



October 30, 2019

Gulzar Transport Inc.  
Unit # 7 – 8760 River Road  
Delta, BC V4B 1B5

Email: lally@gulzartransport.com

Owner: Mr. Satnam Singh Sidhu

Jet Speed Transport Inc.  
Unit # 7 – 8760 River Road  
Delta, BC V4B 1B5

Email: sunsidhu@jetspeedtransport.com

Owner: Ms. Sunpreet Kaur Sidhu

Attention: Mr. Satnam Singh Sidhu & Ms. Sunpreet Kaur Sidhu

**Re: Notice of Order requiring Gulzar Transport Inc. & Jet Speed Transport Inc. to Comply with the Container Trucking Act (the “Act”)**

The Office of the British Columbia Container Trucking Commissioner (“OBCCTC”) is conducting an audit of Gulzar Transport Inc. & Jet Speed Transport Inc. (together “the Companies”). On April 30, 2019 the OBCCTC auditor advised the Companies that the company driver audit for the period April 2018 to July 2018 had been completed and \$10,994.43 was owing. The auditor requested that the Companies calculate the amounts outstanding in wages to all its company drivers who performed container trucking services between April 3, 2014 and April 30, 2019 using the template and methodology provided by the auditor no later than May 31, 2019.

The Companies replied on May 6, 2019 and stated that they did not agree with the auditor’s assessment that the Companies were not in compliance with the *Act*. The Companies were advised that they would have an opportunity to reply and comment on the audit process when the audit was complete and they had received a copy of the auditor’s report.

On May 31, 2019 the Companies provided calculations that were intended to demonstrate that the Companies had paid their company drivers in accordance with the *Act* and the Companies stated their position that no money was owed to company drivers. The auditor reviewed these calculations and reported her findings in an audit report, a copy of which was sent to the Companies on October 8, 2019 for comment. The Companies provided comment on the audit report on October 23, 2019 but did not make any submissions regarding the company driver audit findings.

I have reviewed the Companies’ submissions and the auditor’s report and I do not accept the Companies’ arguments or method of calculation with respect to its company drivers. The Companies argue that the auditor should have used the logbooks supplied by the Companies rather than timesheets to determine hours worked and then apply the \$26.96 hourly rate to the total hours according to the logbooks to determine the amount the driver was entitled to.

In this case, the Companies’ log books are not a reliable source of information because duplicate sets of logbooks with conflicting information have been found. Further, the Companies’ calculations include

overtime pay which is then used to demonstrate that the drivers are paid the regulated rates when overtime pay/rates should be calculated over and above the regulated hourly rate.

By way of this Order I am directing the Companies to calculate the amounts outstanding in wages to all its company drivers who performed container trucking services between April 3, 2014 and April 30, 2019 using the template and methodology previously provided the auditor by no later than November 13, 2019. Failure to comply with this Order will be viewed as serious non-compliance with the Act.

This Order will be published as required by section 11 of the Act.

Sincerely,

**OFFICE OF THE BC CONTAINER TRUCKING COMMISSIONER**



Michael Crawford  
Commissioner

cc: Tiffany MacKinnon, Auditor