



January 20, 2016

This memo is intended to address a number of industry issues.

### 1. Retroactive Pay

The Office of the BC Container Trucking Commission (“OBCCTC”) issued a memo on December 11, 2015 indicating that all companies should come into compliance with respect to retroactive pay on or before January 22, 2016. That date is this Friday. We thank the many stakeholders who have already complied and provided verification of these efforts to the OBCCTC. For those TLS licence holders who have not yet come into voluntary compliance, please be advised that when such non-compliance is identified by the OBCCTC, penalties pursuant to Section 34 of the *Container Trucking Act* (the “Act”) are likely to result after the abovementioned date.

### 2. OBCCTC Newsletter

Please be advised that the OBCCTC will publish its inaugural newsletter in late January 2016. The newsletter, named “The Drive”, will be sent electronically to industry stakeholders. It will also be printed in both English and Punjabi, and members of the OBCCTC will hand out copies and speak with drivers in person at various terminals next week.

### 3. Decisions

Decisions will continue to be published from time to time on the OBCCTC website. The OBCCTC is not required to publish decisions unless a penalty results. To date, while issued decisions have not yet resulted in a penalty, they have served as both a source of information and education for the industry. Going forward, the OBCCTC will decide on the whether to publish decisions based on their educational component, or their ability to inform the industry about which companies are in compliance with the legislation. All decisions that result in a penalty under the *Act* will be published. We encourage stakeholders to check the website from time to time for updates.

### 4. Cooperation with Auditors and Investigators

Please be advised that if a TLS licence holder does not comply with requests for information from the auditors or investigators, the OBCCTC may decide to suspend the licensee until such time as cooperation is confirmed. The OBCCTC will consider a lack of cooperation by a TLS licence holder in the decision-making process surrounding any potential penalties pursuant to Section 34 of the *Act*. The fact that such cooperation is a factor in determining outcomes has already been identified in the previous decisions posted on the OBCCTC website.

Sincerely,

Corinn Bell  
Acting Commissioner

Vince Ready  
Acting Deputy Commissioner