

LITTLE INJUSTICES: CONSUMERS LOST IN THE TELECOMMUNICATIONS MATRIX

Improving Consumer Information Literacy and Post-Purchase Problem-Solving

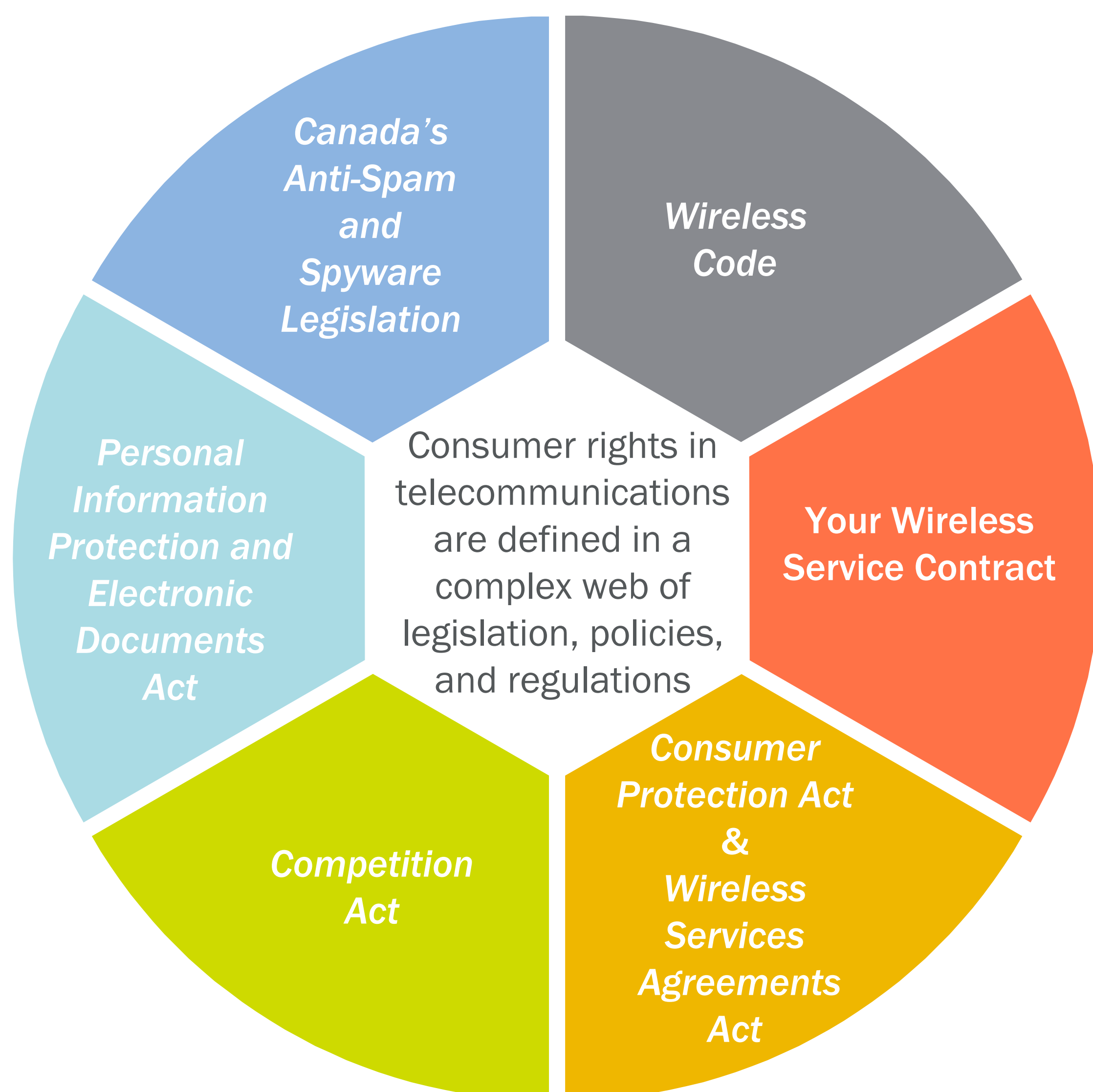
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HOW CAN WE HELP CONSUMERS REACH FAIR, AGREEABLE SOLUTIONS IN A COMPLEX SYSTEM THAT REQUIRES SAVVY NAVIGATION?

High Rates of Telecommunications Consumer Issues

99.3% of Canadian households have telephone access, either through mobile or landline devices. This widespread distribution of telecommunication services has contributed to high instances of consumer problems. Consumer-related problems are prevalent and account for 22% of all legal issues faced by Canadians. There are many sources of rights and they are difficult to navigate. Although the *Wireless Code* aims to empower consumers by establishing minimum standards of consumer protection, there is low awareness of consumer rights and entitlements. For example, 48% of the *Wireless Code* Public Opinion Research respondents were not aware of the Code's existence. Individually, consumer issues amount to **little injustices**, as they are often unresolved because of their relatively small monetary value. Together, they represent issues that seriously affect the lives of citizens.



Information Overload Leads to Lost Consumers

Despite the proliferation of information, there is a growing access divide caused by a lack of adequate information literacy and self-advocacy. Consumers routinely find themselves unable to effectively advocate despite the apparent availability of this information. This is significant because, in the area of consumer rights, individuals generally use self-help to resolve their problems. **The checklist is a promising tool for navigating the maze of resources and directing consumers toward effective solutions in the marketplace.**

Methodology and Literature

The checklist was developed through review and analysis of the primary legal sources and the relevant literature.

Primary sources: *Wireless Code*. CCTS Annotated *Wireless Code* (2016). CCTS Annual Report (2014).

Literature: A Currie, "The legal problems of everyday life" (2009). A Currie, "Self-Helpers Need Help Too" (2010). Action Committee on Access to Justice in Civil and Family Matters, *Access to Civil & Family Justice: A Roadmap for Change* (2013). A Duggan & I Ramsay, "Front-End Strategies for Improving Consumer Access to Justice" (2012). CRTC, *Communications Monitoring Report 2015*. E Lally, "Preparing for the broadband world: Fostering consumer confidence through collaboration and partnerships" (2008). E Lally & D Rowe "Impossible choices: Complexity and dissatisfaction in the telecommunications consumer-service provider relationship" (2009). E Lally & D Rowe "Perplexing choices: Understanding the relationship between telecommunications consumers and service providers" (2010). S Livingstone, "What is media literacy?" (2004). L Nader, "Disputing without the Force of Law" (1979). M Pavlović, "Access to Justice for Consumers of Telecommunications Services" (2015)

POST-PURCHASE TELECOMMUNICATIONS CONSUMER CHECKLIST

1 REVIEW YOUR RIGHTS

- ◆ The *Wireless Code* and your wireless service contract are most important sources of your rights. Consult the pre-purchase checklist for more information about your rights.
- ◆ Keep and review all documentation and manuals related to your device and Service Provider contract.
- ◆ The leading complaint issues are billing discrepancies (42.5%), contract disputes (34.8%), and service delivery or device problems (17.1%).

2 IDENTIFY THE PROBLEM

- ◆ Identify your desired outcome: Are you looking for a refund, an apology, a voucher or a new device?
- ◆ When would you like to achieve this outcome?
- ◆ Consider whether your problem falls into these three main categories:

CONTRACT	BILLING	DEVICE
<p>CANCEL</p> <ul style="list-style-type: none"><input type="checkbox"/> If you have had your contract for two years or longer, there are no cancellation fees.<input type="checkbox"/> Within the first 15 days, you have the right to cancel your contract without cancellation fees.<input type="checkbox"/> During the term of your contract (24 months): if you received a subsidized device, you may be subject to a cancellation fee. To calculate this fee, consult section B of the <i>Code</i>, and the relevant section of your contract.<input type="checkbox"/> During the term of the contract (24 months): if you did not receive a subsidized device, the fee is limited to the lower of \$50 or 10% of the remaining monthly charges under your contract.<input type="checkbox"/> If your contract does not have an end-date, you cannot be charged a fee.<input type="checkbox"/> After the term of your contract ends, you can opt either to continue on a month-to-month basis, or sign a new contract. <p>EXTEND</p> <ul style="list-style-type: none"><input type="checkbox"/> Your Service Provider must give you 90 days notice if it opts to extend your contract with the same rates, terms and conditions on a month-to-month basis at the end of the initial commitment period. <p>UPGRADE</p> <ul style="list-style-type: none"><input type="checkbox"/> If your Service Provider offers you a device upgrade, it must clearly explain any changes to your existing contract terms.	<p>CHARGES</p> <ul style="list-style-type: none"><input type="checkbox"/> All prices set out in your contract must be clear and easy to read.<input type="checkbox"/> Service Provider cannot charge any overage charges for unlimited services.<input type="checkbox"/> Service Provider must notify you at no charge when your device is roaming and the notification must explain associated rates.<input type="checkbox"/> Service Provider must suspend national and international data roaming charges once they reach \$100 within a single monthly billing cycle unless you expressly consent to pay additional charges.<input type="checkbox"/> Service Provider cannot charge for a device or service you did not expressly purchase. <p>EVALUATE YOUR NEEDS</p> <ul style="list-style-type: none"><input type="checkbox"/> Read up on what plans are being offered, and check to see what you actually need, so you will know if you have a suitable plan.<input type="checkbox"/> If you are paying for more than what you need, consider requesting a change to the terms of your contract.	<p>WARRANTY</p> <ul style="list-style-type: none"><input type="checkbox"/> Consult your device manual to determine whether your issue is covered by the manufacturer's warranty.<input type="checkbox"/> If you have purchased an extended warranty, or additional insurance from your Service Provider, verify the terms of this contract. <p>LOST/STOLEN DEVICE</p> <ul style="list-style-type: none"><input type="checkbox"/> When you notify your Service Provider that your device has been lost or stolen, the Provider must immediately suspend the service at no charge.<input type="checkbox"/> Once service has been suspended, all terms and conditions continue to apply, and you are obliged to pay for charges incurred before the suspension. <p>SERVICE DURING REPAIRS</p> <ul style="list-style-type: none"><input type="checkbox"/> Service Provider must suspend wireless service charges during device repairs if you request it and if:<ul style="list-style-type: none">▪ The device was provided as part of your contract and is given to Service Provider for repair▪ The device is under the manufacturer's or Service Provider's warranty▪ Service Provider did not provide a temporary replacement device.<input type="checkbox"/> You will incur an early cancellation fee if you cancelled service.

3 CONTACT YOUR SERVICE PROVIDER

- ◆ Once you've identified that there is a problem, call your Service Provider.
- ◆ Have your account information ready.
- ◆ On the call, state your issue, your desired outcome, and your preferred deadline for the resolution.
- ◆ Take notes during every call. Keep a record of the time, date, employee's name and number and the reference number from the call.
- ◆ Consider escalating the call to the next level of customer service.

4 COMPLAIN

- ◆ If your problem remains unresolved after you have followed-up with your Service Provider, consider filing a complaint with the Commissioner for Complaints for Telecommunications Services (CCTS). CCTS services are easy to use and free for consumers. Your problem may be affecting many other consumers and an official complaint can help bring attention to the issue.