

Review of COVID-19 temporary measures

From: Transport Canada

Internal audit report outlining results of the assessment of the Review of COVID-19 temporary measures at Transport Canada.

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Statement of conformance

This Review conforms with the Government of Canada's Policy on Internal Audit and the Institute of Internal Auditors' International Standards for the Professional Practice of Internal Auditing, as supported by the results of an external assessment of Internal Audit's Quality Assurance and Improvement Program.

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The COVID-19 context

- The COVID-19 pandemic, since its start in 2019, has had a continued impact on the Canadian economy and the health and safety of Canadians. To minimize this impact, the Government of Canada (GC) has been actively working with provinces, territories, industry, and communities to help ensure public health and safety, and to provide relief to industries where operations were impacted.
- Contributing to the GC's pandemic response, Transport Canada (TC) worked closely with Other Government Departments (OGDs), mainly CBSA and PHAC, to develop a whole-of-government approach to manage the emerging risks impacting their respective responsibilities. TC, CBSA, and PHAC relied on their own legislative tools and authorities to implement the temporary measures to manage transportation-related issues, border safety and security, and health-related priorities respectively. Departments worked collaboratively to bring together their individual authorities and to provide a seamless response to the pandemic.
- The constantly evolving pandemic, such as the emergence of new Variants of Concern (VOC), demanded continued efforts from TC and other departments throughout the pandemic. TC played a vital role implementing COVID-19 temporary measures to maintain transportation safety and security while helping prevent the spread of the virus.
- TC has continuously evolved and adapted its approach to managing its response to the pandemic and improve processes and practices, including the use of technology to effectively deliver its mandate.
- It is important to note that some of the lessons highlighted by this Review apply to the broader GC. As such, the report notes where the observations apply to, and can inform, this broader context.

Purpose

Purpose of Measures: Due to the pandemic and the need to adhere to health and safety protocols, TC's Safety and Security programs have been implementing temporary measures since early 2020. The measures can be divided into two main categories:

External Measures

Measures to protect public safety, e.g., Interim Order for health checks before boarding a flight

Measures for relieving pressure on industry, e.g., exemptions to training or medical certifications

Internal Measures

Measures that helped the department adapt to changes introduced by the pandemic, e.g., remote inspections

Volume of Work: The following table demonstrates the volume of work in this area and presents a snapshot of the external measures published on TC's website at the start of this review in September 2021 in the four programs/modes with the most measures ¹:

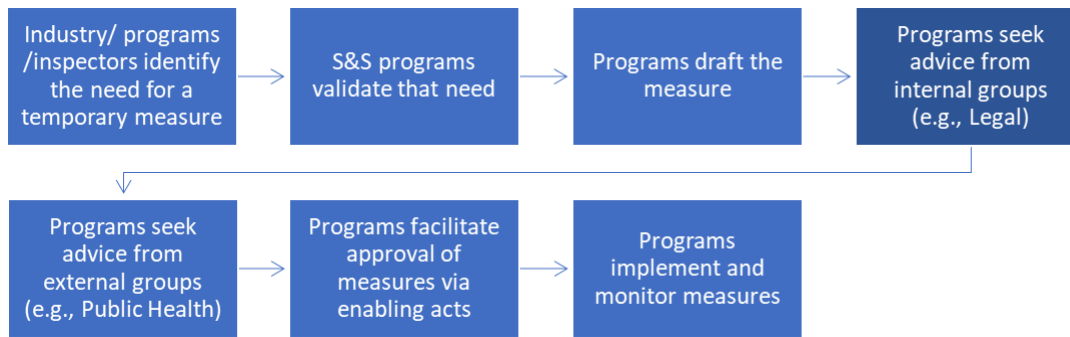
Program/Mode	Total measures published (September 2021)
Aviation	164
Marine	15
Rail	22
Transportation of Dangerous Goods (TDG)	6

Reason for review: Given the importance of documenting lessons learned and good practices in the implementation of the measures, a review of the COVID-19 temporary measures was included in the 2021-2022 Risk-Based Audit and Evaluation Plan.

Background

General process for the implementation of external measures

Due to their complexity, there are several groups involved in issuing and maintaining the COVID-19 temporary measures:

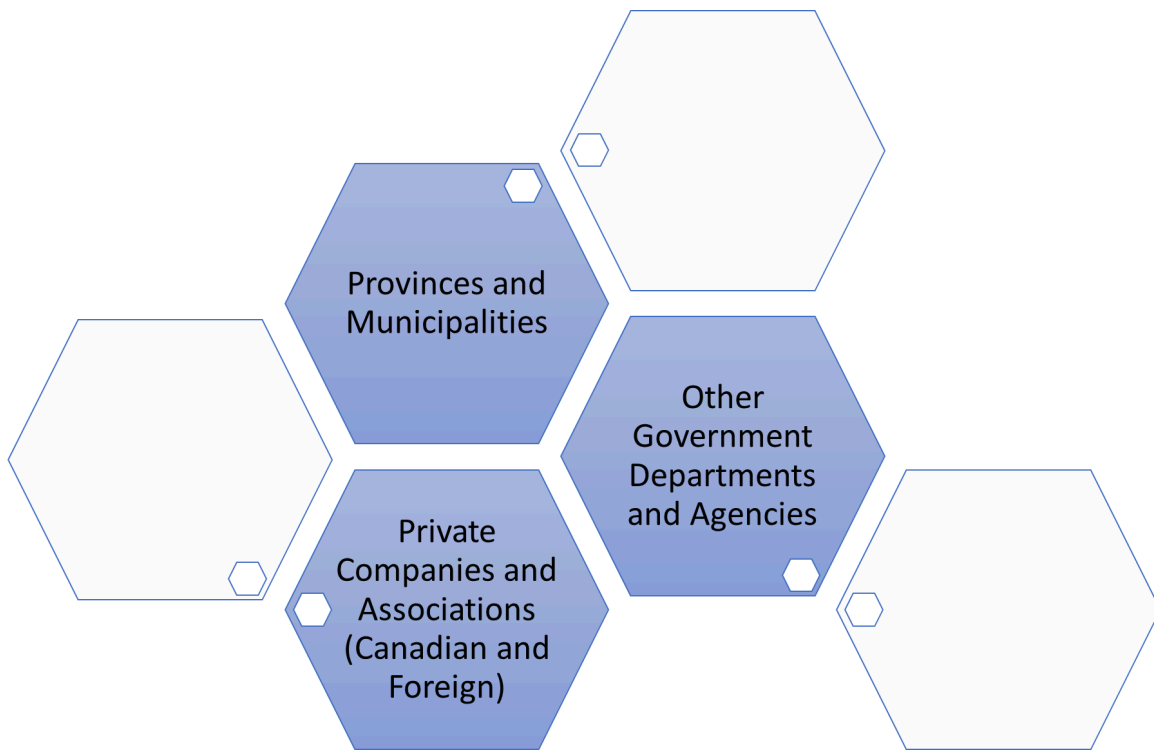


▼ Text description

1. Industry/ programs /inspectors identify the need for a temporary measure
2. S&S programs validate that need
3. Programs draft the measure
4. Programs seek advice from internal groups (e.g., Legal)
5. Programs seek advice from external groups (e.g., Public Health)
6. Programs facilitate approval of measures via enabling acts
7. Programs implement and monitor measures

External stakeholders:

Regular consultation with external stakeholders takes place throughout the entire process.



▼ Text description

- Provinces and Municipalities
- Private Companies and Associations (Canadian and Foreign)
- Other Government Departments and Agencies

Review objectives, scope, criteria, approach

Objectives: To assess the processes in place for implementing and managing the COVID-19 temporary measures, including opportunities for the department to leverage long-term benefits, and to document good practices and lessons learned to support departmental preparations to manage future crises.

Scope: The review focused on the five S&S programs with the most measures:

- Internal measures directly related to regulatory and oversight programs, i.e., remote inspections
- Organizational practices that impacted the implementation and approval of temporary measures, e.g., training and tools, Human Resources (HR) and mental health support for employees, etc.

- Good practices of other government departments (OGDs) that implemented similar temporary measures
- Temporary measures that were implemented between March 2020 and September 2021

Review Approach: The review has considered the input from other internal and external reviews on pandemic lessons learned to align approaches and avoid duplication of work, such as the Privy Council Office (PCO) horizontal review on COVID-19 lessons learned, and Corporate Planning and Reporting's review, conducted by Deloitte, on COVID-19 Lessons Learned January 2022.

Summary of key observations

Agility

Programs demonstrated agility in quickly adapting and reprioritizing to provide rapid response to the pandemic.

Regulatory flexibility and experience

TC leveraged its regulatory authority, flexibility, existing processes, and experience to support rapid decision-making in the implementation of the COVID-19 temporary measures.

Inspections

TC adapted to pandemic restrictions and continued to carry out inspections and oversight activities.

Some good practices adopted from remote inspections could be retained for the long term.

Engagement

TC organized successful and meaningful engagements that provided regular communication, fostered strong relationships with stakeholders, facilitated the rollout of TC's temporary measures, and decreased the risk of confusion among stakeholders

Roles and responsibilities

The roles and responsibilities of the collaborating departments were not clear at the beginning of the pandemic but improved as processes matured.

An early definition of roles and responsibilities (e.g., contact lists published on the website, establishing roles and responsibilities between federal departments) would have been helpful.

Surge capacity

A significant increase in workload and impact on mental health during the crisis have highlighted the need to build surge capacity to manage future similar situations while minimizing the impact on daily operations.

Decision-making process

The rationale behind decisions was not consistently communicated to working-level staff or stakeholders, leading to information gaps among TC staff.

Collaborative decision processes were not clearly communicated between multiple departments, especially at the beginning of the pandemic, which resulted in delays.

Key observations

The results of this review are grouped into 5 major themes.

1. Regulatory flexibility/authority

2. Roles and responsibilities

3.a. Analysis – External measures

3.b. Analysis – Remote inspections

4. Engagement

5. People

Regulatory flexibility/authority

Observation 1

There was generally sufficient regulatory authority and flexibility for the department to implement the necessary COVID-19 temporary measures, to enhance/maintain public safety/security while relieving pressure on the industry during the pandemic.

Context

The enabling act of each transportation mode defines the authority and sets the principles for the use of specific instruments for managing different situations. TC's programs utilized a variety of available instruments to respond to pandemic-related urgencies.

Expectation

There is sufficient enabling authority and flexibility for the Department to provide rapid response to urgent situations during a crisis.

Strengths and good practices

- TC took advantage of the **flexibility** built into the enabling Acts and delegated approval authority whenever possible to DG level or lower (e.g., guidance materials for Marine). TC also relied on the Acts' flexibility to use the Minister's authority and avoid delays seeking approval outside of the department. This streamlined the process and provided a more rapid response than would have been possible otherwise.
- Most internal and external interviewees (from both industry and OGDs) felt that TC had **sufficient regulatory authority and flexibility** to implement temporary measures for different situations, including supporting the Government of Canada's health and safety objectives during the pandemic. This flexibility and authority were recognized as key enablers in the department's ability to respond rapidly to the pandemic.
- Interviewees from Public Health Agency of Canada (PHAC) believed TC's measures **positively impacted the management of public health issues** during the pandemic.
- **Early consultation between program staff and Legal Services** in the drafting process was viewed as beneficial and provided confidence in the authority and flexibility of instruments.
- Early lessons learned from the temporary measures have been included as a consideration in the **ongoing work to modernize** and implement permanent changes to regulations, e.g., options for full digital enablement of regulatory administration, remote inspections, etc.

Challenges and lessons learned

It was noted in a few situations that regulatory authorities were applied in non-traditional ways but for legitimate purposes (e.g., health-related risks). It was also noted that there was a need for more flexibility in determining renewal periods.

Roles and responsibilities

Observation 2

Roles and responsibilities were generally clear within TC. Early confusion working with OGDs improved as the pandemic progressed.

Context

Each **federal department** has legislative tools to fulfill its mandate. In the implementation of temporary measures that touched on the responsibilities of other departments, TC worked closely with other departments/ agencies such as PHAC and CBSA to develop a whole-of-government approach.

While most programs **within TC** followed their own processes to implement temporary measures, there was cross-modal collaboration on issues such as the vaccine mandate. In 2021, TC created the office of COVID Recovery to support the programs' COVID-related work and coordinate TC's intergovernmental efforts.

Expectation

The roles and responsibilities of TC programs and OGDs are clear in the implementation of the temporary measures.

Strengths and good practices

Roles and responsibilities are generally clear **within TC**, e.g., within programs, Legal Services, etc.

Despite some early confusion on the roles and responsibilities of the **COVID Recovery office**, interviewees felt that its creation in June 2021 helped manage public correspondence on COVID-related issues, leaving time for programs to focus on stakeholder questions. Multiple interviewees suggested that creating such a centralized office early in the crisis would have provided additional benefits.

Challenges and lessons learned

- Three of the five programs **experienced challenges** at the start of the pandemic **working with other government departments**. These challenges included confusion over the lead role, competing priorities, insufficient experience/capacity

of partner departments, and unclear guidance on health and safety measures. Difficulties improved as the process matured during the pandemic.

- Most **industry stakeholders felt confused** by regulatory guidance from federal and provincial levels (e.g., conflicting rules between federal and provincial authorities).
- **Within TC**, multiple interviewees identified the need to **better define the decision-making process**, particularly **for collaborative, cross-modal decisions**. Suggestions included clarifying process and roles and responsibilities, communicating the rationale behind decisions to the working level, and promoting a better understanding of these decisions at all levels.
- Similar suggestions were also made by **stakeholders in other departments** to document decision-making authority/process, and the roles and responsibilities of the departments involved in making collaborative decisions.

Analysis – External measures

Observation 3.a

Programs performed analysis consistent with their pre-COVID processes before implementing external temporary measures. In addition, some programs have performed analyses on the long-term potential of some measures.

Context

The legal instruments and processes for implementing the temporary measures existed before the pandemic. However, the pandemic increased the volume, increased the requirement to work with external stakeholders, put pressure on the speed of implementation, and created a need for programs to reprioritize their internal capacities to deliver on high-priority issues.

Expectation

Sufficient and timely analysis has been done to support the implementation of temporary measures and to identify opportunities for potential long-term benefits.

Strengths and good practices

Programs **quickly reprioritized** internal capacity to respond to urgent situations. They leveraged new and existing processes and governance structures for rapid decision-making. Processes for implementing the same type of measures were often faster than pre-pandemic, indicative of a strong effort by programs to meet the increased demand, often at the expense of core responsibilities, time, and work-life balance.

Analysis to support implementation:

- All five programs referred to **performing analysis** before implementing the temporary measures, as per **pre-pandemic processes**.
- The **main factors considered** before implementing a measure are generally: public interest, safety and security, the priorities of other government departments and agencies, legal risks, and industry feedback.
- **Engagement with stakeholders** increased significantly and their feedback and input formed part of the analysis.
- Many **industry stakeholders expressed appreciation** for the implementation of exemptions around industry relief, e.g., medical exam exemptions in the marine mode. They generally felt informed and consulted throughout implementation and the renewal process.
- **Post-implementation analysis of long-term potential**
- Some programs have **conducted reviews on their external measures** to identify which should expire and which could be retained for long-term benefit. This analysis also helped identify which temporary measures could result in a permanent change to regulations.

Challenges and lessons learned

Most programs, as they continue to operate in crisis mode, **have not had time to perform a post-implementation review for long-term benefits** of applicable external temporary measures. Interviews with PHAC and CBSA echoed a similar situation.

Analysis – Remote inspections

Observation 3.b

At the time of the review, most programs have not had time to conduct a lessons learned analysis to redesign inspection activities. Most programs have informally identified good practices and are considering adopting some aspects of remote inspections in the long run.

Context

TC continued to carry out inspection and oversight activities throughout the pandemic, with all five programs adopting varying degrees of remote activities.

Expectation

Analysis has been performed to determine whether changes to inspections can be extended/maintained to provide long-term benefits.

Strengths and good practices

All five programs adapted quickly to new requirements and continued to carry out inspections during the pandemic, adopting varying degrees of remote activities from fully virtual to partially virtual, where documents would be reviewed offsite to reduce the amount of in-person time.

Most programs either revised existing procedures or developed new procedures to adapt to the new workflow and new health and safety requirements that ensured a safe work environment for inspectors.

Many programs have informally identified good practices from remote inspections and are considering retaining some of these practices moving forward, e.g., reviewing documents virtually before visiting the site and collaborating with Inuit Monitors to survey remote regions. The benefit of conducting remote desktop reviews was echoed by some industry stakeholders.

In 2021, MRSP led a return-to-the-field analysis which provided a summary of the changes to inspection activities by the program during the pandemic. The results were presented to the Safety and Security Management Committee to support decision-making.

Partner departments, such as CBSA, are similarly considering incorporating more virtual process in their inspection practices, such as document sharing and reviews, but will not eliminate their on-site inspection activities.

Challenges and lessons learned

At the time of this review, most programs are still operating in crisis mode and have not had the capacity to conduct a **formal lessons learned type analysis** on their remote inspections, with the **exception of TDG** which identified lessons learned and good practices of their remote activities. Until this analysis can be completed, the long-term benefits of new inspection practices remain unknown.

Most program staff and industry stakeholders believed that certain aspects of **onsite inspections cannot be fully replaced**, e.g., pilot checkrides and safety systems. In addition, although most felt that remote inspections do not increase the risk of fraud, there is a risk of selective reporting, where industry only provides TC a view of their best practices.

Engagement

Observation 4

- TC's engagement at all levels was frequent, regular, collaborative, and productive.
- Within TC: Programs shared information with each other but did not regularly collaborate before making decisions.
- OGD: Other departments relied on TC's existing relationships with industry.
- External: There was frequent and structured communication between all stakeholders and programs.

Context

Given the impact of TC's temporary measures on the industry and the short timeline for their implementation, the programs engaged regularly with stakeholders throughout the pandemic.

Expectation

Timely and sufficient communication with internal/external stakeholders occurs frequently to engage and respond to questions.

Strengths and good practices

- Engagement, at all levels throughout the pandemic, has been positive. Regular, meaningful engagement between all programs and their concerned parties resulted in quick turnaround times, clarity, and strong relationships. Interviewees offered occasional examples where engagement lagged or was not detailed enough (e.g., minimal information before launching the vaccine mandate) and the results in these few cases were a rushed rollout of new measures and confusion among stakeholders and their clients. Programs made good use of technology (e.g., MS Teams) to support effective engagement with their stakeholders.
 - TDG: Regular updates to website & ad hoc calls
 - Air, MSS, Rail: Daily to weekly (less frequent between pandemic waves) meetings & ad hoc calls
- **Industry stakeholders** found TC's engagement useful, effective, timely, and staff responsive and accessible. Many also praised TC as easy to work with compared to OGDs and appreciated TC acting as a facilitator between industry and OGDs.
- OGDs often relied on TC's pre-established relationships with industry.

Challenges and lessons learned

External:

- **Most interviewees, from all sources, praised weekly engagement sessions**, but TC may not have the capacity to sustain this practice long-term. This is most pronounced in Air and MSS.
- **Industry stakeholders** found that they were well informed and consulted on exemptions but, occasionally, were not consulted or given advance notice for some Public Safety-related measures, e.g., testing requirements, vaccine mandate, NOTAM restricting air traffic, etc.
- During the early days of the pandemic, some programs set up COVID-19 task forces to help organize internal management, but **industry struggled to find the**

right staff to contact. Once stakeholders knew who to call, communication between TC and stakeholders became easier.

People

Observation 5

Programs reprioritized the existing workforce to provide rapid response to the pandemic. However, staff struggled to support both the core and pandemic response activities without a formal surge capacity structure. Programs temporarily shuffled internal staff to keep up with the pace of the crisis, but at the expense of increased overtime and risks to mental health.

Context

Programs need qualified and specialized personnel with a good understanding of the modal acts and processes to implement temporary measures. This reliance puts pressure on key individuals and can impact mental health.

Expectations

- Sufficient staff and training are in place to support the implementation of the measures.
- Processes are in place to support employee mental health.

Strengths and good practices

- Programs **reacted quickly** at the beginning of the pandemic to support high priority areas. They created temporary “surge” teams by shuffling staff from one area within the program to another, or “repurposing” entire teams. Programs’ rapid response to pandemic priorities was largely due to the personal commitment and effort of TC employees.
- Since most staff were reprioritized within the same programs, **extensive training was generally not needed** to bring them up to speed.
- Program interviewees recognized the efforts of the department and management to **introduce mental health support**, processes, and resources but felt that they did not address the source of stress stemming from an unmanageable workload.

Challenges and lessons learned

- There was **no process or structure** to help staff balance both core policy and regulatory activities with pandemic response activities. Multiple interviewees suggested the need to **develop long-term capacity and a surge-support structure** to prepare for future crises, e.g., “cross-training” existing workforce on the fundamentals of crisis management, documenting workflow practices, etc. This could help rapidly fill capacity needs to support future crises while minimizing the impact on day-to-day operations.
- **Reliance on surge capacity should be reviewed periodically** to determine if other changes, including organizational structural changes, may be required and the best timing for implementing such changes.
- Given the technical skills needed to draft the temporary measures, the time required to staff new positions, and the urgent nature of the pandemic, programs relied on **internal reprioritization and overtime** to meet the demand.
- Most internal interviewees expressed **concern about poor mental health, turnover, and the risk of burnout**. The level of stress was echoed by interviewees from OGDs. Internal staff also expressed concern over a prolonged heavy workload post-pandemic due to recovery activities.

Other observations

The following review criteria did not lead to major observations due to lower significance and lower risk.

Review criteria	Observations
<p>There are appropriate practices to document decisions related to temporary measures.</p>	<p>All programs reported following their own process to save pandemic-related documents. Few followed the guideline developed by Legal Services due to its late introduction, lack of resources, time constraints, and efforts devoted to high-priority emergency response activities. Legal Services was consulted as part of this review and they indicated being aware of the challenges in the implementation of this guideline.</p> <p>Lessons learned: The development and communication of a document preservation guideline in future crises should incorporate input from individual programs, include an analysis of the existing processes to minimize parallel practices or conflicts, ensure appropriate direction, and ensure that programs have the support to operationalize the requirements.</p>
<p>There are effective processes in place to guide the regions to consistently implement national measures.</p>	<p>Regions were consulted during the drafting process but were given the flexibility to apply different approaches upon implementation to accommodate regional differences and provincial health regulations. However, regions must follow protocols on the national measures. In terms of inspections, regions had the flexibility to develop their own plans and Task Hazard analyses, given the various provincial health restrictions.</p>

Review criteria	Observations
Processes are in place to manage aspects of Occupational Health and Safety (OHS), Gender Based Analysis Plus (GBA+), Official Language (OL), and employee mental health.	The mental health portion is included in Observation 5 and OHS is included in Observation 3.b. GBA+ was in general not a consideration when drafting the measures since safety and security were the main areas of focus, with some exceptions such as the vaccine mandate and health screening at the airports. In terms of OL, translation is a standard step when drafting temporary measures and multiple interviewees noted delays caused by the translation process.

Overall conclusions

Context: The COVID-19 pandemic has had a continued impact on the Canadian economy and the health and safety of Canadians. To minimize this impact and to contribute to the GC's pandemic response, TC has been actively working with OGDs, provinces, territories, industry, and communities to help ensure public health and safety, and to provide relief to industries where operations were impacted. The emergence of new VOC demanded continued efforts from TC throughout the pandemic and required rapid implementation of the temporary measures to provide an immediate response to prevent the spread of the virus within the transportation sectors. Since early 2020, TC has implemented over 200 temporary measures and renewals to ensure transportation safety and security and to provide relief to industry. As TC continued to navigate through the pandemic and future crises, Audit and Evaluation conducted a review to document the lessons learned and good practices in the implementation of the COVID-19 temporary measures.

TC's good practices: The review noted the following strengths in TC's management of the COVID-19 temporary measures:

- TC's programs demonstrated agility in quickly adapting and reprioritizing to provide rapid response to the pandemic.
- The department leveraged its regulatory authority, flexibility, existing processes and experience to support rapid decision-making in the implementation of the

COVID-19 temporary measures.

- The department adapted to pandemic restrictions and continued to carry out inspections and oversight activities.
- TC organized successful and meaningful engagements that provided regular communication, fostered strong relationships with stakeholders, facilitated the rollout of TC's temporary measures, and decreased the risk of confusion among stakeholders.

TC's lessons learned: The review noted some lessons learned from TC's management of the COVID-19 temporary measures that could be considered to further strengthen management procedures and practices in preparation for future crises.

- Similar to OGDs, TC experienced a significant increase in workload and an impact on mental health during the crisis. This situation highlighted the need to build surge capacity internally to manage future crises while delivering the core mandate.
- Roles and responsibilities within the programs were generally clear; further enhancement to the process for collaborative and cross-modal decisions would be helpful to prepare for future crises. Specifically, defining the roles and responsibilities of programs in collaborative processes would minimize the opportunities to work in silos, and ensuring that the rationale for decisions is clearly communicated to the working levels would promote consistent understanding of these decisions.
- Programs utilized their own processes to document information to support decisions on the COVID-19 temporary measures; however, the departmental COVID-19 documentation preservation guideline was not followed. Adopting a consistent approach in preserving information that supports decisions in future crises could better prepare the department for responding to potential legal challenges.

Recommendation: To help better prepare for future crises and minimize the impact on TC's delivery of its mandate, the review made two recommendations which can be found on the following slides.

Lessons learned on OGD collaborative processes: The review also noted some lessons learned related to the collaborative processes between TC and OGDs.

Although TC is an active participant in this process, the department does not have the authority over other departments' decisions. As such, the review did not make a recommendation for the following lesson learned:

- There was a need to better define the roles and responsibilities of the cooperating departments and the decision-making authority/process for collaborative decisions at the beginning of the pandemic.

Recommendations and management action plan

Recommendation	Management Action Plan	Status/Completion date	ADM responsible
<p>1. ADM Safety and Security should require each Program to complete a lessons learned review to identify which temporary external measures and remote inspection practices are worth retaining, based on an assessment of costs and benefits.</p>	<p>TC Safety and Security reviews, on a continuous basis, the external measures and remote inspection practices put in place during the pandemic to evaluate their effectiveness and utility, and how they might best fit in a post-pandemic environment.</p> <p>Based on the continuous assessments of external measures and remote inspection programs undertaken by the relevant program areas, certain initiatives have been identified to become standard practice in a post-pandemic environment. At the same time, others will not be maintained. Programs will continue to review measures put in place throughout the pandemic, and if warranted, will be made permanent, with the appropriate regulations updated as required.</p>	<p>Air</p> <p>Initiate incident response lessons learned review by December 1, 2022</p> <p>Consultation with industry on proposed amendments: October/November 2022</p> <p>Proposed regulatory amendments presented for Governor in Council (GIC) consideration by Fall 2023</p> <p>Marine</p> <p>An action plan will be formalized by January 2023, to assess the effectiveness of the external measures put in place.</p> <p>A review will be completed by Spring 2023 of remote testing for personnel certification and remote inspections conducted during the pandemic by Summer 2023 to determine whether they will continue in their</p>	<p>Safety and Security</p>

Recommendation	Management Action Plan	Status/Completion date	ADM responsible
	<p>Programs will, as required, reassess the effectiveness of the different remote inspection practices in various circumstances will be undertaken as part of the yearly planning of oversight activities through the National Oversight Plan.</p> <p>Air</p> <p>Once there is a shift from the acute response phase to the sustained management phase, an incident response lessons learned review will be undertaken.</p> <p>As for temporary external measures, the experience gained over the last two years and the implemented best practices will inform the review of the regulatory framework as described in the forward regulatory plan. A regulatory proposal is currently being prepared which will include a cost-benefit analysis. A notice of proposed amendment</p>	<p>current format or will require adjustments to be made.</p> <p>National Enforcement Program</p> <p>Procedures for conducting remote subject and witness interviews added to the Investigators' Handbook by December 2022.</p> <p>Rail</p> <p>The Rail Safety program will commence this assessment work in Quarter 4 of 2022/2023 and will complete it by June 30, 2023.</p> <p>Transportation of Dangerous Goods</p> <p>A Safety and Security Working Group is working to develop a department-wide policy on remote inspections.</p> <p>TDG related documents and policies are continually being reviewed and updated as needed.</p> <p>Since the pandemic, TDG has issued 16 temporary certificates</p>	

Recommendation	Management Action Plan	Status/Completion date	ADM responsible
	<p>for internal and external consultation is anticipated for fall 2022. The proposed regulatory amendments are expected to be presented for Governor in Council Consideration in Fall 2023.</p> <p>Marine</p> <p>Ongoing assessment of the effectiveness of the external measures put in place in various circumstances throughout the pandemic will continue to be undertaken.</p> <p>National Enforcement Program</p> <p>The National Enforcement Program has incorporated processes and protocols for the conduct of remote subject and witness interviews. The Transportation Appeal Tribunal of Canada transitioned to remote hearings and the NEP will continue to improve the procedures required for remote hearings.</p>	<p>related to COVID-19. As of today, two of those remain active:</p> <ul style="list-style-type: none"> • TU 0869, which is for transporting old hand sanitizer for disposable. The certificate is set to expire on December 31, 2022. • TU 0764, which is for transporting COVID samples. The certificate is set to expire on May 31, 2023. 	

Recommendation	Management Action Plan	Status/Completion date	ADM responsible
	<p>Procedures will be developed and added to Investigators' Handbook by December 2022.</p> <p>Rail</p> <p>Throughout the pandemic, the Rail Safety program has adapted its regulatory and oversight regime to better protect the safety of rail operations and to minimize supply chain interruption. Rail Safety will review the temporary exemptions issued to railways and assess whether any permanent changes to the regulatory regime are warranted. In addition, Rail Safety will assess the changes made to oversight procedures to facilitate remote inspection and determine which will be retained and made permanent.</p> <p>Transportation of Dangerous Goods</p> <p>The Transportation of Dangerous Goods (TDG) program adapted to the</p>		

Recommendation	Management Action Plan	Status/Completion date	ADM responsible
	<p>pandemic by implementing remote inspections during the pandemic, which have now become a permanent fixture of the program through a hybrid approach, to ensure continued oversight of the transportation of dangerous goods. The TDG program also issued temporary certificates to facilitate the transportation of dangerous goods required for the pandemic relief efforts such as for the transportation of hand sanitizer and COVID-19 patient test samples.</p> <p>The TDG program continues to actively monitor temporary measures to ascertain their relevance and potential continuance in consultation with industry.</p>		

Recommendation	Management Action Plan	Status/Completion date	ADM responsible
<p>2. The ADM Safety and Security should ensure that crisis management procedures incorporate the broad lessons learned during the pandemic, including:</p> <ul style="list-style-type: none"> • building surge capacity; • designing decision making processes that support inter-program collaboration and coordination with OGDs; • documenting and preserving key information used to support decisions, including implementing the departmental 	<p>TC Safety and Security has reviewed, on a continuous basis, its emergency response activities.</p> <p>TC Safety and Security continues to work with federal partners to compile observations of its response to inform future updates to its emergency plans.</p> <p>Once there is a shift from the acute response phase to the sustained management phase, a review and lessons learned exercise will be undertaken and crisis management procedures and continuity of operations plans will be updated accordingly. The lessons learned exercise will include an examination of the areas identified, such as surge capacity, decision making processes, and the documentation and preservation of key information.</p>	<p>The COVID Recovery Team will complete an analysis of its role in the Department's surge response to the pandemic by January 2023. Goal is to ensure surge capacity remains in place or immediately deployable.</p> <p>Intermodal surface security and emergency preparedness (ISSEP): Horizontal review and lessons learned exercise initiated by December 2022.</p> <p>Crisis management procedures and continuity of operations will be updated by modal directorates on an ongoing basis.</p> <p>Marine</p> <p>During Winter 2023, Marine Safety and Security will create a centralized repository to ensure an effective response to future emergencies that can have an impact similar</p>	<p>Safety and Security</p>

Recommendation	Management Action Plan	Status/Completion date	ADM responsible
<p>protocols developed specifically for a crisis.</p>	<p>In addition, certain programs (e.g., Marine) will explore creating a centralized emergency management repository which will include all preparedness/response/recovery plans from previous incidents/emergencies, an up-to-date record of program authorities when responding to an incident (all-hazards), resources on ICS as well as planning guidance materials.</p> <p>Marine will supplement existing procedures and continuity of operations plans by developing a methodology for managing slow-onset or prolonged disasters/emergencies.</p> <p>TC will continue to engage and coordinate with federal partners and industry at working groups and other fora as appropriate to support collaborative decision-making with</p>	<p>to that precipitated by COVID. To be completed by Summer 2023.</p> <p>Documentation for crisis management procedures and continuity of operations updated by June 2023.</p> <p>Methodology for managing slow-onset or prolonged disasters/emergencies developed for Marine Safety and Security by June 2023.</p>	

Recommendation	Management Action Plan	Status/Completion date	ADM responsible
	<p>respect to its emergency response plans and activities.</p> <p>Pursuant to standard procedures, modal programs ensured that they maintained policy and regulatory work relating to COVID-19 appropriately, and where relevant and internal to TC decision making captured records of decision.</p>		

Footnotes

- 1 Source: [COVID-19 measures, updates, and guidance issued by Transport Canada](#). The numbers include both the original and the renewals and do not include unpublished measures (e.g., for security reasons) or those removed after expiring.
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