous décrit le mieux ou décrit le mieux votre organisation ou la personne que vous représentiez dans cette affaire?

Transporteur aérien
Compagnie de chemin de fer
Exploitant de navire
Exploitant de terminal aérien, ferroviaire ou maritime
Autre (veuillez préciser _____)
Je ne sais pas/ incertain

[ASK ONLY MED, NTD]

4. Qui a amené le sujet auprès de l'Office des transports du Canada?

Moi-même/mon organisme
L'autre partie
Les deux parties
Autre (veuillez préciser _____)
Je ne sais pas/ incertain

[ASK ALL EXCEPT INSP]

5. Quelle était la nature de votre plainte?

[OPEN]

[INCLUDE CHECKBOX FOR 'Je ne sais pas/ incertain']

6. Comment avez-vous entendu parler de l'Office des transports du Canada? Veuillez choisir tout ce qui s'applique. [MULTI-PUNCH]

Une brochure de l'Office (veuillez préciser _____)

Une association

1-800 OCANADA/Gouvernement

Un autre ministère

Une recherche sur le Web

Un ami/membre de la famille

Un fournisseur de services de transport (compagnie aérienne, etc.)

Un agent de voyages

Déjà déposé une plainte auprès de l'Office

Connaissais déjà les services offerts par l'Office

Déjà communiqué avec l'Office

L'annuaire téléphonique

Autre (veuillez préciser _____)

Je ne sais pas/ incertain

[ASK ONLY INSP]

7. Quel type d'échange avez-vous eu avec l'Office des transports du Canada?

Inspection

Nouvelle licence

Je ne sais pas/ incertain

[ASK ALL BUT INSP, OR IF MED OR NTD Q4 = 'L'autre partie'; VARIES AS INDICATED]

8. Veuillez indiquer le nombre approximatif de jours qu'il a fallu pour que l'Office accuse réception de votre... (varie)

AUDIENCE	QUESTION WORDING
FAC, ADJ, MED	Veuillez indiquer le nombre approximatif de jours qu'il a fallu pour que l'Office accuse réception de votre plainte
NTD	Veuillez indiquer le nombre approximatif de jours qu'il a fallu pour que l'Office accuse réception de votre demande
INSP	NOT ASKED

[PROVIDE DROPDOWN BOX FOR NUMERICAL ENTRY FROM 1, 2, 3...30, 30+]
 [INCLUDE CHECKBOX FOR 'Je ne sais pas/ incertain']

[ASK ALL BUT INSP; VARIES AS INDICATED]

9. Que considérez-vous un temps raisonnable pour que l'Office accuse réception de votre... (varie)

AUDIENCE	QUESTION WORDING
FAC, ADJ, MED	Que considérez-vous un temps raisonnable pour que l'Office accuse réception de votre plainte
NTD	Que considérez-vous un temps raisonnable pour que l'Office accuse réception de votre demande
INSP	NOT ASKED

[PROVIDE DROPDOWN BOX FOR NUMERICAL ENTRY FROM 1, 2, 3...30, 30+]
 [INCLUDE CHECKBOX FOR 'Je ne sais pas/ incertain']

[ASK ALL BUT INSP]

10. Dans l'ensemble, combien de temps a-t-il fallu à l'Office pour régler votre affaire, du début à la fin? Veuillez indiquer le nombre approximatif de jours.

[PROVIDE DROPDOWN BOX FOR NUMERICAL ENTRY FROM 1-30, 31-60, 61-90, 91-120, 121+]
 [INCLUDE CHECKBOX FOR 'Je ne sais pas/ incertain']

[ASK ALL BUT INSP]

11. Que considéreriez-vous comme un délai raisonnable pour que l'Office règle votre affaire, du début à la fin?

[PROVIDE DROPDOWN BOX FOR NUMERICAL ENTRY FROM 1-30, 31-60, 61-90, 91-120, 121+]
 [INCLUDE CHECKBOX FOR 'Je ne sais pas/ incertain']

12. Dans le cadre de vos échanges avec l'Office, lesquels des moyens suivants avez-vous utilisés pour obtenir de l'information à propos de l'Office? Veuillez choisir tout ce qui s'applique. [MULTI-PUNCH]

Site Web de l'Office
Courriel
Téléphone
Poste
Messagerie
Télécopieur
Autre (veuillez préciser _____)
Je ne sais pas/ incertain

13. Lequel des moyens suivants aimeriez-vous le plus utiliser pour obtenir de l'information à propos de l'Office? Veuillez choisir une seule réponse.

Site Web de l'Office
Courriel
Téléphone
Poste
Messagerie
Télécopieur
Autre (veuillez préciser _____)
Je ne sais pas/ incertain

[ASK Q14 EXCEPT IF SELECTED 'Site Web de l'Office' AT Q12; ELSE SKIP TO Q15]

14. Avez-vous déjà visité le site Web de l'Office?

Oui
Non
Je ne sais pas/ incertain

[ASK Q15 IF Q14 = 'Oui' OR IF SELECTED 'Site Web de l'Office' AT Q12; ELSE SKIP TO Q17]

15. À quand remonte la dernière fois que vous avez visité le site Web de l'Office?

Au cours des trois derniers mois
Il y a entre trois et six mois
Il y a entre six mois et un an
Il y a plus d'un an
Je ne sais pas/ incertain

16. Veuillez indiquer la réponse qui décrit le mieux votre degré de satisfaction par rapport aux aspects suivants du site Web de l'Office :

GRID DOWN, RANDOMIZE
Le site Web de l'Office offrait l'information que je cherchais
C'était facile de trouver l'information dont j'avais besoin sur le site Web
L'information sur le site Web était facile à comprendre

GRID ACROSS

1 – Très insatisfait

2

3

4

5 – Très satisfait

Je ne sais pas/ incertain

[ASK ONLY NTD]

17. Quel processus de l'Office a servi à régler votre affaire? Veuillez choisir tout ce qui s'applique si plus d'un processus a été utilisé. [MULTI-PUNCH]

Facilitation (un membre du personnel de l'Office a agi comme intermédiaire entre les parties)

Médiation (y compris une réunion avec l'autre partie et un médiateur de l'Office)

Arbitrage de l'offre finale

Attribution formelle de l'Office (processus décisionnel quasi judiciaire qui exige des plaidoiries écrites)

Je ne sais pas/ incertain

[ASK ONLY ADJ, MED]

18. Avant d'opter pour [ADJ: le règlement/ MED: la médiation], avez-vous d'abord tenté la facilitation (avec un membre du personnel de l'Office à titre d'intermédiaire entre vous et le fournisseur du service de transport) afin de régler la plainte?

Oui

Non

Je ne sais pas/ incertain

[IF Q17 ≠ 'Facilitation...' OR IF Q18 = 'Non' or 'Je ne sais pas/ incertain', ASK Q19]

19. Quelle est la principale raison pour laquelle vous n'avez pas eu recours à la facilitation pour tenter de régler la plainte? Veuillez choisir tout ce qui s'applique. [MULTIPUNCH]

Pas offerte

Je voulais qu'un jugement soit rendu sur le cas, en raison de son enjeu important [ADJ ONLY]

Ne s'appliquait pas à la situation

Autre (veuillez préciser _____)

Je ne sais pas/ incertain

[ASK MED RESPONDENTS, OR IF q17= "Médiation"]

20. Quelle est la principale raison pour laquelle vous avez opté pour la médiation?

Mes pairs ou des amis m'y ont incité

Le personnel de l'Office me l'a offert

Nécessite moins de temps qu'une décision formelle

Moins coûteuse qu'une décision formelle

M'a permis de traiter directement avec l'autre partie

J'avais entendu dire que la médiation offrait de meilleures solutions règlements

Autre (veuillez préciser _____)

Je ne sais pas/ incertain

[ASK ONLY ADJ]



21. Avant d'opter pour le règlement, avez-vous d'abord tenté la médiation (comprenant une rencontre avec un membre du personnel de l'Office à titre d'intermédiaire entre vous et l'autre partie) afin de régler la plainte?

- Oui
- Non
- Je ne sais pas/ incertain

[IF Q17 ≠ 'Médiation...' OR IF Q21 = 'Non' or 'Je ne sais pas/ incertain', ASK Q22; ELSE, SKIP]

22. Quelle est la principale raison pour laquelle vous n'avez pas eu recours à la médiation pour essayer de régler la plainte? Veuillez choisir tout ce qui s'applique. [MULTIPUNCH]

- Pas offerte
- Je n'ai pas compris de quoi il s'agissait
- Je ne voulais pas avoir recours à la médiation (veuillez préciser pourquoi _____)
- L'autre partie n'a pas accepté
- Je voulais qu'un jugement soit rendu sur le cas, en raison de son enjeu important
- Ne s'appliquait pas à la situation
- Autre (veuillez préciser _____)
- Je ne sais pas/ incertain

[Q23-30: ASK ONLY MED]

23. Comment évalueriez-vous le temps de réponse du médiateur à vos questions ou vos demandes?

- 1 – Pire que je m'y attendais
- 2
- 3
- 4
- 5 – Mieux que je m'y attendais
- Je ne sais pas/ incertain

24. Comment évalueriez-vous le degré d'utilité des réponses du médiateur à vos questions ou demandes?

- 1 – Pire que je m'y attendais
- 2
- 3
- 4
- 5 – Mieux que je m'y attendais
- Je ne sais pas/ incertain

25. La médiation a donné le résultat suivant...

- Non réglé
- Réglé en partie
- Entièrement réglé
- Je ne sais pas/ incertain

26. Sachant ce que vous savez maintenant à propos du processus de médiation, y auriez-vous recours à nouveau si vous étiez confronté au même type de situation?

- Oui
- Non
- Je ne sais pas/ incertain



[IF Q26 = 'Non' or 'Je ne sais pas/ incertain', ASK Q27; ELSE SKIP TO Q28]

27. **Quelle est la principale raison pour laquelle vous n'auriez plus recours au processus de médiation (ou que vous n'êtes pas certain que vous y auriez de nouveau recours)?**

[OPEN]

28. **Veillez indiquer dans quelle mesure vous êtes d'accord ou en désaccord avec les énoncés suivants portant sur le processus de médiation suivi.**

Au cours de l'introduction au processus de médiation, le médiateur...

GRID DOWN – RANDOMIZE

A clairement expliqué son rôle impartial

A clairement expliqué le rôle de coopération des participants

A donné un aperçu du processus de médiation

A clarifié les règles de confidentialité

A clarifié les règles à suivre dans les réunions et la manière dont ces règles seraient appliquées à la demande d'un participant ou du médiateur

Vous a donné la chance de faire une déclaration préliminaire

Vous a donné l'occasion de poser des questions

A établi les règles de base et a obtenu l'engagement des parties à respecter ces règles avant d'aller de l'avant

GRID ACROSS

1 – Fortement en désaccord

2

3

4

5 – Fortement d'accord

Je ne sais pas/ incertain

29. Veuillez indiquer le degré avec lequel vous êtes d'accord ou en désaccord avec les énoncés suivants portant sur le processus de médiation suivi.

Pendant le processus de médiation, le médiateur...

GRID DOWN – RANDOMIZE

A résumé vos déclarations avec exactitude

A aidé à cerner et à résumer les questions dans un langage neutre

A aidé à la création et à l'établissement des priorités de l'ordre du jour

A porté votre attention sur les questions et les intérêts communs

A écouté attentivement

Vous a permis d'exprimer vos émotions d'une manière constructive

A compris votre point de vue, vos besoins et vos préoccupations

Est resté neutre, impartial, ouvert et ne portait pas de jugement

A invité les questions et a fourni des réponses claires et précises

A utilisé un langage et des termes que vous compreniez

A eu recours à des renforcements positifs en temps opportun

A rapidement mis fin à tout abus psychologique ou verbal

S'est abstenu d'offrir des solutions, des conseils juridiques ou de faire des jugements

A été objectif au moment de vous aider à évaluer les solutions proposées

A maintenu une attitude professionnelle et de confiance tout au long du processus

GRID ACROSS

1 – Fortement en désaccord

2

3

4

5 – Fortement d'accord

Je ne sais pas/ incertain

30. Selon votre expérience du processus de médiation, veuillez compléter les énoncés suivants.

Les forces du médiateur étaient... [OPEN TEXT BOX]

[INCLUDE CHECKBOX FOR 'Je ne sais pas/ incertain']

Le processus de médiation aurait été plus efficace si... [OPEN TEXT BOX]

[INCLUDE CHECKBOX FOR 'Je ne sais pas/ incertain']

[ASK ONLY FAC, ADJ, NTD; VARIES AS INDICATED; ELSE, SKIP TO Q33]

31. Vous avez participé au... [varie]. Veuillez indiquer le degré avec lequel vous êtes d'accord ou en désaccord avec chacun des énoncés suivants portant sur ce processus.

AUDIENCE	QUESTION WORDING
FAC	Vous avez participé au processus de facilitation au sujet d'une plainte pendant lequel un membre du personnel de l'Office a joué le rôle d'intermédiaire entre vous-même et le fournisseur du service de transport . Veuillez indiquer le degré avec lequel vous êtes d'accord ou en désaccord avec chacun des énoncés suivants portant sur ce processus.
ADJ	Vous avez participé au processus décisionnel formel de l'Office, qui s'apparente à celui d'un tribunal et qui nécessite des plaidoiries écrites . Veuillez indiquer le degré avec lequel vous êtes d'accord ou en désaccord avec chacun des énoncés suivants portant sur ce processus.
NTD	Vous avez participé au processus formel de décision ou de détermination de l'Office . Veuillez indiquer le degré avec lequel vous êtes d'accord ou en désaccord avec chacun des énoncés suivants portant sur ce processus.

GRID DOWN – RANDOMIZE

Le processus de l'Office m'a été clairement expliqué

Le processus a été mené d'une manière professionnelle

Le processus était impartial

L'Office m'a clairement indiqué les renseignements qui devaient être soumis

J'ai eu amplement l'occasion de présenter mon cas

J'ai eu amplement l'occasion de répliquer au point de vue de l'autre partie

Le résultat était clair et facile à comprendre

[ADJ/NTD] J'ai compris la justification de la décision de l'Office

GRID ACROSS

1 – Fortement en désaccord

2

3

4

5 – Fortement d'accord

Je ne sais pas/ incertain

[ASK ONLY FAC, ADJ, NTD; RESPONDENT CAN SELECT UP TO TWO; DK IS EXCLUSIVE]

32. Si l'Office pouvait apporter des améliorations à deux des secteurs suivants, où devrait-il concentrer ses efforts?

RETAIN RANDOMIZED ORDER FOR Q31

Expliquer clairement le processus

Mener le processus d'une manière professionnelle

Mener le processus d'une façon impartiale

Indiquer clairement les renseignements devant être présentés

Me fournir suffisamment l'occasion de présenter mon cas

Me fournir suffisamment l'occasion de répliquer au point de vue de l'autre partie

S'assurer que le résultat est clair et facile à comprendre

[ADJ/NTD] S'assurer que la justification du résultat est clairement expliquée

Je ne sais pas/ incertain

[ASK ONLY INSP: IF INSP Q7= 'Inspection', ASK Q33 AND Q34, ELSE SKIP TO Q35]

33. Veuillez indiquer le degré avec lequel vous êtes d'accord ou en désaccord avec chacun des énoncés suivants portant sur le processus d'inspection.

GRID DOWN – RANDOMIZE

On m'a averti à l'avance de la tenue de l'inspection

On m'a clairement indiqué quels documents ou quelles installations seraient inspectés

Le processus d'inspection a été mené d'une manière professionnelle

L'inspecteur était courtois et serviable lors de son interaction avec moi

Je connaissais les raisons pour lesquelles des inspections sont menées

L'inspection m'a aidé à comprendre les lacunes que je devais combler

L'inspecteur m'a clairement démontré comment combler les lacunes relevées

Dans l'ensemble, j'ai été satisfait de la façon dont l'inspection fut gérée

GRID ACROSS

1 – Fortement en désaccord

2

3

4

5 – Fortement d'accord

Je ne sais pas/ incertain

[RESPONDENT CAN SELECT UP TO TWO; DK IS EXCLUSIVE]

34. Si l'Office pouvait apporter des améliorations à deux des secteurs suivants, où devrait l'Office concentrer ses efforts?

Avertir à l'avance de la tenue d'inspections
Indiquer clairement quels documents ou quelles installations sont inspectés
Mener le processus d'inspection d'une manière professionnelle
S'assurer d'une courtoisie et serviabilité de la part de l'inspecteur
Expliquer clairement les raisons de la tenue des inspections
Déterminer clairement les lacunes à combler
Fournir des renseignements sur la façon de combler les lacunes relevées
Je ne sais pas/ incertain

[ASK ONLY INSP: IF INSP Q7= 'Nouvelle licence', ASK Q35 AND Q36, ELSE SKIP TO Q37]

35. Veuillez indiquer le degré avec lequel vous êtes d'accord ou en désaccord avec chacun des énoncés suivants portant sur le processus de demande de licence.

GRID DOWN – RANDOMIZE
Le temps requis pour le traitement de la demande de licence était acceptable
On m'a clairement informé de la procédure requise pour l'émission d'une licence
On m'a clairement indiqué ce que le processus d'émission de licence représentait
Les lignes directrices du processus de demande de licence étaient claires
L'Office m'a guidé tout au long du processus d'octroi de licence

GRID ACROSS
1 – Fortement en désaccord
2
3
4
5 – Fortement d'accord
Je ne sais pas/ incertain

[RESPONDENT CAN SELECT UP TO TWO; DK IS EXCLUSIVE]

36. Si l'Office pouvait apporter des améliorations à deux des secteurs suivants, où devrait-il concentrer ses efforts?

RETAIN RANDOMIZED ORDER FOR Q35
Temps requis pour le traitement de la demande de licence
Information requise pour obtenir une licence
Information sur le processus d'émission de licence
Clarté des lignes directrices du processus de demande de licence
Empressement à me guider tout au long du processus d'émission de licence
Je ne sais pas/ incertain

37. Dans quelle mesure vos échanges avec l'Office ont-ils comblé vos attentes?

1 – Pas du tout
2
3
4
5 – Entièrement
Je ne sais pas/ incertain

[ALL RESPONDENTS UNLESS OTHERWISE INDICATED]



38. Veuillez indiquer dans quelle mesure vous jugez important ou non important chacun des aspects suivants des services de l'Office [MED: avant la médiation].

GRID DOWN - RANDOMIZE

Le temps requis pour l'accusé de réception de mon affaire [OMIT FROM INSP OR IF MED OR NTD Q4 = 'L'autre partie']

Le temps requis pour régler la situation

L'exactitude des renseignements donnés

L'Office me donne des renseignements clairs et faciles à comprendre

La courtoisie du personnel

La serviabilité du personnel

La connaissance et la compétence du personnel

L'impartialité du personnel

Le personnel est facile d'approche

Le personnel est très accessible

GRID ACROSS

1 – Pas du tout important

2

3

4

5 – Très important

Je ne sais pas/sans objet

[ALL RESPONDENTS UNLESS OTHERWISE INDICATED]

39. Veuillez indiquer la réponse qui décrit le mieux votre degré de satisfaction par rapport aux aspects suivants des services de l'Office [MED: avant la médiation].

GRID DOWN - RETAIN RANDOMIZED ORDER FOR Q38

Le temps requis pour l'accusé de réception de mon affaire [OMIT FROM INSP OR IF MED OR NTD Q4 = 'L'autre partie']

Le temps requis pour régler la situation

L'exactitude des renseignements donnés

L'Office m'a donné des renseignements clairs et faciles à comprendre

La courtoisie du personnel

La serviabilité du personnel

La connaissance et la compétence du personnel

L'impartialité du personnel

Le personnel était facile d'approche

Le personnel était très accessible

GRID ACROSS

1 – Très insatisfait

2

3

4

5 – Très satisfait

Je ne sais pas/sans objet

[RESPONDENT CAN SELECT UP TO TWO; DK IS EXCLUSIVE]

40. Si l'Office pouvait apporter des améliorations à deux des secteurs suivants, où devrait l'Office concentrer ses efforts?

[REPEAT Q38 OPTIONS; RETAIN RANDOMIZED ORDER FOR Q38]
Je ne sais pas/ incertain [ANCHORED]

41. Veuillez indiquer dans quelle mesure vous estimez important ou non important chacun des aspects suivants des services de l'Office.

GRID DOWN - RANDOMIZE

La rapidité du temps de réponse du personnel

L'équité du traitement

La diversité des moyens de communiquer avec le personnel de l'Office

Le fait de savoir ce que l'Office peut et ne peut pas faire dans le traitement de votre affaire

Le fait que les formulaires de l'Office sont faciles à remplir

Le fait d'avoir pu communiquer avec l'Office dans la langue officielle de votre choix (anglais ou français)

Le fait que l'Office-vous ait indiqué tout ce que vous deviez faire en ce qui concerne le traitement de votre affaire

Le fait que l'Office ait traité avec vous de façon à répondre à vos besoins en raison de votre déficience [ASK ONLY IF Q1 = 'Oui']

Le fait d'avoir eu des réponses à toutes vos questions

Le fait que vous ayez bien compris le mandat et le domaine de compétence de l'Office

GRID ACROSS

1 – Pas du tout important

2

3

4

5 – Très important

Je ne sais pas/sans objet

42. Veuillez indiquer si vous êtes d'accord ou en désaccord avec chacun des énoncés suivants portant sur des aspects des services de l'Office.

GRID DOWN – RETAIN RANDOMIZED ORDER FOR Q41

Réponse rapide du personnel

J'ai été traité de façon équitable

On m'a offert divers moyens de communiquer avec l'Office

On m'a indiqué ce que l'Office pouvait ou ne pouvait pas faire pour moi dans le traitement de mon affaire

Les formulaires de l'Office sont faciles à remplir

J'ai pu communiquer avec l'Office dans la langue officielle de mon choix (anglais ou français)

L'Office m'a indiqué tout ce que je devais faire en ce qui concerne le traitement de mon affaire

L'Office a traité avec moi de façon à répondre à mes besoins en raison de ma déficience [ASK ONLY IF Q1 = 'Oui']

Je crois avoir eu des réponses à toutes mes questions

J'ai bien compris le mandat et le domaine de compétence de l'Office

GRID ACROSS

1 – Fortement en désaccord

2

3

4

5 – Fortement d'accord

Je ne sais pas/sans objet

[RESPONDENT CAN SELECT UP TO TWO; DK IS EXCLUSIVE]

43. Si l'Office pouvait apporter des améliorations à deux des secteurs suivants, où devrait-il concentrer ses efforts?

[RETAIN RANDOMIZED ORDER FOR Q41]

Être rapide dans l'exécution de réponse

Offrir l'équité du traitement

Offrir une diversité de moyens de communiquer avec eux

Expliquer son rôle et qu'est-ce que l'Office peut et ne peut pas faire dans le traitement de votre affaire

Simplifier ses formulaires

Offrir les deux langues officielles (anglais ou français)

Informar sur tout ce que vous devez faire en ce qui concerne le traitement de votre affaire

Dialoguer avec vous de façon à répondre à vos besoins en raison de votre déficience **[ASK**

ONLY IF Q1 = 'Oui']

Répondre à toutes vos questions

Fournir leur mandat et leur domaine de compétence

Je ne sais pas/sans objet **[ANCHOR]**

44. Mis à part ce que vous pensez du résultat de vos échanges avec l'Office, dans quelle mesure avez-vous été satisfait de la qualité des services offerts par l'Office dans l'ensemble?

1 – Très insatisfait

2

3

4

5 – Très satisfait

Je ne sais pas/ incertain

45. Veuillez indiquer la principale raison pour laquelle vous donnez une cote de '<INSERT Q44 RESPONSE>' à votre satisfaction à l'égard de la qualité des services offerts par l'Office dans l'ensemble.

[Open]

[INCLUDE CHECKBOX FOR 'Je ne sais pas/ incertain']

46. Avez-vous d'autres commentaires à propos de l'Office ou des services offerts?

[Open]

[INCLUDE CHECKBOX FOR 'Je ne sais pas/ incertain']

Au nom de l'Office des transports du Canada, Ipsos Reid vous remercie et apprécie le temps et l'attention accordés au sondage.



Appendix III – English Discussion Guide

CANADIAN TRANSPORTATION AGENCY 2011/2012 QUALITATIVE QUESTIONNAIRE

1. Which relationships or areas of interaction with the Agency are most important to you/your organization? Which of your interactions with the Agency would you say work well for your organization? Have you seen any improvement or change over the past year or two? Why do you say that?
2. And still with respect to its interactions with your organization, what part, if any, of the Agency's work requires more attention or improvement? Have you seen any improvement or change over the past year or two? Why do you say that?
3. How satisfied is your organization with its opportunities for effective dialogue, beyond day-to-day interactions, with the Agency? Does the Agency proactively seek out opportunities to dialogue? Have you seen any improvement or change over the past year or two? Why do you say that?
4. How would you describe the nature of the working relationship between your organization and Agency staff?
5. Overall, what do you see as the greatest challenges facing your organization in the next year that the Agency influences in some way, or could influence in some way? What would you most like to see the Agency do to help your organization with these challenges?
6. What are the specific ways that you believe the Agency has a role as an economic regulator? How well you think the Agency fulfills that role?
7. Now we are going to talk about specific business practices and processes, many of which are directly related to the Agency's role as an economic regulator:

A. If the respondent is involved in the railway industry:

What is your opinion on how the Agency manages the following processes? What could they do to improve these processes?

Follow-up

Have you seen any improvement or change in the way the Agency handles processes that affect your industry overall in the past year or two? Why do you say that? Can you give me a specific example?

B. If the respondent is involved in the airline industry:

What is your opinion on how the Agency manages the following processes? What could they do to improve these processes?

Follow-up

Have you seen any improvement or change in the way the Agency handles processes that affect your industry overall in the past year or two? Why do you say that? Can you give me a specific example?

C. If the respondent is involved in the marine industry:
What is your opinion on how the Agency manages the following processes? What could they do to improve these processes?

Follow-up

Have you seen any improvement or change in the way the Agency handles processes that affect your industry overall in the past year or two? Why do you say that? Can you give me a specific example?

8. Now we are going to talk about dispute resolutions. The Agency has been promoting alternate dispute resolution approaches such as facilitation and mediation. Are you aware of, have you been involved in, or do you have insight into the following dispute resolution processes:

A. Facilitation

Is the process fair? Efficient? Are participants comfortable with the process? Do they understand the process? Do they understand the outcome? What specific enhancements would you suggest? How well or poorly do you feel this approach is working for your organization? And why do you say this?

B. Mediation

Is the process fair? Efficient? Are participants comfortable with the process? Do they understand the process? Do they understand the outcome? What specific enhancements would you suggest? How well or poorly do you feel this approach is working for your organization? And why do you say this?

C. Final Offer Arbitration (FOA)

Is the process fair? Efficient? Are participants comfortable with the process? Do they understand the process? Do they understand the outcome? What specific enhancements would you suggest? How well or poorly do you feel this approach is working for your organization? And why do you say this?

D. Agency Tribunal

Is the process fair? Efficient? Are participants comfortable with the process? Do they understand the process? Do they understand the outcome? How well or poorly do you feel this approach is working for your organization? And why do you say this? What specific enhancements would you suggest?

E. Follow-up

Have you seen any improvement or change in the way the Agency handles dispute resolution overall in the past year or two? Why do you say that? Can you give me a specific example?

9. Could you identify three specific changes or improvements you would like to see the Agency make over the next year?

10. What is the main thing you would like me to take back to AGENCY from this interview? Do you have any other thoughts, comments or issues you would like to pass along to the Agency?

Those are all of the questions that I have for you. On behalf of the Canadian Transportation Agency and Ipsos Reid, thank you for your time.



Appendix IV – French Discussion Guide

OFFICE DES TRANSPORTS DU CANADA QUESTIONNAIRE QUALITATIF 2011/2012

1. Lesquels des rapports ou lesquelles des interactions entre votre organisme et l'Office sont les plus importants? D'après vous, lesquelles de vos interactions avec l'Office sont utiles à votre organisme? Avez-vous remarqué des changements ou des améliorations depuis les deux dernières années? Veuillez justifier votre réponse.
2. Toujours au chapitre des interactions de votre organisme avec l'Office, lesquels des services de l'Office auraient besoin d'améliorations? Avez-vous remarqué des changements ou des améliorations depuis les deux dernières années? Veuillez expliquer votre réponse.
3. Quel est votre niveau de satisfaction quant aux occasions qui s'offrent à votre organisme pour dialoguer efficacement avec l'Office, mises à part vos interactions quotidiennes? L'Office recherche-t-il activement des occasions de dialogue? Avez-vous remarqué des changements ou des améliorations depuis les deux dernières années? Veuillez expliquer votre réponse.
4. (Si pas couvert dans la question 1.) Veuillez décrire la nature des rapports professionnels entre votre organisme et le personnel de l'Office.
5. Dans l'ensemble, quelles sont les plus grands défis que votre organisme aura à surmonter au cours de la prochaine année, et sur lesquels l'Office aura ou pourrait avoir une incidence quelconque? Qu'est-ce que l'Office pourrait faire, selon vous, pour aider votre organisme à surmonter ces défis?
6. Selon vous, de quelles façons en particulier l'Office a-t-il un rôle à jouer en tant qu'organisme de réglementation économique? S'acquitte-t-il de ce rôle avec succès, selon vous?
7. Parlons maintenant de certaines pratiques et de certains processus opérationnels précis, dont plusieurs sont directement liés au rôle de l'Office en tant qu'organisme de réglementation économique.

A. Si le répondant est un intervenant de l'industrie du transport ferroviaire :

Quelle est votre opinion sur la façon dont l'Office gère les processus suivants? Comment pourrait-il améliorer ces processus?

(Consulter la liste d'interactions des organismes.)

Suivi

Depuis les deux dernières années, avez-vous remarqué des changements ou des améliorations dans la manière dont l'Office gère les processus qui touchent votre organisme globalement? Veuillez expliquer votre réponse. Auriez-vous un exemple précis d'un changement?

B. Si le répondant est un intervenant de l'industrie du transport aérien :

Quelle est votre opinion sur la façon dont l'Office gère les processus suivants? Comment pourrait-il améliorer ces processus?

(Consulter la liste d'interaction des organismes.)

Suivi

Depuis les deux dernières années, avez-vous remarqué des changements ou des améliorations dans la manière dont l'Office gère les processus qui touchent votre organisme globalement?

Veillez expliquer votre réponse. Auriez-vous un exemple précis d'un changement?

C. Si le répondant est un intervenant de l'industrie du transport maritime :

Quelle est votre opinion sur la façon dont l'Office gère les processus suivants? Comment pourrait-il améliorer ces processus?

(Consulter la liste d'interaction des organismes.)

Suivi

Depuis les deux dernières années, avez-vous remarqué des changements ou des améliorations dans la manière dont l'Office gère les processus qui touchent votre organisme globalement?

Veillez expliquer votre réponse. Auriez-vous un exemple précis d'un changement?

8. À présent, nous allons aborder le règlement des différends. L'Office encourage le recours aux modes alternatifs de résolution des conflits comme la facilitation et la médiation. Êtes-vous au courant des processus de règlement des différends suivants, avez-vous été impliqué dans un des processus, ou avez-vous des commentaires à ce sujet :

A. Facilitation

Le processus est-il équitable? Est-il efficace? Les participants sont-ils à l'aise avec ce processus? Comprennent-ils le processus? Comprennent-ils le résultat du processus? Quelles améliorations précises apporteriez-vous au processus? Jusqu'à quel point le processus actuel est-il utile ou pas du tout utile pour votre organisme? Veuillez expliquer votre réponse.

B. Médiation

Le processus est-il équitable? Efficace? Les participants sont-ils à l'aise avec ce processus? Comprennent-ils le processus? Comprennent-ils le résultat du processus? Quelles améliorations précises apporteriez-vous au processus? Jusqu'à quel point le processus actuel est-il utile ou pas du tout utile pour votre organisme? Pourquoi dites-vous cela?

C. Arbitrage de l'offre finale (AOF)

Le processus est-il équitable? Est-il efficace? Les participants sont-ils à l'aise avec ce processus? Comprennent-ils le processus? Comprennent-ils le résultat du processus? Quelles améliorations précises apporteriez-vous au processus? Jusqu'à quel point le processus actuel est-il utile ou pas du tout utile pour votre organisme? Veuillez expliquer votre réponse.

D. Tribunal de l'Office

Le processus est-il équitable? Est-il efficace? Les participants sont-ils à l'aise avec ce processus? Comprennent-ils le processus? En comprennent-ils le résultat? Quelles améliorations apporteriez-vous en particulier? Jusqu'à quel point le processus actuel est-il utile ou pas du tout utile pour votre organisme? Veuillez expliquer votre réponse.

E. Suivi

Avez-vous vu une amélioration ou un changement, dans les deux dernières années, dans la façon dont l'Office gère le règlement des différends? Veuillez expliquer votre réponse. Avez-vous un exemple précis en tête?

9. Quels trois changements ou quelles trois améliorations aimeriez-vous que l'Office mette en œuvre, pendant la prochaine année?
10. Quel élément particulier de cette entrevue aimeriez-vous que je transmette à l'Office? Avez-vous d'autre chose à ajouter, d'autres commentaires ou questions dont vous aimeriez faire part à l'Office?

-FIN-