

# Travelers' Rights Handbook

## TRAVELERS RIGHTS

Certain guaranteed rights protect all travelers. Even though these are accepted and recognized rights, that still does not prevent airlines from "bumping" travelers or hotels from "walking" guests.

Consumer rights do allow for certain standards of conduct to be applied whenever confirmed airline and/or hotel reservations cannot be honored.

## AIRLINE RESERVATION POLICIES

### Voluntary Bumping

It is standard practice for airlines to overbook to ensure full capacity. If a flight is oversold, the Department of Transportation (DOT) requires airlines to ask for volunteers to give up their seat in exchange for compensation (i.e. cash or free air transportation and a guaranteed seat on the next available flight to your destination.) There is no set amount of compensation and it is negotiable. Before allowing yourself to be voluntarily bumped, you may wish to consider these points:

- When is the next confirmed flight to your destination?
- Will the airline provide for a hotel room, meals, rental car and other amenities if you end up stranded?
- If the airline offers you free air transportation at a later date, ask about blackout periods and other restrictions.

### Involuntary Bumping

Most airlines operate by the "last to the gate - first to be bumped" premise. If it is imperative you are on a certain flight, be certain to check-in at least 30 minutes early, especially during peak flight times (7-9 AM & 5-7 PM).

The DOT requires all airlines to provide a written statement informing bumped passengers of their rights with an explanation of how the airlines decide who is to be bumped. In most cases bumped passengers are entitled to some type of denied boarding compensation. The compensation amount typically hinges on the price of the ticket and length of delay. Here are some guidelines:

- If the airline arranges transportation that will get you to your original destination within one hour of your original scheduled arrival time, no compensation is offered.
- If alternate arrangements are scheduled to arrive at your original destination one - two hours after your original arrival time (one - four hours on international flights), the airline must pay you an amount equal to the one-way fare to your final destination, the maximum is \$200.
- If alternate arrangements are scheduled to get you to your destination more than two hours later (four hours internationally), **OR** if the airline does not make substitute travel arrangements, compensation doubles up to \$400.
- You are always entitled to keep your original ticket and use it on another flight. If you chose to make your own arrangements, you can request an involuntary refund for the ticket on the flight you were bumped from.
- If denied boarding, be certain to obtain a confirmed seat on the next flight so you are not bumped again. If rerouted to another carrier, be certain the bumping airline endorses your ticket by writing **RULE 240** on it. This should ensure you are not charged any additional fees. **@RULE 240** indicates a passenger has been involuntarily rerouted and the bumping airline is obligated to provide alternate transportation at no extra cost. This right is guaranteed under the Terms & Conditions of Carriage. Passengers must ask for this, airlines are not likely to offer it.

Airlines must offer compensation immediately. Once compensation is accepted the matter is probably closed. It is difficult to ask for additional compensation later. If you are unhappy with the offer, turn it down. You will be in a better position to negotiate with the airlines complaint department. However, unless you have exceptional circumstances, it is usually best to accept what the airlines offer at the time.

The above rules apply only if the flight was deliberately oversold by the airline. Airlines have no obligation to compensate you if:

- You have not complied with all ticketing, check-in and reconfirmation requirements.
- The flight was canceled.
- A smaller aircraft was substituted for safety or operational reasons.
- You are placed in any section of the plane at no extra cost.
- There are 60 seats or less on the plane.
- The flight is to the United States from a foreign country.

## Flight Delays

Airlines reserve the right to cancel or postpone flights without prior notice. If delays are due to bad weather or air traffic congestion, more than likely all airlines will be affected. However, if the delay is due to mechanical problems, it may be in your best interest to *request* the airline to arrange another carrier for you, absorbing any cost difference. Contrary to popular belief, airlines are not required to compensate passengers for delayed or canceled flights.

If possible book flights earlier in the day; this will protect against the "ripple effect" created by various delays throughout the day and allows for more rerouting options.

Each airline has its own policies regarding delayed passengers; there are no standard requirements. Airlines do not automatically provide meals/hotel accommodations. If assertive, you may get some type of compensation, but remember the airlines have no obligation to provide them.

## Flight Cancellations

If your flight is canceled most airlines arrange alternate transportation on the next available flight to your destination (not necessarily on their airline), this is involuntary rerouting. There is no extra cost even if upgraded to first class.

If your flight was canceled and you don't choose to continue with another flight, ask the ticket counter to endorse **RULE 240** on your ticket with an explanation why the flight was canceled. This waives any penalty charges that could occur.

## Luggage/Baggage

Unfortunately there always seems to be inherent risks to checking your luggage/baggage. When problems do occur, most airlines will assume some responsibility for replacing the contents and/or for repairs needed.

The following guidelines usually apply:

- The liability limit on lost, damaged, or delayed luggage is \$1250 per passenger on aircraft with more than 60 seats. This is the maximum an airline will pay to settle no matter how great your loss might actually be.
- Some airlines offer "excess valuation" insurance that increases the potential liability. The cost varies but is usually \$.50 - \$2 for each \$100 of additional coverage.
- Liability limit on international trips is \$9.07 per pound and was established by the Warsaw Convention treaty. Purchasing additional insurance may be suggested.
- If your baggage has been damaged or doesn't show up, *do not* leave the airport until you have reported the problem. Make sure you get a copy and the name of the person who took your report. If you realize later that something else is missing, report it as soon as possible.

## Delayed Luggage/Baggage

If your luggage does not arrive at its intended destination, do not panic. Airlines have a very high success rate of locating misplaced baggage within hours. Most airlines authorize offering emergency money for out-of-pocket expenses based on the following factors:

- You will usually receive more money if you are away from home; and the purpose of your trip is considered (e.g. they may rent formal attire if you are to attend a wedding).
- The anticipated length of the delay is considered. If your luggage is returned within 24 hours you are unlikely to receive much reimbursement.
- If you must buy a lot of clothes, the airline may offer to pay half the cost.

## Lost Luggage/Baggage

If your luggage has officially been declared lost you will need to submit a claim form to the airlines office. If you had connecting flights, the final carrier is responsible for processing your claim. You must submit a list of the lost items, where and when they were purchased, and the cost. At this point the negotiations begin. Be advised that the airlines tend to be suspicious of fraud tactics. Airlines do not automatically pay the full amount of every claim they receive. They will ask to see original sales receipts. They consider depreciated value, not the original or replacement cost.

Generally it takes an airline 6 weeks - 3 months to pay you for lost luggage. They may wait up to 6 months before declaring your luggage officially lost. When a settlement is imminent, they may offer you the option of free tickets on future flights in a higher amount than a cash payment would be. If you accept that offer be certain to ask about restrictions on these tickets such as blackout dates and how far in advance you must make a reservation.

Keep in mind that liability limits are maximums and airlines consider depreciation value. Your home owners/renters insurance will sometimes cover losses away from home.

## Passengers With Disabilities

The Air Carrier Access Act and the DOT have designed and implemented procedures to ensure disabled travelers have the same pleasant flying experience as anyone else. Included are:

- No one may be refused transportation based on a disability.
- Airlines must provide enplaning, deplaning and connecting flight assistance. Some small commuter aircraft may not be accessible to disabled passengers. When making travel plans, passengers should check on accessibility.
- Airport terminals and reservation centers must have TDD telephone equipment for the hearing and speech impaired.
- Passengers with vision or hearing impairments must have timely access to all information available/given to the other passengers.
- New wide body aircraft must have an on-board wheelchair as well as wheelchair accessible lavatories.
- Service animals are allowed in the passenger cabin as long as they do not block the aisles and exits.
- Per FAA standards, passengers sitting in exit rows must be able to perform certain evacuation related functions.
- FAA safety rules prohibit passengers from bringing their own oxygen. Most airlines provide flight-approved oxygen for a fee.

## Complaints/Grievances

If you have an unsatisfactory experience with some branch of airlines services, document as much information as possible while it is still fresh in your mind. Be as specific as possible – having detailed information (names, dates, times, ticket receipts, boarding passes, etc.) can help support your argument. After you have collected your thoughts, contact Fox World Travel and we will intervene on your behalf.

## HOTEL RESERVATION POLICIES

### Reservation Types

Hotel reservations fall into one of the following categories: a 6PM hold or a guaranteed reservation. 6 PM holds are only valid until 6 PM on the day of arrival. If you do not check in by 6 PM, the reservation is cancelled with no penalties.

A guaranteed reservation is confirmed by a credit card number and kept valid all evening until the guest arrives. If you are a no-show, the balance of the reservation will be canceled and your credit card will be charged the first nights room and tax.

Generally most hotels cancellation policies require you to cancel the reservation by 6 PM the day of arrival in order to avoid any charges. In some cases hotels have a 48 or 72 hours cancellation policy. It is best to always keep a record of the confirmation (cancellation) number, name of the reservationists, and the date and time you called.

### Walk Policies

As mentioned earlier, hotels routinely overbook to ensure maximum occupancy. Occasionally as a result of this policy, it also means guests with confirmed reservations are left without accommodations. The hotel is obligated to provide accommodations by walking the displaced guest. Although walk policies vary slightly from hotel to hotel, the displaced guest is usually provided with:

- Assistance securing accommodations & transportation to the closest comparable hotel.
  - Having first night's accommodations paid for.
  - Assistance in rerouting phone calls for displaced guests.
- Remember that as consumers purchasing these airline and hotel services, we are afforded and guaranteed certain rights. These rights are protected for us by various agencies and offices within the public and private sectors. **Travelers have the right to know – Never be afraid to ask questions when you are unsure of some policy, regulation or business practice.**