



October 22, 2021

PTG Transport Ltd.
Unit 290-20353 64th Ave.
Langley, B.C. V2Y 1N5

PTG Transport Ltd. (CTC Decision No. 11/2021) – Decision Notice

In November 2020, the Commissioner directed an auditor to audit PTG Transport Ltd.'s ("PTG") records to determine if its independent owner operators ("I/Os") were being paid the required minimum rates and paid pursuant to section 24 of the *Container Trucking Regulation* (the "*Regulation*"). The auditor was directed to audit months of May and September 2020.

The auditor determined that PTG owed 30 I/Os \$31,446.54 for the period between April 1, 2017 and February 28, 2021. The amounts owing to the I/Os were primarily the result of missed trip and PMR payments, trip rate payment errors and incorrect benefit deductions. PTG accepted the auditor's findings and paid the adjustment amounts calculated to be owing.

In PTG Transport Ltd. (CTC Decision No. 11/2021), I determined that this was an appropriate case to issue a penalty for the reasons set out in paragraphs 28-34. I proposed to impose an administrative fine against PTG in the amount of \$2,000.00. Consistent with s. 34(2) of the *Container Trucking Act* I advised PTG that I would consider its written response to the proposed penalty if it was received within 7 days.

PTG has not provided a written response within the time specified in the notice.

In the result, I hereby order PTG to pay an administrative fine in the amount of \$2,000.00. Section 35(2) of the *Container Trucking Act* requires that this fine be paid within 30 days of the issuance of this Notice. Payment should be made by delivering to the Office of the BC Container Trucking Commissioner ("OBCCTC") a cheque in the amount of \$2,000.00 payable to the Minister of Finance.

Finally, I note that PTG may request a reconsideration of the Commissioner's Decision by filing a Notice of Reconsideration with the Commissioner not more than 30 days after PTG's receipt of this Decision Notice. A Notice of Reconsideration must be:

- a. made in writing,
- b. identify the decision for which a reconsideration is requested,
- c. state why the decision should be changed,
- d. state the outcome requested,
- e. include the name, an address for delivery, and telephone number of the applicant and, if the applicant is represented by counsel, include the full name, address for delivery and telephone number of the applicant's counsel,
- f. signed by the applicant or the applicant's counsel.

Despite the filing of a Notice of Reconsideration, the above orders remain in effect until the reconsideration application is determined. This Order will be published on the Commissioner's website.

Dated at Vancouver, B.C., this 22nd day of October, 2021.

A handwritten signature in blue ink, appearing to read "Michael Crawford", is written above a horizontal line.

Michael Crawford, Commissioner