



Industry Advisory Committee (IAC)

Notes of Discussion

Tuesday, February 21st, 2017

9:30 am to 11:30 am

**North Delta Recreation Centre
11415 84th Avenue, Delta, BC**

In Attendance:

John Bourbonniere	Harbour Link Container Services
Rex D'Souza	Prudential (arrived at 9:38am)
Marco Dekovic	GCT Terminals (Alternate)
Sharn Gill	HAP Enterprises Ltd.
Kellie Kopeck	Damco Distribution
Chris Locher	Locher Evers International
Matthew May	Pro West Transportation
Frederic Moussette	Canadian Tire
Robert Neild	Loblaws
Greg Rogge	Port Metro Vancouver
Adrian Samuel	Coast 2000
Mark Thomson	West Fraser Forest Products
Duncan MacPhail	OBCCTC; Chair
Michael Crawford	OBCCTC; Vice Chair
Karm Jauhal	OBCCTC

Regrets:

Paul Johal	Unifor (Alternate)
Dave Lucas	Coast 2000
Gavin McGarrigle	Unifor
Maksim Mihic	DP World
Larry Sargeant	Teamsters
Gagan Singh	United Truckers Association
Eric Waltz	GCT Terminals

The meeting was called to order at 9:32 am

1. Commissioner's Update

The meeting was moved to 9:30AM as the overall consensus was that 9:30am start time works better for the Committee, therefore it was decided that future meetings will start at 9:30am.

The Commissioner provided a brief update:

- a. Welcome a new IAC Committee member:
 - The Commissioner opened the meeting by welcoming Frederic Moussette to the IAC Committee. Frederic is replacing Robert Meredith from Canadian Tire.
- b. New IAC Meeting Plan
 - The OBCCTC has been examining options to make IAC meetings more effective for all attendees. We have decided to begin holding full IAC meetings on a quarterly basis with separate meetings with licensees and labour on a monthly basis. The current meeting schedule accommodates industry wide discussion but does not adequately provide opportunities for various stakeholders to speak openly/ directly to the Commissioner. Changing the IAC format does not mean the Commissioner is not available to engage with stakeholders outside of the IAC meeting structure. The OBCCTC still has an open door policy and everyone is welcome to contact us directly.

2. Industry issues for discussion

a. Audit & Enforcement Issues

- The Audit Process/ Record Keeping

Audits are conducted by the auditors under the supervision of the Deputy Commissioner. Once an audit report is written and submitted to the Commissioner, the Commissioner makes and writes the a decisions The speed of this process can be impeded by poor record keeping on behalf of licensees which can include a lack of or incomplete records. The Commissioner reminded IAC members that the Container Trucking Services Licences outlines records keeping requirements which must be met. If companies and drivers are seeking more expeditious audits, then this can be facilitated by companies keeping complete records of:

- All hours worked and trips made by every driver
- The rate of pay for all hours worked and trips made and;
- A separate accounting for all additional payments/ benefits made

Improper record keeping can lead to penalties and Commissioner will continue to increase penalties until record keeping improves. It is the OBCCTC's position that everyone benefits when audits are completed quickly as the result is lower costs (auditor/ accountant) and lower fines.

- Cash for Truck Tags

The OBCCTC continues to hear rumours that cash is being exchanged for the release of a tag to an Independent Operator (I/O). The OBCCTC has previously spoken about concerns regarding cash schemes. The Commissioner cautioned all licence holders about such activities and assured them that investigations into such activities are ongoing.

In addition, the Commissioner stressed that Tags are not for sale. If an I/O is having to pay to be fired so that he can take the tag with him, The OBCCTC will investigate and if the licensee is found to have "sold" the tag, the OBCCTC will take strong action which may include a suspension of the licence. This is a very serious violation of the Licence and is considered by the OBCCTC to be on the same level as "brown bagging".

- **Driver Allegations**

The Commissioner noted that if Labour was present at the meeting, he would advise them to communicate with their members that the OBCCTC cannot pursue unsubstantiated rumours. The resources of the OBCCTC and its ability to pursue allegations will be impeded if drivers are making allegations for the sole purpose of seeking the release of a tag associated with their sponsorship.

b. **Tag Management**

The OBCCTC continues to seek a solution to Tag issues and has released a bulletin (also on our website) for an open call of submissions regarding a Tag Consultation. The OBCCTC welcomes IAC member input and encourages all stakeholders to put forth a submission, particularly drivers and their representatives. The OBCCTC recognizes that in 2014/15 under TLS reform there was a movement away from an I/O permit system. The OBCCTC is looking for options/recommendations that will advance the reform of the current system while also refining its operation.

- **Additional Tag Policy**

The OBCCTC has issued additional tags, but has only done so on the basis of verified, specific evidence from shippers that volumes have increased for a particular licence holder, combined with an indication that the existing fleet has no capacity to handle the increase.

Applications which indicate that a particular licensee's business model or challenges at terminals are driving a request for additional tags are not being entertained.

3. Other Business

An IAC member asked how much influence the OBCCTC has on government decision making at the provincial and federal level. The Commissioner advised that it has none as the OBCCTC is a regulator but that the OBCCTC is willing to pass on information it receives from industry to government.

A few members of the IAC voiced their concerns about Terminal charges that result from incidents which occur outside of a licensee's control. For example, when a truck is held up at a gate and as a result of terminal inefficiency is late for a reservation but is subsequently charged for missing the reservation and is turned around at the gate.

A member asked what are the service levels at the gate and who is held accountable for the service levels as the cost/ prices have already been negotiated with the steam ships and every steam ship knows exactly how much they are going to pay for the next year.

Consensus was reached that an open dialogue and better understanding between all parties (government, the OBCCTC, Labour, Licensees, the Port, and the Terminals) is required.

4. Next Meeting – Date and Time

Next meeting in March will be with the Licensees and Labour will meet in April with the next full IAC meeting in May.

Next meeting date for IAC in May - TBA

Meeting adjourned at 11:21 am