



November 26, 2021

Aditya Mathur
Badh & Rejminiak LLP
#2006 – 7495 132 Street
Surrey, BC V3W 1J8

Attention: Aditya Mathur

Re: Notice of Order against Safeway Trucking Ltd. and Coast Pacific Carrier Inc. to Comply with the *Container Trucking Act* (the “Act”) and Container Trucking Services Licence (the “Licence”)

In Safeway Trucking Ltd./Coast Pacific Carrier Inc. (CTC Decision No. 05/2018), I found that Safeway Trucking Ltd. and Coast Pacific Carrier Inc. (together the “Companies”) failed to pay drivers for all hours of container trucking services performed. One of those drivers was owed \$5,413.12, and I ordered the Companies to pay the amount owing to that driver (along with other drivers) by cheque sent by registered mail. In a subsequent decision (CTC Decision No. 10/2018), I issued another Order to pay because the Companies had failed to fully comply with my earlier Order.

In October 2021, the driver in question complained to the Office of the BC Container Trucking Commissioner (“OBCCTC”) that he did not receive the money owed to him (\$5,431.12) following the 2018 Decisions and Orders. The driver has provided evidence to demonstrate that the two cheques allegedly issued by the Companies in response to my Order to pay were not deposited into his account.

The Companies have acknowledged that one of the cheques (in the amount of \$2,431.12) was inadvertently not signed in 2018 and have reissued a regular cheque in that amount despite my request that a certified cheque or money order be issued. The Companies have not paid the balance of \$3,000.00 owing to the driver and have provided no evidence to demonstrate that that the \$3,000.00 cheque was sent to the driver or cashed in 2018.

I accept that the driver was not paid and that the Companies failed to comply with my previous Orders. The Companies have been provided an opportunity to establish otherwise and have not done so.

As the Companies have not established compliance with my Orders dated February 21, 2018 and April 5, 2018, I make the following Order pursuant to subsection 9(1) of the *Container Trucking Act*:

Safeway Trucking Ltd. and Coast Pacific Carrier Inc. are directed to pay \$5,431.12 to [REDACTED] [REDACTED] couriering or hand delivering a money order in this amount to the OBCCTC by no later than December 3, 2021.

Failure to comply with this Order will be viewed as serious non-compliance with the *Act*. If the Companies fail to comply with this Order, I will direct government to realize the Companies’ security by written demand in the amount of \$5,431.12 in accordance with section 26 of the *Container Trucking Regulation*.

This Order will be published on the OBCCTC website as required by section 11 of the Act. This Order does not constitute notice of penalty pursuant to section 34 of the Act. However, if there is not compliance with this Order, subsequent notices of penalty may also be issued.

Sincerely,

OFFICE OF THE BC CONTAINER TRUCKING COMMISSIONER

A handwritten signature in blue ink, appearing to read 'Michael Crawford', is positioned above the printed name.

Michael Crawford
Commissioner