

Office of the British Columbia Container Trucking Commissioner Appointee Remuneration Plan Fiscal Year 2020/2021

Overview

In 2014, the Province enacted the *Container Trucking Act (the Act)* and Regulation establishing the Office of the BC Container Trucking Commissioner (OBCCTC) in order to bring stability to the container trucking industry that services lower mainland ports and other container logistics facilities. The *Act* provides the Container Trucking Commissioner (the Commissioner) with authority to issue and manage the Container Trucking Services Licences (CTS Licences), the Truck Tag policy, oversight of rates of remuneration and mechanism for industry reform.

The OBCCTC budget is funded through CTS licensing fees collected and remitted by the Port of Vancouver. Although the Commissioner operates independently from Government, budget oversight is performed by the Integrated Transportation Branch in the Ministry of Transportation and Infrastructure (the Ministry), and the OBCCTC and Ministry have joint authority to approve budget matters.

The OBCCTC consist of two full time adjudicative appointees, the Commissioner and Deputy Commissioner, supported by two FTE provincial employees, the office manager and a communications analyst. The OBCCTC also contracts auditors and investigators to provide additional ad hoc support.

OBCCTC Appointees¹			
Category	Position Name*	Number of Positions	Role Description
Chair (FT)	Commissioner	1	<ul style="list-style-type: none"> • Managing CTS Licenses • Investigating, auditing and enforcing compliance with the Act <ul style="list-style-type: none"> ○ Issuing decisions and orders based on principles of administrative justice • Setting rates and remuneration for licensed container truck operators • Performing ongoing review of rates, regulations and policy based on industry consultation • Overseeing the confidential Drayage Complaint Line • Preparing and submitting annual reports to Minister • Leads consultation with sector and liaises with government
Vice Chair (FT)	Deputy Commissioner	1	<ul style="list-style-type: none"> • Managing the CTS License Program, communications support and stakeholder engagement and oversight of other administrative functions for the (OBCCTC). • Manages the auditing and investigative program for the CTC

*Position names may differ from those set out in TBD 1-20 to assign appointee remuneration based on roles and responsibilities.

¹ Funded positions for FY 2020/21.

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Appointee Remuneration

This remuneration plan is set pursuant to *Treasury Board Directive 1-20 – Remuneration Guidelines for Administrative Tribunals and Regulatory Boards* (TBD 1-20) and applies to the Container Trucking Commissioner and Deputy Commissioner.

TBD 1-20 sets appointee remuneration based on tribunal classification, level of responsibility, and whether engagement is on a full-time or part-time basis. OBCCTC is classified as a Group 3 administrative tribunal. The Commissioner and Deputy Commissioner are both full time appointees remunerated as tribunal Chair and Vice-Chair, respectively.

Container Trucking Commissioner Appointee Remuneration (FY 2020-21)	
	Annualized Salary
Container Trucking Commissioner (FT) ²	\$155,000
Deputy Container Trucking Commissioner (FT)	\$130,000

Any remuneration increases must be managed within the OBCCTC existing budget and within the ranges set by this remuneration plan. Remuneration increases for all appointees are approved by the Minister of Transportation and Infrastructure.

Regular full-time appointee remuneration is calculated as an annualized salary and paid bi-weekly. The terms and conditions of employment for appointees within the OBCCTC are those established in the *Terms and Conditions of Employment for Excluded Employees and Appointees (Excluded Terms and Conditions)* for Category C OIC appointments. The Commissioner and the Deputy Commissioner are entitled to benefits, including a pension, as outlined in Part 10.

CTC appointees are reimbursed for transportation, accommodation, meals, and out of pocket expenses incurred in the course of their duties in accordance with the Group 2 rates, policies, and procedures outlined in the *Excluded Terms and Conditions* as indicated in section 6.8 of TBD 1-20.

More information regarding *Excluded Terms and Conditions* can be found at:

<https://www2.gov.bc.ca/gov/content/careers-myhr/managers-supervisors/employee-labour-relations/conditions-agreements/excluded-employees-appointees>

The work of OBCCTC appointees is insurable and pensionable service, therefore remuneration is subject to both Employment Insurance and Canada Pension Plan deductions. Appointee remuneration is taxable income and income tax may be payable in accordance with the federal *Income Tax Act* unless the total remuneration for the tax year for the appointee (from all sources) is less than the basic personal amount. OBCCTC appointees are “office holders” under the *Excise Tax Act*, therefore remuneration is not subject to GST (either charged or payable).

Effective Date: May 12, 2021

² This reflects Commissioner’s salary up to completion of the term ending November 30, 2021.