

THE DRIVE

Official Newsletter of the Office of the BC Container Trucking Commissioner

LICENSEE & DRIVER RESOURCES

Office of the BC Container Trucking Commissioner
604-660-6051
obcctc.ca

Confidential Drayage Complain Line (Confidence Line)
1-877-713-5109
www.drayage.confidenceline.net

PoV or VFPA TLS Administrator
604-665-9333

BC Trucking Association
504-888-5319
bctrucking.com

WorkBC - Temporary Foreign Worker Rights
1-877-952-6914
welcomebc.ca

OBCCTC Rate Order
obcctc.ca/rate-order

OBCCTC Decisions
obcctc.ca/decisions

OBCCTC Policies
obcctc.ca/policies

OBCCTC Communications
obcctc.ca/comms

Container Trucking Act
obcctc.ca/act

Container Trucking Regulation
obcctc.ca/regulation

IN THIS EDITION

I spent this past September consulting with various stakeholders on the Off-Dock Drayage in the Lower Mainland Recommendation Report Terms of Reference and draft licence. I received a lot of informative and helpful feedback regarding the recommendations and have prepared a final consultation report to be released before the end of the year. Thank you to everyone who participated in consultation meetings. Your feedback is important.

More vacant truck tags have been returned to the OBCCTC and we continue to redistribute these truck tags to companies that have proven they have work for drivers. I/Os are advised to contact our office for a list of companies with vacant truck tags.

I am concerned that some temporary foreign workers are being paid less than the Commissioner's rate. Drivers are encouraged to keep a copy of the Commissioner's Rate Order, and to contact the OBCCTC's Confidence Line to report underpayment. You will remain anonymous.

The Port of Vancouver's TLS Rolling Truck Age Program will be implemented soon and companies can submit a truck exception application for truck that do not meet the port's requirement. I encourage drivers to get familiar with the new requirements and to plan appropriately.

As always, we continue to audit and enforce the *Act* and *Regulation*. Currently we are involved in several legal proceedings related to decisions and licensing. To better inform you of the work the OBCCTC is doing behind the scenes, I have included a section in the Newsletter regarding ongoing legal proceedings.

Finally, follow the OBCCTC on Facebook as we are always updating the page with useful information. Let us know if you would like to update your contact information by filling out the form on our website.

Sincerely,

Michael Crawford
Commissioner



WHAT'S NEW

Rates of Pay for Temporary Foreign Workers Performing Container Trucking Services Information Available to the Commissioner Upon Request

All drivers, including temporary foreign workers, should be paid the Commissioner's rate of either \$26.30 or \$27.50 (inclusive of benefits) as employee drivers and \$57.71 or \$59.03 as Independent Operators paid by the hour.

Drivers are encouraged to contact the OBCCTC if they are not being paid the right rates by using the Confidence Line.

[Read the full industry advisory.](#)

Off-Dock Drayage in the Lower Mainland Recommendations Report – Terms of Reference and Draft CTS Licence Consultation Meetings

The OBCCTC met with stakeholders, including licensees and drivers, to discuss the Terms of Reference and draft licence of the Commissioner's recommendations on off-dock drayage activity. A consultation report has been prepared and will be released on the OBCCTC website.

We also received written submissions from stakeholders, which can be read [here](#).

Truck Tags Redistributed

The OBCCTC continues to redistribute truck tags to companies that can show they have work. Another round of applications for I/O truck tags opened in August, and the annual truck tag application for company and I/O truck tags opened in October.

I/Os are reminded to contact our office to see which companies have vacant truck tags available.

[Read the latest bulletins.](#)

Truck Exception Application Fee

The Port of Vancouver will launch the TLS Rolling Truck Age Program beginning February 1, 2022. Trucks older than 10 years will be aged out to improve air quality and support cleaner, healthier communities. Companies can submit a truck exception application for an exception. The deadline to apply is December 14, 2021.

Licensees can deduct the application fee from an I/O's pay, but not from a company driver's pay.

[Read the full industry advisor.](#)

OBCCTC on Facebook

The OBCCTC is now on Facebook! We will be sharing regular updates regarding the container trucking industry, the activities of the OBCCTC as well as other interesting news related to the drayage sector. Connect with us at: obcctc.ca/facebook



RECENT DECISIONS

In **TransBC Freightways Ltd., Raja Road Rail Services Ltd., and TrasBC Freight Ltd. (No. 4/2021, No. 6/2021, No. 8, 2021)**, the licensee was was fined \$1,500.00 for failing to pay for training time.

In **Olympia Transportation Ltd. (No.10/2021)**, the licensee paid I/Os incorrect trip rates, did not pay for dead runs, and used a hybrid payment method. Drivers have been paid all monies owing and the licensee was fined \$8,000.00.

In **PTG Transport Ltd. (No. 11/2021)**, the licensee was found to owe monies to I/Os due to missed payments and errors in rate payment calculations. Drivers have been paid all monies owed and the licensee was fined \$2,000.00.

[View all of the Commissioner's decisions.](#)

Licensee Record of Enforcement Tool

The Licensee Record of Enforcement tool is always being updated with the latest decisions published on licensees.

[View the Licensee Record of Enforcement tool.](#)

OBCCTC COMPLIANCE UPDATE



Audits are ongoing



Over \$4.5M
returned to drivers



\$1.3M in penalties
assessed



LEGAL PROCEEDINGS

Gulzar Transport Inc. and Jet Speed Transport Inc v. Office of the BC Container Trucking Commissioner

CLAIM: Challenging the Commissioner's decision to issue a \$500K administrative penalty.

Aheer Transportation Ltd. v. Office of the BC Container Trucking Commissioner and Attorney General of British Columbia

CLAIM: Challenge of the Commissioner's order to pay a driver money owing and an imposition of an administrative penalty.

Port Transportation Association, Can. American Enterprises Ltd., H Rattan Trucking Ltd., Canada West Warehousing Ltd., Future Trucking Ltd., Gur-Ish Trucking Ltd., Safeway Trucking Ltd., Coast Pacific Carrier Inc., KD Truckline Ltd., Full Load Transport Ltd., Jete's Lumber Co. Ltd., Rideway Transport Ltd., Supersonic Transport Ltd., TSD Holding Inc., United Coastal Logistics Ltd., Orca Canadian Transport Ltd., Aheer Transportation Ltd., Indian River Transport Ltd., Burton Delivery Services Ltd., AMK Carrier Inc., Lally Bros. Holding Ltd., and ADP Transport Ltd. v. Office of the BC Container Trucking Commissioner and Attorney General of British Columbia

CLAIM: Challenging the Commissioner's 2020 CTS Licence Application process.



DID YOU KNOW?

Keep your documents

Take a photo of any document you submit to your employer and keep a copy of any document you are asked to sign. This will help our office with audits and complaints.

Know your trip rates

The OBCCTC has a [Trip Rates Booklet](#) to help make sure that you are paid the correct rates for both on-dock and off-dock container movements. You can always download and print a copy to verify that you are being paid correctly.

Truck tags are assigned to companies

Drivers do not own tags. Truck tags are assigned to companies and do not move with drivers. If you want to work for another company, you must find a company that has vacant truck tags available.

Cash back is not allowed

Drivers should never be asked to give cash back to their employers. If you are asked to give cash back, make sure you keep evidence and let the OBCCTC know.

Keep Your Contact Info Updated

If you change your contact information or if you are not receiving email updates from the OBCCTC, let us know by filling out the form on our website: obcctc.ca/mailling-list