



January 30, 2017

Complaints about employment-related matters outside the Commissioner's jurisdiction

The Office of the Container Trucking Commissioner receives complaints from truckers which sometimes concern matters outside the jurisdiction of the Commissioner under the *Container Trucking Act*. This bulletin is intended to remind those in the container trucking community that other regulatory bodies have jurisdiction over work-related matters such as terms and conditions of work (other than the remuneration mandated by the *Container Trucking Act*), collective bargaining and representation, workplace health and safety, and non-discrimination.

The **Employment Standards Branch** (www.labour.gov.bc.ca/esb/) administers the *Employment Standards Act* and *Regulation*, which sets minimum standards for wages and working conditions for most workplaces in BC. Note that Section 37.31 of the *Employment Standards Regulation* states that Parts 10, 11 and 13 of the *Employment Standards Act* do not apply to container truckers (which has the same meaning as "trucker" in the *Container Trucking Act*) in relation to remuneration or fuel surcharges under the *Container Trucking Act*. The website contains explanatory "fact sheets" on a variety of topics.

The **Labour Relations Board** (www.lrb.bc.ca) administers the *Labour Relations Code* and *Regulation*, which governs all aspects of collective bargaining among provincially-regulated employers and employees. This includes the acquisition of collective bargaining rights, the process of collective bargaining, the settlement and regulation of labour disputes, and the regulation of the representation of persons by their bargaining agent. The website contains informational bulletins and guides.

WorkSafeBC (www.worksafebc.com) promotes safe and healthy workplaces across BC, including by administering the requirements of, and ensuring employers comply with, the *Occupational Health and Safety Regulation* and the *Workers Compensation Act*. The website contains information for workers and employers.

The **Human Rights Tribunal** (www.bchrt.bc.ca/) administers the *Human Rights Code*, including hearing and deciding human rights complaints. The website contains information about human rights and duties and the complaint process.

Sincerely,

OFFICE OF THE BC CONTAINER TRUCKING COMMISSIONER

Duncan MacPhail
Commissioner

Michael Crawford
Deputy Commissioner