



Industry Advisory Committee (IAC)

Notes of Discussion

Thursday, March 17, 2016

8:30 am to 10:00 am

1066 W. Hastings Street, Suite 600

Labour Relations Board Meeting Room

In Attendance:

John Bourbonniere	Harbour Link Container Services
Kellie Kopeck	Damco Distribution
Chris Locher	Locher Evers International
Matthew May	Pro West (BST Transportation)
Robert Meredith	Canadian Tire
Robert Neild	Loblaw (via conference call)
Greg Rogge	Port Metro Vancouver
Bindy Sangara	Pro West (BST Transportation)
Gagan Singh	United Truckers Association
Mark Thomson	West Fraser Forest Products
Duncan MacPhail	OBCCTC; Chair
Michael Crawford	OBCCTC; Vice Chair
Jonathan Ross	OBCCTC
Karm Jauhal	OBCCTC

Regrets:

Jess Ketchum	Ketchum Communications
Dave Lucas	Coast 2000 (Western Stevedoring)
Gavin McGarrigle	Unifor
Maksim Mihic	DP World
Balaji Salem	Maersk Lines
Larry Sargeant	Teamsters
Rex D'Souza	Prudential
Eric Waltz	GCT Terminals

The meeting was called to order at 8:40 am

1. Commissioner's Update

The new Commissioner and Deputy Commissioner welcomed everyone and asked them to introduce themselves. He gave the committee a brief description of his professional background and introduced the staff at the Commissioner's office.

The Commissioner discussed the 2 top priorities of the Office of the BC Container Trucking Commissioner (the "OBCCTC") right now:

- Licensing – The Office plans to navigate through and complete the licensing process successfully in a timely manner.
- Compliance – Continue on the path laid out by the previous Commissioners and Deputy Commissioner. The message is the same: we are moving forward and continuing with the audits as our goal is to be fair to the licencees and the truckers. The Commissioner and Deputy Commissioner will continue to warn licencees not to wait for an audit to be initiated to come into compliance, as this is not acceptable; it is onus of licence holder to be independently compliant. A significant part of this obligation is maintain proper record keeping. Inadequate records is not an excuse for being non-compliant and will not be looked upon favourably. The OBCCTC understands that retroactive pay continues to be an issue, but while we understand that most TLS Licence holders have fulfilled their obligations, we also know that there are still many that haven't. The former Acting Commissioner set a deadline of January 22, 2016 for payment. We thank that those who have voluntarily come into compliance, and for those who haven't, they can expect a firm response from the OBCCTC.
- In addition to these top 2 priorities, we also have to look at the following:
 - Tag Management - We will be looking at the process and bring greater formality as we move forward. We will be establishing a process to request additional tags following the completion of the licensing application process.
 - Composition of the IAC – We will revisit this issue as we want to make sure that we have individuals who balance the voice of the industry. We will evaluate individuals who don't attend, as participation is basic expectation of membership. We will also be addressing the issue of having alternates, and looking to the committee for assistance in deliberations.
- Joint Licences – We are going to continue with joint licences for this round of licensing, but will examine the whole process as to whether they serve a useful purpose or should we abolished in the 2017 application process.
- Future Licensing – 2016 licensing will largely be status quo. Having a stable industry is everyone's primary goal, and for the sake of time and efficiency, we must complete the licensing application process in a timely fashion. The Ready/Bell report recognized that many in the industry believed that a reduction in the number of trucking companies and trucks was necessary. They concluded that: "One way of achieving this goal is to impose requirements on TLS participants, such as security deposits or performance bonds as

well as implementing reasonable and legitimate truck performance standards and efficiency goals.” This won’t happen in this round of licensing, but is something that will be carefully examined over the coming year.

ACTION ITEM: Revisit the issue of composition of the Industry Advisory Committee after the licensing process is complete.

2. 2016 Licensing Application update

Deputy Commissioner Michael Crawford echoed the Commissioner’s comments and reiterated that the OBCCTC is committed to bringing a fair and balanced approach to the position as we continue to increase the level of professionalism in the industry.

2016 will be status quo which means:

- Existing licence holders will be eligible to apply for the same number of tags they currently hold (or less);
- We will not be accepting new entrants into the system in this round of licensing, but we have refined the licence language to clarify our position on transferring the licence in the event of a sale of a licence holder to an outside party, which will be at the discretion of the OBCCTC under the parameters of the new licence;
- The licence term will be one year;
- We will continue to require similar forms as last year, such as the statutory declaration and completion of the sponsorship agreements. There will be no scoring system this year;
- The sponsorship agreement language has been amended to clarify “ownership” and utilization of tags. We will be issuing a separate bulletin on that issue as we have greater clarification. If a sponsorship is terminated the period has been extended from 30 days to 45 days but in doing so, we do not intend to entertain the numerous requests for extensions;
- There will be requirements to prove secure parking, insurance, National Safety Code adherence and WorkSafe BC Compliance;
- The cost of the licence will be the same, unless a company has increased its tag quota over the past 16 months;
- A new bond will not be required as the current bond will roll over each period provided the size of the bond stays the same;
- We will be developing a FAQ to post on our website.

Mr. Bourbonniere asked whether after terminating a driver for cause, would a licence holder be able to keep the tag and reassign it to another driver? For obvious reasons, companies do not want bad or unsafe drivers. We cannot address that issue in this round, but will do so in 2017. 2016 will be status quo. We will look at tag management issues after the licensing process is complete.

Mr. Rogge advised the committee that PMV would support “an application process for additional tags.”

Committee members discussed the hurdles they had faced in the licensing process in 2015 and noted that there was no information sharing as to where the fees they were paying were being allocated. There was no transparency on how those funds were used, nor is there transparency on how many tags each company has. Is that information available or can it be released to the sector? Companies are

frustrated as terminals and PMV doesn't share information freely, and therefore IAC members expressed a desire for the OBCCTC to better share data with us.

Mr. Crawford noted that interpretation of the data can vary depending on various factors, and we need to understand that the OBCCTC must consider confidentiality issues.

ACTION ITEM: Tag Management issues to be addressed after the 2016 Licensing process is complete.

3. Audit Update

We currently have the following audits underway:

- 5 audits initiated by the audit team last June;
- 19 Appendix D audits underway;
- 3 Section 31 audits.

The auditors are still working very hard. The OBCCTC has received recent audit reports and will be issuing decisions soon. More than ½ of all licensed companies have been audited.

4. Next Meeting – Date and Time

The date, time and location of the next meeting will be determined soon. The Commissioner and Deputy Commissioner thanked everyone for their support and their participation on the committee.

Meeting adjourned at 10:01 am