

April 11, 2017 - Major Canadian airline disaster "likely"

Date : April 11, 2017

TOP STORY

[Inspectors say a major Canadian airline disaster is 'likely'](#)

DECISIONS

- **Judicial Review - CHRC complaint - *Majidiguruh v. Jazz Aviation LP*, [2017 FC 295](#)**
_Failure to provide harassment free workplace complaint dismissed by CHRC - Complainant was not treated unfairly by the CHRC nor was there reviewable error - Dismissed
- **Appeal - Security clearance denial - *Hoang v. Canada (Attorney General)*, [2017 FCA 63](#)**
_Allegation of discrimination based on family status in denial of clearance - *Bona fide* justification for Minister's practice - Appellant did not provide context to perceived risk to investigator - Dismissed
Appealed decision: *Hoang v. Canada (Attorney General)*, [2016 FC 54](#)
- **Grievance - Termination - *International Association of Machinists and Aerospace Workers v Asig Ground Handling Canada Lto.*, [2017 CanLII 18970](#)**
_Ramp Agent terminated for failing to obtain Airport Vehicle Operations Permit - Condition of employment is "G2: provincial license or Quebec equivalent - Phobia of driving not accepted - Termination upheld
- **Grievance - Enforceability of MOA - *Jazz Aviation LP and Unifor, Local 2002 (Small Bases)*, Re; [2016 CarswellNat 9287](#)**
Wages and seniority grievances for formerly seconded AC employees who continued with Jazz - Reasons for earlier award
- **Passenger complaint - Delay of flight and baggage - *Bitton c. Air Canada*, [2017 QCCQ 1795](#)**
_Failure to allow passenger to attend scheduled flight and delayed baggage - Plaintiff missed ceremony which was purpose of trip as a result - Air Canada found to be at fault for failing to allow passenger to board scheduled flight as it resold seat - Allowed
- **Passenger complaint - Baggage delay - *Ghorbanpanah c. Vacances Sunwing inc.*, [2017 QCCQ 1568](#)**
_Passengers' baggage missed cruise departure - Defendant failed to respond to plaintiff calls/emails and failed to inform them of investigation - Allowed
- **OHS Complaint - Jurisdiction - *Dimitri et Sunwing Airlines inc.*, [2017 QCCNESST 90](#)**
_Complaint over penalty dismissal - Federally regulated employment - No jurisdiction at Commission

- **Passenger complaint - Unacceptable accommodations - *Préfontaine c. Sunwing*, [2017 QCCQ 2589](#)**
 _Complaint over various issues related to accommodation provided in trip package and flight delay - Plaintiff failed to inform Defendant on site of deficiencies thereby failing to meet obligation to mitigate damages - Flight delay not warranting of compensation - Dismissed

CANADIAN TRANSPORTATION AGENCY DECISIONS

- **Application - *Bluelink Jets AB* - [Order No. 2017-A-38](#)**
 _Exemptions from paragraph 33.1(b), subparagraph 73(2)(c)(i) and section 33.2 of the *Air Transportation Regulations*, SOR/88-58, as amended
- **Application - *Volga-Dnepr Airlines* - [Order No. 2017-A-39](#)**
 _Exemption from the requirement to hold a domestic licence
- **Application - *Air Canada also c.o.b. as Air Canada rouge and as Air Canada Cargo, on behalf of itself and Ethiopian Airlines Enterprise c.o.b. as Ethiopian Airlines* - [Decision No. 67-A-2017](#)**
 _Pursuant to section 60 of the *Canada Transportation Act*, S.C., 1996, c. 10, as amended, and section 8.2 of the *Air Transportation Regulations*, SOR/88-58, as amended
- **Application - *North American Air Charter, Inc.* - [Decision No. 68-A-2017](#)**
 _Pursuant to subsection 73(2) of the *Canada Transportation Act*, S.C., 1996, c. 10, as amended
- **Application - *Donald R. Plumridge c.o.b. as Plumridge Air* - [Determination No. A-2017-15](#)**
 _Cancellation of Licence No. 962292
- **Application - *Western Air Charter, Inc. c.o.b. as Jet Edge, as Western Air Charter, as Western Air and as Jet Edge International* - [Order No. 2017-A-43](#)**
 _Exemption from section 103.3 of the *Air Transportation Regulations*, SOR/88-58, as amended
- **Application - *Cessna Aircraft Company* - [Determination No. A-2017-16](#)**
 _Continue the suspension of Licence No. 967748
- **Application - *Hi Fly Ltd. c.o.b. as Hi Fly Malta, on behalf of itself and Corsair c.o.b. as Corsair International* - [Determination No. A-2017-17](#)**
 _Pursuant to section 60 of the *Canada Transportation Act*, S.C., 1996, c. 10, as amended, and section 8.2 of the *Air Transportation Regulations*, SOR/88-58, as amended
- **Application - *Dreamline Aviation, LLC* - [Order No. 2017-A-44](#)**
 _Exemption from section 103.3 of the *Air Transportation Regulations*, SOR/88-58, as amended
- **Application - *Bluelink Jets AB* - [Order No. 2017-A-45](#)**
 _Exemptions from certain provisions of the *Air Transportation Regulations*, SOR/88-58, as

amended

- **Application - *Aer Lingus Limited, on behalf of itself and Etihad Airways P.J.S.C. c.o.b. as Etihad Airways* - [Determination No. A-2017-18](#)**
_Pursuant to section 60 of the *Canada Transportation Act*, S.C., 1996, c. 10, as amended, and section 8.2 of the *Air Transportation Regulations*, SOR/88-58, as amended
- **Application - *Condor Flugdienst GmbH, on behalf of itself and Thomas Cook Airlines Limited* - [Determination No. A-2017-19](#)**
_Pursuant to section 60 of the *Canada Transportation Act*, S.C., 1996, c. 10, as amended, and section 8.2 of the *Air Transportation Regulations*, SOR/88-58, as amended
- **Application - *Morningstar Partners Ltd. c.o.b. as Aurora Jet Partners* - [Order No. 2017-A-46](#)**
_Exemptions from paragraphs 33.1(b) and 73(2)(c) and sections 33.2 and 103.3 of the *Air Transportation Regulations*, SOR/88-58, as amended
- **Application - *Thundercloud Aviation, LLC* - [Order No. 2017-A-47](#)**
_Exemption from subsection 84(2) of the *Canada Transportation Act*, S.C., 1996, c.10, as amended
- **Suspension - *Florida West International Airways, Inc.* - [Order No. 2017-A-40](#)**
_Licence No. 020054
- **Suspension - *Global Exec Aviation, LLC* - [Order No. 2017-A-41](#)**
_Licence No. 030155
- **Suspension - *Algonquin Airlink Inc.* - [Order No. 2017-A-42](#)**
_Licence Nos. 030059 and 030060

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UNION NEWS

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- UNIFOR: [Perimeter Aviation flight attendants: bargaining update and strike vote](#)
- UNIFOR: [Reaches agreement with Canadian North AME group](#)
- UNIFOR: [Encourages federal government to invest in aviation personnel](#)
- CFPA: [Aviation inspectors warn of impending disaster](#)

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