



By Charles Leocha

There are only a few times that airline passengers get compensation from airlines. When airlines are late and connections are lost, passengers are expected, here in the USA, to keep a stiff upper lip and travel on. When bad weather disrupts schedules, passengers are left high and dry.

There are only a handful of times that passengers get compensation or are allowed to change their plans with penalties. Though airlines complain bitterly that they are overregulated, in reality, airlines are barely regulated when it comes to customer service. Hence, our current situation where passengers are not informed about their rights, while they are being squeezed closer and closer together and being forced to pay more and more fees.

Here are the basic airline passenger rules of the road when it comes to compensation from airlines. Travelers United was at the forefront, working closely with the Department of Transportation (DOT), when the most recent changes in mandated customer service changes have come into effect since 2012. Note: These compensation levels are for

the most part different between the US domestic flights and international flights.

According to U.S. Senator Richard Blumenthal (D-CT), passengers are on their own. He wants travelers to know their basic travel rights because airlines often are not following consumer protection laws when they owe passengers compensation.

“Consumers who fail to know their rights cannot rely on airlines to remind them. For the airlines, ignorance is bliss — a profitable one. Whether it’s lost luggage, delayed flights or re-booking fees, laws are in place to protect passengers from anti-consumer practices. I want to hear from travelers this holiday season any time they

are confronted with surprise charges, unreasonable delays, lost luggage or other travel headaches. Passengers may be entitled to refunds and payments,” Blumenthal said.

1. \$3,500 for lost, late, damaged checked luggage

As recently as the turn of the century, passengers were only compensated around \$500 when luggage was lost, damaged or delayed. Today, compensation has been set at \$3,500 per passenger for domestic flights whenever baggage is lost, delayed, or damaged. That compensation automatically increases with the cost of living. Plus, when luggage is lost, any checked baggage fees are to be refunded. And soon, the same refund rule will apply to delayed baggage, because of a new federal law passed earlier this year.

2. Up to \$1,350 in cash for involuntary denied boarding of more than two hours.

Bumping is a fact of life for airline travelers. The DOT in 2012 raised the denied boarding compensation. It



now stands at \$1,350 for passengers who find themselves delayed by two or more hours and \$675 for passengers delayed between one and two hours. Again, this compensation is adjusted annually for inflation.

3. Euros 600 for delays of more than 6 hours from EU and to EU on Euro carriers

This right is a gift from the European Union. It only applies to transatlantic flights to or from Europe. All passengers have this right of compensation on any flight returning from Europe. For flights from the US to Europe, only those operated by EU carriers have this



protection. Ed Perkins, writing in USA Today, outlines cancellation reimbursements.

The European Union mandates more extensive traveler benefits in a cancellation than U.S. lines promise in their contracts. Travelers on flights within the European Union, on flights departing from any EU/EEA airport, or on flights to an EU/EEA airport on an airline based in the EU are entitled to:

- Alternative transport, including transport on other lines, or refund, including full refund and no-charge return to origin, where appropriate.
- Except in cases of cancellation due to extraordinary conditions, financial compensation if a replacement seat delays you by three hours or more if of you get a refund, ranging from €350 to €600 depending on flight length (most flights to/from the U.S. and Canada fall into the top category).

4. \$1,700 for international delays (Montreal Convention)

There are more rights for all passengers when faced with delays under the Montreal Convention. However, those rights must normally be litigated, based on provable damages. This means that making a large claim based on delay might be reserved for missing a cruise or major organized tour. But, it is nice to know that when flying internationally, almost anywhere, you are covered by the Montreal Convention rules.

5. Full refund when flight is canceled

If a flight is canceled, all passengers have the right to a full refund. This may work in favor of some passengers and against others. It is not a government mandated benefit,

but part of the contract of carriage. Cancelling a flight booked weeks in advance of travel and trying to pay for a last-minute ticket is normally a losing proposition unless departing on that specific day is necessary.

6. Refund of ticket for delays of more than 90 minutes (Delta Air Lines)

Finally, some airlines, in their contract of carriage, provide for full refunds of flights if a flight is more than 90 minutes late, and the passenger requests a refund. Check your carrier's contract of carriage. Here is the Delta Air Line statement in their contract of carriage.

In the event of flight cancellation, diversion, delays of greater than 90 minutes, or delays that will cause a passenger to miss connections, Delta will (at passenger's request) cancel the remaining ticket and refund the unused portion of the ticket and unused ancillary fees in the original form of payment...

Southwest Airlines clause on delayed flights follows:

Delays or Involuntary Cancellations. If a Passenger's scheduled transportation is cancelled, terminated, or delayed before the Passenger has reached his final destination as a result of a flight cancellation, Carrier-caused missed connection, flight delay, or omission of a scheduled stop, Carrier will either transport the Passenger at no additional charge on another of Carrier's flights, refund the fare for the unused transportation, or provide a credit for such amount toward the purchase of future travel.

American Airlines and United Airlines do not have such a clause in their contracts of carriage.



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