

From: dispatch.fullloadtransport.ca
To: [Registrar, CTC CTC:EX](#)
Subject: Re: OBCCTC 2023 Rate Review Consultation - Call for Submissions
Date: March 2, 2023 1:35:42 PM

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Dear Container Trucking Commissioner

I am writing to you today to express my concerns regarding the competitiveness of the container trucking industry in British Columbia. Specifically, OBCCTCs' jurisdictions on federally regulated companies, Overtime laws on owner operators who are paid by the trip, the rate increase of hourly drivers and owner operators for the second time in 1 year without any increase to trip rates, the affects on inflation, the study done by Cascadia.

How will your office regulate the overtime laws in to the federal regulation system? As it does not come under British Columbia regulations.

It is my understanding that trip rates for owner operators do not currently include overtime pay and the base trip rate for owner operators has not been increased for some time. This means that if a trip takes longer than expected, the owner operator may not be compensated fairly for their time. This is particularly concerning given the overtime law that requires time and a half to be paid after 9 hours or 45 hours for hourly drivers/owner ops. If trip rates do not include overtime pay, this could result in decreased competitiveness for the industry, both the employee and the employer. Traffic time is beyond control, construction is everywhere which cause extra time and no customers compensate these delays neither ports but as trucker we must be responsible. Service is horrible at ports, receiving and delivery window at ports is very very tight just few hours and limited truck tags cause extra hours. Trucking companies paying way too much TLS fees, ports and other charges in order to receive best service and service is just worse since years now. Trucking compaies addressing these issues time to time to Vancouver fraaser port authoirty and Cimmissioner office but no solution has been offered so far, no consideartion at all.

If other industries with controlled hours are paying overtime after 40hrs a week will this industry be able to pay them after 45hrs due to uncontrolled hours at the ports? If we are going with the BC regulations, BC regulation also indicate the hourly rate to be \$22, and our industry hourly rates are getting closer to \$30 and owner operator rates are getting closer to \$70.

Also we have so many concerns with how vancouver ports operates. For example whenever there is high wind situation we have no advance notice and port will just stop its operations and drivers being stuck and stranded at port for several hours and ports do not compensate those hours by saying its natural cause and they are not liable for that but however trucking companies are resposinble to pay those hours when trucks ars just stuck doing no job. In these situation which happens very often increase drivers hours which will exceed its hours limit then how we are suppose to pay over time. In additon to this other example is DP world Centerm port, they even operates on Saturday, Sunday and even on Stat holiday, which definilty increase driver hours even and we have no choice. Even Vancouver port authority, Commissioner office it self close on Weekend and Stat holiday but this Centerm opeartes and we are being forced to work on these days and so does driver then please explain how overtime pay is fair on employee. Even empty pick up locations for contaners and even 99% customers are closed but truckers are being forced to work after hours on these days which will cause overtime and its beyond our control. Waiting time at ports is nothing compare to what we pay to drivers. Wait time itself starts after 1.5 hour and then it takes another hour or 2 hours or even 3 hours and sometimes several hours to even complete 1 job. In these situation there is no compensation for truckers.

In addition, during the previous hourly rate increase it was advised that when the rates will be increased next, the owner operator trip rates will also increase. Furthermore, if owner operators paid by the trip do not have any overtime pay, it could lead to unfair rate increases that may be uncompetitive. I believe that if the overtime for owner operators paid by the trip was calculated into the base rate or added in some other way, the market could still stay competitive.

The document sent to the industry show the reason to increase the hourly rate is due to inflation. I believe that increasing the hourly rate to combat inflation is not a sustainable solution, as it could lead to further inflation and ultimately harm all Canadians. We have have out of control inflation and by doing this its not to going help but going to worsen then inflation and its is going to effect every single individual.

Finally, I would like to address the study conducted by Cascadia. While it has been said that Cascadia contacted the drayage industry, none of the companies I know or individuals working in the industry have been contacted by them. PLease provide us proof when and how they reached out to drayage companies and communicated with them and asking for their feed back and opinin. We were never ever contacted by anybody whenever there is change though its happned in past. Not even single time we were contacted though we are part of trucking since more than decade, so not sure which drayeg companies there are referring to and what are the basis of their findings.

I would like to urge the Commissioner to take these concerns into consideration when making decisions about overtime laws and rates in the container trucking industry. It is important that we find a way to keep the industry competitive by making sure paid by trip owner operators also get overtime built into there rate and no one receives an advantage over another carrier.

Thank you for your time and attention to this matter.

Aman Tiwana

Full Load Transport Services Inc

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Fax: 778-394-6445

From: Registrar, CTC CTC:EX <Registrar@obcctc.ca>

Sent: February 2, 2023 4:20 PM

Subject: OBCCTC 2023 Rate Review Consultation - Call for Submissions

Dear Sirs,

Please find attached a bulletin issued by the Office of the BC Container Trucking Commissioner.

Thank you.

Sincerely,

Registrar

Office of the British Columbia Container Trucking Commissioner

1085 Cambie Street, Vancouver, BC V6B 5L7

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OFFICE OF THE
BRITISH COLUMBIA CONTAINER
TRUCKING COMMISSIONER

The OBCCTC respectfully acknowledges the Katzie, Semiahmoo, Kwantlen, Musqueam, Squamish, Tsleil-Waututh and other Coast Salish Peoples on whose shared and unceded traditional territories our office is located.



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