



Industrial Advisory Committee (IAC)

Meeting Minutes

March 10, 2020

9:30 am to 11:00 am

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

In Attendance:

Kelly Kopeck	Damco Distribution (arrived 9:45am)
Chris Locher	LEI Cartage Ltd.
Matthew May	Coast 2000 Terminals
Frederic Moussette	Canadian Tire
Larry Sargeant	Teamsters
Gagan Singh	United Truckers Association
Michael Crawford	OBCCTC, Chair
Sheryl Kozyniak	OBCCTC, Vice Chair
Karm Jauhal	OBCCTC
Erica Yeung	OBCCTC

Regrets:

John Bourbonniere	Harbourlink Container Services Inc.
Rex D'Souza	Prudential Transportation Ltd.
Dave Earle	BC Trucking Association
Denien Ford	Chamber of Shipping
Scott Galloway	Shipping Federation of Canada
Laurie Kravski	West Fraser Forest Products
Maksim Mihic	DP World
Robert Neild	Loblaws
Greg Rogge	Vancouver Fraser Port Authority
Mario Santos	Unifor
Eric Waltz	Global Container Terminals

The meeting was called to order at 9:32am.

1. COMMISSIONERS UPDATE

- The Commissioner introduced Erica Yeung as the newest addition to the OBCCTC family as the new Communications Officer.
- The Commissioner clarified that the first focus of an audit will be rate payments and other remuneration (i.e. Wait times and fuel surcharge). Other issues such as alleged harassment, record keeping, types of container movements (i.e. dead runs, pre pulls etc.), and deductions will also be examined.
- The Commissioner clarified the audit process as follows:
 - Auditor submits a final report which is provided to the Licensee with 7 days to respond to the findings.
 - If there is non-compliance, the Commissioner writes a decision, giving the company 7 days to respond.
 - If response is received, the Commissioner issues a Decision Notice at which time the Decision and Decision Notice is posted on the website.
- The following decisions were issued and are posted on the website:
 - Gulzar/ Jet Speed Transport Inc. – Decision was issued in November 2019, the company asked for more time to respond and the extension was granted. Decision Notice to cancel their license is March 10th. They have another 30 days after the Decision Notice is issued to ask for a reconsideration and if they do, the order to cancel their license is suspended until the outcome of the Reconsideration Decision is issued.
 - Simard – Hourly Drivers –the licensee was arguing whether particular moves attracted regulated rates and required payment of PMR.
 - Canada Drayage Inc. – audited IEO's – onus is on the company to ensure that IEOs are paid the legislated rates and to recover records from I/Os concerning amounts paid to IEOs and hours worked.

2. CTC CONSULTATIONS

a. Stakeholder Consultation Report:

- Tag policy consultations started in September 2019 and ramped up after Christmas.
- A common theme was what the number of tags across the sector should be. The Commissioner clarified that the recommended range of 1450 – 1550 was based on feedback from stakeholders and statistics compile by the Port.
- Most companies are only doing 2 trips per day, by reducing the number of tags, drivers that complete 1 or 2 trips a day will get 3 or 4 trips a day.
- The Commissioner stated the CTC tags won't be issued but several members suggested some form of visible identifier (decal, plate etc.) will be required to effectively identify trucks doing off dock work.
- A recommendation was made that unlicensed companies doing off dock work only should be brought into the fold and accounted/ tracked for the off-dock activity they are doing. This will also ensure the licensed companies can compete for the work that the unlicensed companies are doing with rate undercutting.
- It was also suggested that a solution to the off dock competitiveness issue was to require that licensed companies only use other licensed companies for off dock container movements as this would ensure everyone is paying the regulated rates.
- The UTA suggested that 400 unlicensed trucks were performing off dock work with 60% of the work being performed by tagged trucks and 40% by untagged trucks however others suggested if we look at the data, approx. 80% of the volume is moved by TLS tagged trucks and approx. 20% by unlicensed.
- The Commissioner stated a broad review of off dock movements is needed to determine the scope of the issue and develop options if required such as including unlicensed affiliates under a CTC Licence.
- The UTA maintained that reducing the overall fleet by 200 trucks would be unnecessary if the off-dock issue and PMR (which the UTA suggested and admitted has become a nightmare) was addressed.
- A suggestion was made to standardize GPS and onboard data which can be used to obtain transactional data from terminals and off dock facilities. A consistent approach is needed that all stakeholders can agree on.
- The Commissioner stated that it may take a month to fully understand the off-dock issues, need stats to frame the issue, with a solution; have some information from audits but more specifics are required which will involve collecting information from stakeholders.
- It was mentioned that the off-dock trucks can easily be identified by a unique unit number as all trucks have unit numbers instead of tags.

b. Rates:

- A question was asked about what types of movements attract the rate and what doesn't. The Commissioner responded that each case is different, and it is not appropriate to rely on the CNTL decision which was based on a unique case.
- It was suggested E-Logs should also be a requirement; give companies an option of the software/ companies they can choose from and then list what is needed in electronic form and make everyone hourly, it will easier to audit.
- A recommendation was made to limit TLS carriers to assign off dock work to other TLS carriers only however the Commissioner stated that the enforcement capacity of the OBCCTC would need to substantially increase. An expansion of the jurisdiction of the office will need to be a decision for the government.
- The Commissioner committed that future consultation efforts will focus on off dock issues – whether the issue is related to the amount of work available or the rates that are being paid – the process will involve:
 - Assessing the current state and scope of the issues
 - Defining the problem
 - Identifying potential solutions
 - Recommending effective approaches

OTHER/ GENERAL DISCUSSION

- c. New trip rate map posted on website, will have an interactive map available soon and will be on our website once its ready. We will also have a booklet printed and available.
- d. Reminder - new rates (trip and I/O hourly) will be in effect on April 1st.

Meeting adjourned 11am.