

CANADA

Obese woman fights for rights at air transportation hearing

CALGARY (CP) — Obesity is a disease and a disability, a lawyer argued Wednesday at a federal tribunal hearing the complaint of a woman whose wants airlines to provide extra seats at no cost to fat people.

"Tribunals have recognized that even though they do not result in functional limitations, various ailments such as physical malformations, asthma, speech impediments, obesity, acne and more recently being HIV positive may constitute grounds of discussion," said Peter Engelmann in final arguments to the Canadian Transportation Agency.

But Gerard Chouet, lawyer for Air Canada, countered Linda McKay-Panos, left, sits next to her lawyer, Ritu Khullar prior to hearings by Canadian Transportation Agency into her case against Air Canada. Panos claims obesity should be classified as a disability after she was charged for two seats on a national airline flight.

Southam photo

that "no court or tribunal has found in any jurisdiction" a legal precedent showing obesity is a disability.

One obese person might exhibit symptoms of a chronic disease, "while another patient could be perfectly fine," he said.

Linda McKay-Panos filed her complaint after what she called a humiliating experience on a Calgary-Ottawa flight. After enduring an uncomfortable trip east in economy class, she paid an extra \$972 to get a larger seat in business class for the return flight home.

When she complained later, Air Canada gave her a voucher for the \$972.

"I'm very pleased that they've taken this case seriously," said McKay-Panos, whose obesity is partly caused by insulin resistance.

"There are a lot of people counting on me who are too embarrassed to step forward because of the stigma in our society about obesity."



Minister vows protection for all endangered species

OTTAWA (CP) — Environment Minister David Anderson has promised legal protection for all species currently listed as endangered, as soon as his species-at-risk bill is passed.

His promise before the Commons environment committee Wednesday appears to be intended to defuse fears of political interference in the listing of endangered species.

Anderson told the committee he would not make any changes to the latest list of the 23-year-old Committee on the Status of Endangered Wildlife in Canada (COSEWIC).

"When this bill becomes law I will immediately accept and implement the current list of species at risk as recommended by COSEWIC," Anderson said. "Every mammal, bird, fish, plant and

insect that the scientific panel currently says should be protected will receive protection."

There are currently 380 species on the COSEWIC list, including the grizzly bear, Vancouver Island marmot, burrowing owl, killer whale and the golden paintbrush plant.

Anderson's bill has been criticized on the grounds that it would give politi-

cians, rather than scientists, the final say on which plants and animals are included in the official list of species at risk. But he defended that approach, saying non-elected scientists shouldn't be responsible for decisions that could have important socio-economic consequences.

The bill has also been attacked because it would not legally protect criti-

cal habitat for endangered species, only their nest or den. Broader recovery plans would be discretionary.

Anderson said habitat can only be protected through co-operative efforts, not by rigid laws that arouse public hostility.

"Most species do not live within certain set boundaries that we can just cordon off and protect," he said.

Unions, Air Canada at odds over layoffs

MONTREAL (CP) — Air Canada gave notice Wednesday that 1,280 flight attendants and baggage handlers will be out of work effective Oct. 19, accounting for about a quarter of the job cuts announced in the wake of last month's hijackings. The pink slips represent 280 flight attendants and about 1,000 baggage and cargo handlers, the airline said Wednesday.

Air Transat of Montreal also laid off 80 flight attendants on Wednesday, out of a total 1,300 job cuts it announced as air travel worldwide plunged following the suicide plane crashes in New York, Washington and Pennsylvania.

The layoffs are reopening old quarrels between unions and employees that erupted when Air Canada took over insolvent Canadian Airlines two years ago.

The flight attendants belong to separate CUPE bargaining units, one composed of Air Canada attendants and the other of former Canadian Airlines workers.

The 3,000 members of the Canadian Airlines unit were granted job protection until 2004, a deal not appreciated by their 5,500 Air Canada colleagues, but the government agreed with Air Canada that the job protection could be waived following the terrorist attacks.

Air Canada has proceeded on layoff notices proportionately based on each unit's size, for both the CUPE units and the two units of the machinists union, which represents the baggage and cargo handlers.

Meanwhile, the unions are still trying to minimize the impact of the layoffs by pressuring the company and Ottawa into buyout packages and work-sharing plans instead of cuts that begin with lowest seniority workers.

Flight attendants spent Wednesday in Ottawa lobbying the government to force Air Canada to buy out older flight attendants with pre-retirement settlement benefits.

Senior charged, banned after making bomb query

CHARLOTTETOWN (CP) — An 81-year-old man is facing a criminal charge and has been banned from flying with Air Canada for life after asking a baggage handler in Charlottetown if she was looking for a bomb in his wife's change purse.

Elmer Blanchard — a frail Second World War veteran — thought it was an innocent question. He was wrong.

Minutes later, he was arrested by Charlottetown city police, charged with uttering bomb threats, and brought down to the police station where he was photographed and fingerprinted.

His wife, Albina, was hauled into a separate room, questioned and then informed that her husband was being charged under the Criminal Code and that neither of them would ever be allowed to fly with Air Canada again.

Albina Blanchard said she's shocked and dismayed and now she's worried about her husband's health.

CP completes spinoff into five new companies

Southam Newspapers

TORONTO — Canadian Pacific Ltd. formally completed the spinoff of the conglomerate into five independent companies Wednesday, with outgoing CEO David O'Brien describing it as "both the end of one era and the beginning of another era."

O'Brien was joined by the CEOs of the five companies at a ceremony to mark the historic occasion, held at the Toronto Stock Exchange.

Fairmont Hotels & Resorts, PanCanadian Energy Corp., Fording, Canadian Pacific Railway and CP Ships were all formally listed for trading Wednesday on both the Toronto and New York Stock Exchanges. However, the companies have been trading on a conditional "when-issued" basis since August.

The formal spin-off received a generally positive reception from investors on Wednesday as shares were up in four of the companies.

Canadian Pacific Railway was the biggest gainer, up \$1.77 or nearly eight per cent, closing at \$24.28 on the TSE. Fording, Canada's largest producer of exported coal, was up by \$1.05 to close at \$21.05, an increase of five per cent. Shares in PanCanadian and CP Ships were also up slightly.

Fairmont, which is North America's largest operator of luxury hotels, was the only company to fall in trading Wednesday. It was down 50 cents to close at \$27.50 on the TSE. Canadian Pacific was the first foreign company to be listed on the NYSE, back in 1883. Wednesday was the first time since 1892 that the company was not traded on the Toronto exchange.

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