



# Industry Advisory Committee (IAC)

## Notes of Discussion

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**Wednesday, December 2, 2015**

**8:00 am to 10:08 am**

**1085 Cambie Street, Vancouver, BC**

### **In Attendance:**

John Bourbonniere	Harbour Link Container Services
Rex D'Souza	Prudential
Kellie Kopeck	Damco Distribution
Chris Locher	Locher Evers International
Dave Lucas	Coast 2000 (Western Stevedoring)
Matthew May	Pro West (BST Transportation)
Gavin McGarrigle	Unifor
Robert Meredith	Canadian Tire
Robert Neild	Loblaw
Balaji Salem	Maersk Lines
Bindy Sangara	Pro West (BST Transportation)
Larry Sargent	Teamsters
Gagan Singh	United Truckers Association
Mark Thomson	West Fraser Forest Products
Corinn Bell	OBCCTC; Chair
Vince Ready	OBCCTC; Vice Chair
Elena Miller	OBCCTC
Jonathan Ross	OBCCTC
Dawn Major	OBCCTC
Karm Jauhal	OBCCTC

### **Regrets:**

Jess Ketchum	Ketchum Communications
Maksim Mihic	DP World
Eric Waltz	GCT Terminals

The meeting was called to order at 8:01 am

### **1) Commissioner's Update**

The Acting Commissioner provided an update of what the Office has been working on since the last meeting:

- 13 audits are in progress, and because they are so labour intensive, the OBCCTC has sent out 21 letters under Appendix D of the licence requiring companies to obtain a CPA and report back about their compliance. While a deadline for payment of retroactive back pay will be considered, more Appendix D letters will continue to be sent out over the coming weeks and months.
- There are 3 decisions that have been posted on the website, with another 2-3 that will be posted in the coming weeks. The message is that no licence holder should wait for an audit or an Appendix D letter – compliance should be adhered to and reported back to the OBCCTC in order to avoid penalties and/or sanctions.

## **2) Licence Transfer/ Assignment Policy**

The OBCCTC has drafted an interim policy regarding the transfer/sale of licensed companies (TLS licence holder to TLS licence holder). Concerns were raised about the number of tags and trucks currently in the system. It was also suggested that approval of any sale/transfer should be at the discretion of the Commissioners based on a business plan, past track record of the buyer, etc. It was noted that bargaining agents should be made aware of such sale/transfer requests.

## **3) 2016 Licensing Application update**

Dawn Major and Jonathan Ross have started the evaluation process of the policy and are looking at the criteria for the upcoming licence application process. There were questions about whether this was a renewal process (no) or a re-application process (yes), meaning that all companies would have to re-submit an application based on the new criteria currently being developed.

It is not determined yet as to whether new companies will be able to apply for a licence.

There was a suggestion that joint-applications should not be allowed this time around, and that a minimum threshold for trucks should still be set.

Terminals setting reservation fees, access to these reservations, and also withholding data all contribute to a lack of understanding about setting the amount of tags/trucks in the system. The Commissioner was advised to consider sending a letter to the terminals so that they can be larger participants in the reshaping of the TLS through the upcoming application process.

Another use that was highlighted for consideration was the practice of TLS licence holders employing non-TLS companies to do off-dock work, which seems to be in contravention of the legislation with regards to moving marine containers

## **4) Trip Splitting**

Trip splitting is still occurring, where legs are being broken up amongst several drivers to avoid paying full rates if there is a break in the movement of a container (e.g. overnight storage at a yard in the middle of transporting a container from pick-up to final delivery location). The Commissioner will be issuing a bulletin to clarify the law with regards to this practice after consulting with the audit team and legal advisors.

### **5) Tag Management Update**

The question of supply management around tags was spoken about: Should the amount of licensed companies be limited? Or should tags/trucks be capped?

After doing research on other major North American ports (Montreal, NY/NJ, Seattle/Tacoma, Oakland, Long Beach and L.A.), it was found that no other port delves into supply management with the total amount of trucks that can access the port. Most adhere to basic requirements concerning security, environmental and proper registration, and then once approved, companies can add as many trucks as needed, often without any cost involved.

Vancouver's 2 shifts, legislated rates, and enforcement through the Commissioner's office is highly envied by other administrations, and there are many strategic advantages in terms of management that the other ports do not enjoy.

Tag management, and more specifically, the amount of I/Os in the system compared to company drivers was brought forward as a major consideration in terms of stability. A sub-group of the IAC will participate in a follow-up meeting to delve into issues around tags, supply and demand, and the application process, in the coming weeks, and then report back to the entire committee in January 2016

### **6) Communications Update**

The Office will continue to issue bulletins and updates that will be posted on the website, and will be publishing a newsletter quarterly, with the first issue to come out in January. It will be in both English and Punjabi, and distributed electronically through a limited print run.

### **7) Next Meeting – Date and Time**

Next meeting will be January 13, 2016 at 8 AM. We will advise of the location of the meeting.

Meeting adjourned at 10:08 am