

# 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  
[info@obcctc.ca](mailto:info@obcctc.ca)  
[obcctc.ca](http://obcctc.ca)

### Confidential Drayage Complain Line (Confidence Line)

1-877-713-5109  
[www.drayage.confidenceline.net](http://www.drayage.confidenceline.net)

### TLS Administrator

604-665-9333  
[tls@portvancouver.com](mailto:tls@portvancouver.com)

### BC Trucking Association

504-888-5319  
[bctrucking.com](http://bctrucking.com)

### WorkBC - Temporary Foreign Worker Rights

1-877-952-6914  
[welcomebc.ca](http://welcomebc.ca)

### OBCCTC Rate Order

[obcctc.ca/rate-order](http://obcctc.ca/rate-order)

### OBCCTC Decisions

[obcctc.ca/decisions](http://obcctc.ca/decisions)

### OBCCTC Policies

[obcctc.ca/policies](http://obcctc.ca/policies)

### OBCCTC Communications

[obcctc.ca/comms](http://obcctc.ca/comms)

### Container Trucking Act

[obcctc.ca/act](http://obcctc.ca/act)

### Container Trucking Regulation

[obcctc.ca/regulation](http://obcctc.ca/regulation)

## IN THIS EDITION

The OBCCTC announced an increase to rates for hourly paid drivers, effective July 1, 2022. I/O hourly rates will increase by 10% and directly employed operator rates will increase by 5%. I believe it is an appropriate time to increase the hourly rates. I recognize that there has been no increase to the regulated hourly base rate since 2019, and current economic factors have impacted many company drivers. Future rate decisions will be guided by a trucker compensation study that the OBCCTC has commissioned.

The current CTS Licence is being amended and we have recently published a CTS Licence Amendments Consultation Guide. I ask stakeholders to submit their comments regarding the proposed amendments to the Licence. Licence amendments include a two-year extension to the term of the current Licence, a prohibition against subcontracting with unlicensed companies for off-dock CTS and electronic record keeping. A final consultation report will be published once consultation is complete.

The OBCCTC is still involved in several legal proceedings related to decisions and licensing. Updates regarding these proceedings are highlighted in this newsletter.

Lastly, I wanted to update everyone regarding the OBCCTC's upcoming activity for the rest of the year. With the proposed extension to the current licence term, I anticipate an increase in demand for truck tags. I plan to open up a truck tag application round this year and provide a separate opportunity for licensees to request truck tag conversions before the current licence term is extended. I will continue to monitor the number of available I/Os on the I/O List.

Sincerely,

Michael Crawford  
Commissioner



# WHAT'S NEW

## **Increase to the I/O and Directly Employed Operator Hourly Rate**

Effective July 1, 2022, the I/O hourly rate will be as follows:

- \$63.48 per hour if an I/O has performed less than 2340 collective hours of container trucking services for any licensee or licensees; and
- \$64.93 per hour if an I/O has performed more than (or equal to) 2340 collective hours of container trucking services for any licensee or licensees.

Hourly rates for I/Os are inclusive of benefits and exclusive of the fuel surcharge, which is calculated monthly and paid in addition to the hourly rate.

Effective July 1, 2022, the directly employed operator hourly rate will be as follows:

- \$27.62 per hour if a directly employed operator has performed less than 2340 collective hours of container trucking services for any licensee or licensees; and
- \$28.88 per hour if a directly employed operator has performed more than (or equal to) 2340 collective hours of container trucking services for any licensee or license.

Hourly rates for directly employed operators are inclusive of benefits.

[Read the bulletin.](#)

## **Call for Submissions – CTS Licence Amendments**

The OBCCTC has published the CTS Licence Amendments Consultation Guide and is inviting stakeholders to submit their written comments on the amendments outlined.

Amendments include:

- Two-year extension to the current Licence term
- Prohibition on subcontracting with unlicensed companies for off-dock CTS
- Electronic record keeping requirements

[Read the guide.](#)

## **OBCCTC 2022 Activity Update**

The OBCCTC will focus the rest of the year on the following activities:

- Consulting on licence amendments
- A truck tag application round and opportunity to convert truck tags
- Trucker compensation study to inform future rate decisions

[Read the bulletin.](#)



## RECENT DECISIONS

In **Rideway Transport Ltd. (CTC Decision No.09/2021)**, the licensee was found to have requested cash back payments and withheld pay from drivers. The company was fined \$50,000. Rideway sought a reconsideration of the Decision and submitted that the penalty was disproportionate and should be reduced. The application for reconsideration was dismissed and Rideway is required to pay the fine.

In **Safeway Trucking Ltd. and Coast Pacific Inc. (CTC Decision No.07/2021)** the licensee was found to have sold company owned trucks to four drivers and deducted the cost of the trucks from drivers' pay. The licensee was also found to have violated an order from the Commissioner, retaliated against and coerced the complainants, withheld pay, paid incorrect rates and failed to cooperate with auditors. A licence cancellation was proposed and imposed in a subsequent Decision Notice. Safeway Trucking Ltd. and Coast Pacific Carrier Inc. have sought a reconsideration of the decision.

[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 \$4.6M  
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 and Attorney General of British Columbia**

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

**STATUS:** To be heard by the Supreme Court of British Columbia.

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

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

**STATUS:** Heard by the Supreme Court of British Columbia on April 21-22, 2022 – decision pending.

**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**

Challenging the Commissioner's 2020 CTS Licence Application process.

**STATUS:** Petition dismissed on March 9, 2022.

**Port Transportation Association, Canada West Warehousing Ltd., Gur-Ish Trucking Ltd., Safeway Trucking Ltd., Coast Pacific Carrier Inc., Rideway Transport Ltd., TSD Holding Inc., United Coastal Logistics Ltd., Orca Canadian Transport Ltd., Aheer Transportation Ltd., Indian River Transport Ltd., Burton Delivery Services Ltd., Lally Bros. Holding Ltd., and ADP Transport Ltd. v.**

**Office of the BC Container Trucking Commissioner and Attorney General of British Columbia**

Appealing the Supreme Court of British Columbia's dismissal of the challenge to the Commissioner's 2020 CTC Licence Application process.

**STATUS:** Appeal to be heard by the British Columbia Court of Appeal on date to be determined. Application for a stay of BC Supreme Court order to be heard on May 5, 2022.



## DID YOU KNOW?

### **How to contact the OBCCTC**

The fastest and easiest way to contact us is by email at [info@obcctc.ca](mailto:info@obcctc.ca). Please provide us with your name and company name, phone number, and your issue or inquiry.

### **I/Os do not own truck tags**

Truck tags are assigned to a company. If an I/O wants to work for another company, they must find a company with a vacant truck tag. The truck tag does not belong to the I/O and does not move with the I/O.

### **Cash back is not allowed**

Under no circumstances should drivers be asked to give cash back to their employers from their pay cheques. If you are asked to give cash back to your employer, make sure you keep evidence of this so that the OBCCTC can help you.

### **Dead run payment**

Drivers need to be paid full rate payments for dead runs. If you make a dead run, record your trip and make sure you are paid full rates for the trips.

### **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](https://obcctc.ca/mailling-list)