

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

Many drivers have been raising concerns about losing work to lower paid drivers and since the last newsletter, I have been focused on preparing recommendations for addressing the growth of unlicensed and untagged off-dock activity in the Lower Mainland. I have now completed the Off-Dock Drayage in the Lower Mainland Recommendation Report and submitted my report to government. I encourage everyone to read the report on the [OBCCTC website](#).

I am recommending major changes that I believe will lead to real, positive change for drivers. I have recommended that many unlicensed companies be required to pay the Commissioner's rates, but I have also recommended a complete change to the rate structure that will result in all drivers being paid by the hour. These recommendations will result in big changes and I will be undertaking detailed consultation with stakeholders before these changes are implemented.

Staff at the OBCCTC have been focused on improving our internal processes and increasing our communication activity to assist in the enforcement of the Container Trucking Act, Container Trucking Regulation and CTS Licence.

We launched a CTS Licence bulletin series to highlight important aspects of the CTS Licence so that licensees are reminded of the conditions set out in the Licence and their responsibility to uphold those conditions.

An industry advisory was sent out to licensees to advise them on self-audits, and the proper steps to take when conducting undirected self-audits as well as when the OBCCTC orders a company to conduct a self-audit.

New decisions have been posted on the OBCCTC website and more decisions will be posted this coming year as we continue to ensure that drivers are treated fairly, and that licensees are adhering to the Container Trucking Act and Container Trucking Regulation.

Lastly, I'd like to remind everyone to [follow the OBCCTC on Facebook](#). There you will find the latest updates from the OBCCTC, as well as driver tips and answers to questions you may have. If you would like to update your contact information with us, please let us know by [filling the form on our website](#).

Sincerely,

Michael Crawford
Commissioner



WHAT'S NEW

Off-Dock Drayage in the Lower Mainland Recommendations Report

Major changes are recommended in this report to enforce off-dock rate regulation and activity. The recommendations will help stabilize the drayage industry and ensure drivers are treated fairly. Notable recommendations from the report include:

- Applying the CTS Licence terms and conditions to companies affiliated with licensees that are performing container trucking services.
- Eliminating trip rates and the positioning movement rate and introducing minimum hourly rates for all drivers.
- Requiring licensees and affiliates to install a third-party certified electronic logging device on all trucks performing container trucking services.

Read the full report: obcctc.ca/off-dock-recommendations-report

Industry Advisory – Self-audits

An industry advisory regarding self-audits was sent out to licensees to advise on the proper steps required to conduct self-audits.

Read the full industry advisory: obcctc.ca/industry-advisories

CTS Licence Bulletin Series

The OBCCTC published a series of bulletins that highlights sections of the 2020 CTS Licence to remind licensees of their responsibility to adhere to the conditions of the Licence.

- #1 – Record Keeping
- #2 – Sponsorship Agreement
- #3 - Licences and Truck Tags
- #4 – Prohibited Practices

Read the series of bulletins: obcctc.ca/bulletins

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 **Aheer Transportation Ltd. (No. 1/2021)**, the licensee was found to be owing drivers monies because of incorrect trip rates and used a hybrid payment system. A penalty of \$60,000 was assessed.

In **Gulzar Transport Inc. and Jet Speed Transport Inc. (No. 2/2021)**, a penalty of \$500,000 was assessed following remittance from the Supreme Court of British Columbia. The original penalty to cancel the Licence had become moot after the term of the Licence expired.

In **Can American Enterprises Ltd. (No. 3/2021)**, the application for reconsideration of Can American Enterprises Ltd. (No. 12/2020) has been dismissed and the original penalty of \$10,000 stands.

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 on the website: obcctc.ca/licensee-record-of-enforcement

OBCCTC COMPLIANCE UPDATE



Audits are ongoing



Over \$4.3M
returned to drivers



\$1.2M in penalties
assessed



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.

Hybrid payments

You should only be paid by the hour or by the trip, not both. Licensees are not allowed to pay drivers a hybrid of per trip and hourly rates. Make sure you know how you are supposed to be paid, and keep track of your hours worked or trips made.

I/Os can only employ one IEO

I/Os are only allowed to employ one IEO at a time to carry out container trucking services on their behalf. You cannot have more than one IEO driving your truck.

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.

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