

December 6, 2016 - Employer Wins Training Bond Case

Date : December 6, 2016

DECISIONS

- **Constructive Dismissal - Training Bond - *Wildcat Helicopters Inc. v. Ellis*, [2016 BCSC 2214](#)**
_Employer claim for reimbursement of training bond as per employment agreement - Employee failed to prove constructive dismissal - Employer awarded full training bond
- **Judicial Review - Security Clearance - *Britz v Canada (Attorney General)*, [2016 FC 1286](#)**
_Flight Attendant denied security clearance renewal - Association with Hells Angels - Decision unreasonable - Judicial Review granted - Redetermination ordered
- **Application - Jurisdiction - *Jaffary v. ASP Incorporated*, [2016 HRTO 1528](#)**
_Allegation of discrimination by ASP - Duty of ASP security officers at GTAA - Work performed found to be federal in nature - Tribunal has no jurisdiction - Dismissed
- **Claim - Refusal to allow passenger to board - *Ramtohol c. Transat Tours Canada inc. (Air Transat)*, [2016 QCCQ 13758](#)**
_Passenger claim for compensation due to refusal to allow boarding by carrier - Unclear requirements for transiting without a visa - Granted in part

CIRB DECISIONS

- **Certification - *Aéroport d'Alma Inc.*, [Order No.: 11082-U](#)**
_All employee bargaining unit - CUPE certified as bargaining agent

CANADIAN TRANSPORTATION AGENCY DECISIONS

- **Application - *Air Canada also c.o.b. as Air Canada rouge and as Air Canada Cargo (Air Canada), on behalf of itself and United Airlines, Inc. c.o.b. as United, as United Airlines, as Continental, as Continental Micronesia and as Air Micronesia (United)* - [Decision No. 358-A-2016](#)**
_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 - *Nihon Koku Kabushiki Gaisha (Japan Airlines Co., Ltd.) c.o.b. as Japan***

- Airlines and JAL (Japan Airlines), on behalf of itself and Malaysia Airlines Berhad c.o.b. as Malaysia Airlines (Malaysia Airlines) - [Decision No. 357-A-2016](#)***
 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 - *Jet Linx Aviation, LLC* - [Order No. 2016-A-199](#)**
 Pursuant to the application of section 103.3 of the *Air Transportation Regulations*, SOR/88-58, as amended
 - **Application - *My Corporate Jet, Inc.* - [Decision No. 356-A-2016](#)**
 Pursuant to subsection 73(2) of the *Canada Transportation Act*, S.C., 1996, c.10, as amended
 - **Application - “*Silk Way Airlines*” LLC - [Decision No. 359-A-2016](#)**
 Pursuant to subsection 73(2) of the *Canada Transportation Act*, S.C., 1996, c. 10, as amended
 - **Application - *Air Canada also c.o.b. as Air Canada rouge and as Air Canada Cargo (Air Canada), on behalf of itself; Jazz Aviation LP, as represented by its general partner, Aviation General Partner Inc. c.o.b. as Air Canada Express and as Jazz (Jazz); and Air China Limited (Air China)* - [Decision No. 360-A-2016](#)**
 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 - *1590877 Alberta Inc. c.o.b. as NorthStar Air Tours* - [Decision No. 361-A-2016](#)**
 Pursuant to section 61 of the *Canada Transportation Act*, S.C., 1996, c. 10, as amended
 - **Application - *1590877 Alberta Inc. c.o.b. as NorthStar Air Tours* - [Decision No. 362-A-2016](#)**
 Pursuant to subsection 73(1) of the *Canada Transportation Act*, S.C., 1996, c. 10, as amended
 - **Application - *1590877 Alberta Inc. c.o.b. as NorthStar Air Tours* - [Decision No. 363-A-2016](#)**
 Pursuant to subsection 69(1) of the *Canada Transportation Act*, S.C., 1996, c. 10, as amended
 - **Application - *SIA, “SmartLynx Airlines”* - [Decision No. 364-A-2016](#)**
 Pursuant to subsection 73(2) of the *Canada Transportation Act*, S.C., 1996, c. 10, as amended
 - **Application - *Jet Exchange Limited* - [Decision No. 365-A-2016](#)**
 Pursuant to subsection 73(2) of the *Canada Transportation Act*, S.C., 1996, c. 10, as amended
 - **Application - *VIH Execujet Ltd.* - [Order No. 2016-A-202](#)**
 Exemptions from the application of 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
 - **Suspension - *Altoft Helicopter Services Ltd.* - [Order No. 2016-A-200](#)**
 Suspension of Licence No. 000166
 - **Suspension - *Windy City Charter, Inc. c.o.b. as Ventis Aviation, Inc.* - [Order No.](#)**

[2016-A-201](#)

[Suspension of Licence No. 120011](#)

- **Suspension - *Air Greenland A/S* - [Order No. 2016-A-203](#)**

[Suspension of Licence No. 977290](#)

TC/TSB NEWS

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- [Degraded situational awareness led to July 2015 fatal helicopter accident near Rigolet, Newfoundland and Labrador](#)
- [MMEL Temporary Revision](#)
- [TC MMEL Supplement](#)
- [Airworthiness Directive](#)
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- [Airworthiness Directive](#)
- [Airworthiness Directive](#)

UNION NEWS

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- [IAMAW: Strike Averted at Vancouver International with New Agreement](#)
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