



Industry Advisory Committee (IAC) Notes of Discussion

Thursday, April 21st, 2016

8:30 am to 10:00 am

North Delta Recreation Centre

11415 84th Avenue, Delta, BC

In Attendance:

John Bourbonniere	Harbour Link Container Services
Chris Locher	Locher Evers International
Dave Lucas	Coast 2000 (Western Stevedoring)
Matthew May	Pro West (BST Transportation)
Gavin McGarrigle	Unifor
Robert Meredith	Canadian Tire
Greg Rogge	Port Metro Vancouver
Bindy Sangara	Pro West (BST Transportation)
Larry Sargeant	Teamsters
Gagan Singh	United Truckers Association
Mark Thomson	West Fraser Forest Products
Duncan MacPhail	OBCCTC; Chair
Michael Crawford	OBCCTC; Vice Chair
Karm Jauhal	OBCCTC

Regrets:

Rex D'Souza	Prudential
Jess Ketchum	Ketchum Communications
Kellie Kopeck	Damco Distribution
Maksim Mihic	DP World
Robert Neild	Loblaw
Balaji Salem	Maersk Lines
Eric Waltz	GCT Terminals
Jonathan Ross	OBCCTC

The meeting was called to order at 8:35 am

1. Commissioner's Update

The Commissioner provided a brief update on what the Office has been working on since the last meeting:

- Audits - Two significant decisions have been made and will be issued published on the website:
 - First is an Order to Comply issued against Canada Drayage Inc. in the amount of \$372,000.00. It can be found on our website. We have started to receive confirmations from drivers stating that they are starting to get paid.
 - Second is a Decision issued to Olympia Transportation Ltd with a penalty of \$4,000.00. The focus of the Decision was non-compliance and the company's failure to maintain proper records. Olympia was given the opportunity to appeal the decision and they did.

2. Record Keeping Requirements

The Commissioner advised that the onus is on the Licensee to keep proper records and not wait for the Commissioner's auditors to show them how.

Another member asked if we will be having any information sessions to educate the TLS Licence holders on the better record keeping practices and the Commissioner advised that we could look at hosting some kind of seminar/ information session with the auditors, but not until the Licencing process is complete.

Further discussion continued amongst the group regarding how other regulatory bodies share information as well as how they provide educational seminars (ie: CBSA) to educate the industry on how to be in compliance and proper record keeping practices.

A member of the Industry Advisory Committee raised the question of how much information we are sharing with other regulatory bodies from the findings of the audits. The Commissioner responded by stating that we are not sharing any information, but this matter would need to be discussed and would likely require legal advice before information is handed over to other regulatory bodies.

3. 2016 Licensing Application update

Michael Crawford advised that we are ready for the new 2016 Licencing process. A few companies have chosen not to re-apply but they will still need to maintain and keep their records. We will communicate how the bond continues after the licence expires. Those companies that have not re-applied will be sent a letter identifying the number of tags of the Independent Owner Operators (I/O's) that are deemed terminated and will be able to secure employment with other companies. We will be giving the I/O's one week to secure new employment and sign a new sponsorship agreement.

- April 20th was the deadline to have all licence applications submitted and now we are working on assessing those applications and will be issued Conditional approvals.
- We are diligently working towards May 15th for all Conditional approvals to be issued and by the May 31st to have all the Final approval notices confirmed for the new Licences to be in effect June 1st.

A member asked the question as to the short timeline for the I/O's that have been terminated, why do they only get a week to secure new employment and not the usual 30 days. The Deputy Commissioner advised that we need to have the new Licences issued by the end of the month, but we will look at individual cases should someone not be able to secure new employment. The Office wants to make this as easy as possible.

4. Change in Ownership Language in New Licence

Sale of a Licence from one licensee to another licensee can be done without canceling the Licence but will require the approval/ permission from the Office of the BC Container Trucking Commissioner. We will be tweaking the current policy in the coming months to reflect the changes. We will communicate the changes to the Industry via our website.

5. IAC Composition Proposals

There are a few folks that have not attended meetings in a long time, therefore, do they need to be on the Committee; ie: Jess Ketchum of Ketchum Communications hasn't attended. OBCCTC proposes that he be removed from the IAC. Two representatives from the same organization, do they both need to be at the table? OBCCTC proposes to have only one representative from a company. Commissioner indicated a desire to have associations represented on the Committee. The question is which association would best represent, is it the BCTA and the BCDA or are there others? We need to find a balance.

A member mentioned that port companies/ terminals ie: rail is not represented at this table, nor is Rail Terminals, for example CN, should they be included as well?

Another member advised that CN was on an advisory committee with PMV and their contribution was minimal.

Another member commented that we should be careful getting to many associations involved and should concentrate on someone who understands the day to day.

The Commissioner advised that he is comfortable with the size of the Committee; we just have to have a balance with the voices at the table to ensure that the Industry is represented.

The other matter is whether or not Alternates should be allowed. The previous Commissioners said no alts; we are considering having a Primary Committee member and a Secondary Committee member, so that there is always a representative at the table vs. no representative if a member cannot attend.

The alternative is not a replacement for the Primary, but a substitute for the few times that the Primary cannot attend.

ACTION ITEM: Jess Ketchum of Ketchum Communications be removed and Bindy Sangara from BST Transportation has resigned from the Committee.

6. Other Business

- A member of the IAC raised the question of what is happening with I/O's being able to move from one licensee to another when business is slow?

The Deputy Commissioner advised that we will have discussions regarding tag management after the Licensing process has been completed.

After June 1st, we are going to begin the process around tag management with consultations. We know the current tag situation isn't working and we will find other solutions. We will look at the utilization of tags and address the issue of fluctuations and have the industry so it can flourish. We need to find a balance and we know there is a better way. If a company is busy and requires additional tags, we will look at that as well.

- A member asked regarding the status of Audits and whether non-compliance will play a role with granting licences.

The commissioner advised that we are not going to penalize companies for small clerical issues as most companies have cooperated with the auditors. When we have asked for records, they have provided the records to the best of their abilities. We will work with companies one at a time. We will apply the policy in a practical way.

The office will be fair and issue penalties, where appropriate.

7. Next Meeting – Date and Time

We are looking to establish a reoccurring pattern, for example the third Wednesday of each month at 8:30am? How does this new location work for everyone?

It was decided that the location was favoured by those in attendance and we will send out a meeting request for the next meeting, once we have reserved the meeting room.

ACTION ITEM: Continue to have meetings at a central location, every third Wednesday of the month.

Meeting adjourned at 9:52 am