

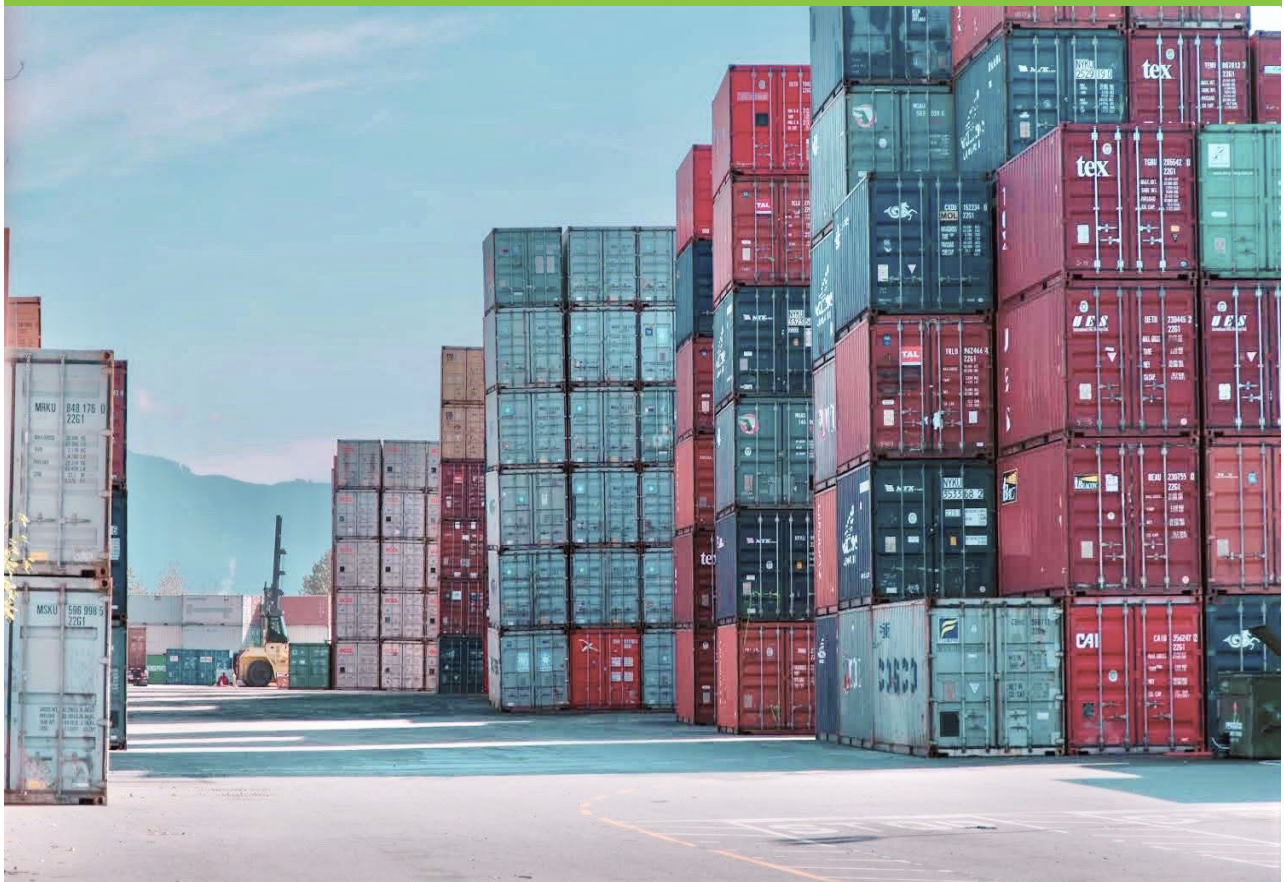


OFFICE OF THE  
BRITISH COLUMBIA CONTAINER  
TRUCKING COMMISSIONER

# MINIMUM RATES FOR DRIVERS

Order of the Container Trucking Commissioner pursuant to Section 22 of the  
*Container Trucking Act*

Effective July 1, 2023



**OFFICE OF THE BRITISH COLUMBIA CONTAINER TRUCKING COMMISSIONER**

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June 7, 2023

The Office of the BC Container Trucking Commissioner (“OBCCTC”) initiated a rate review by engaging an independent third party (Cascadia Partners) in 2022 to examine the question of future rate increases. Then Industry Stakeholders were consulted, and a Rate Review Recommendation Report was published on February 2, 2023, making suggestions and asking for feedback. Based on the submissions received and the reasons set out in the Recommendation Report, a Consultation Report was released in April 2023.

For the first time ever, on April 28, 2023, the OBCCTC issued a Rate Order for overtime rates for Company Drivers and Indirectly Employed Operators (IEOs) to be effective May 1, 2023. The OBCCTC is currently reviewing the overtime formula for Independent Operators.

Pursuant to Section 22 of the *Container Trucking Act* (“Act”), I order the new rates to be effective July 1, 2023 as follows in this document (the “Order”). Previous orders issued pursuant to s. 22 of the Act remain in force for the period up to June 30, 2023.\*

Unless defined in this Order, the terms used in this Order have the meanings set out in the Act and *Container Trucking Regulation*.

#### **THE OFFICE OF THE BC CONTAINER TRUCKING COMMISSIONER**



Glen MacInnes  
Container Trucking Commissioner

\*Note: Rates in force prior to July 1, 2019 are set out in Part 4, Divisions 1-3, of the *Container Trucking Regulation*, as those divisions existed prior to repeal.

## COMPANY DRIVERS

MINIMUM RATES
<p><b>Hourly Rate – Effective July 1, 2023</b> \$30.33 per hour if a directly employed operator has performed less than, and \$31.67 per hour if a directly employed operator has performed more than (or equal to), 2340 collective hours of container trucking services for any licensee or licensees (hourly rates are inclusive of benefits)</p>
<p><b>Callout</b> No less than 4x the applicable hourly rate if a directly employed operator agrees, at the request of a licensee, to be available to perform container trucking services for 4 or more continuous hours in a 24-hour period</p>

## INDIRECTLY EMPLOYED OPERATORS (IEOs)

MINIMUM RATES
<p><b>Hourly Rate – Effective July 1, 2023</b> \$30.33 per hour if a directly employed operator has performed less than, and \$31.67 per hour if a directly employed operator has performed more than (or equal to), 2340 collective hours of container trucking services for any licensee or licensees (hourly rates are inclusive of benefits)</p>
<p><b>Callout</b> No less than 4x the applicable hourly rate if a directly employed operator agrees, at the request of a licensee, to be available to perform container trucking services for 4 or more continuous hours in a 24-hour period</p>

## INDEPENDENT OPERATORS (I/Os)

INDEPENDENT OPERATORS PAID HOURLY
MINIMUM RATES
<b>Hourly Rate – Effective July 1, 2023</b> \$67.86 per hour if an I/O has performed less than, and \$69.41 per hour if an I/O has performed more than (or equal to), 2340 collective hours of container trucking services for any licensee or licensees (hourly rates are inclusive of benefits)
(If an independent operator employs an indirectly employed operator, the amount owed by the licensee to the independent operator is reduced by the amount that licensee pays the indirectly employed operator as set out in this Rate Order)
<b>Callout – Effective July 1, 2023</b> \$320 or the applicable rate per trip, whichever is greater, if an independent operator agrees, at the request of a licensee, to be available to perform container trucking services for 4 or more continuous hours in a 24-hour period
<b>Fuel Surcharge</b> See fuel surcharge section below

## INDEPENDENT OPERATORS (I/Os)

INDEPENDENT OPERATORS PAID BY THE TRIP
MINIMUM RATES
<p><b>On-Dock Trip Rate*</b> See On-Dock rate schedule – Appendix I</p>
<p><b>Off-Dock Trip Rate*</b> See Off-Dock rate schedule – Appendix II, III**</p> <p>**The amount set out in the applicable destination area (column 2) opposite the applicable origin area (column 1) if the I/O moves one container, and 1.5 times the same amount if the I/O moves two containers</p>
<p>(If an independent operator employs an indirectly employed operator, the amount the licensee must pay the independent operator is reduced by the amount, if any, that the licensee pays the indirectly employed operator (as set out in this Rate Order)</p>
<p><b>Positioning Movement Rate</b> \$25 per on or off-dock trip rate payment if the I/O moves 1 container on a single chassis, and 1.5 times the same amount if the I/O moves 2 containers using multiple chassis. (Licensees are required to identify and separately account for the positioning movement rate payment on all eligible drivers pay statements)</p>
<p><b>Callout – Effective July 1, 2023</b> \$320 or the applicable rate per trip, whichever is greater, if an independent operator agrees, at the request of a licensee, to be available to perform container trucking services for 4 or more continuous hours in a 24-hour period</p>
<p><b>Fuel Surcharge</b> See fuel surcharge section below</p>

\*See Appendix II for origin/destination (zone) descriptions

## OVERTIME RATE

### Directly Employed Operators (Company Drivers) and Indirectly Employed Operators (IEOs)

OVERTIME RATE
<p><b>Hourly Rate</b> 1 ½ times the hourly rate if a company driver or directly employed operator has performed more than 9 hours in a day, and or more than 45 hours per week<sup>^</sup> and has preformed less than 2340 collective hours of container trucking services for any licensee or licensees (hourly rates are inclusive of benefits)</p>
<p><b>Hourly Rate</b> The difference, in any, between the amount paid by the I/O to the indirectly employed operator and 1 ½ times the directly employed operators' applicable hourly rate for hours worked in excess of 9 hours in a day, and more than 45 hours in a week if an I/O employs an indirectly employed operator to perform container trucking services on behalf of a licensee*</p> <p>*A week is from Sunday to Saturday from the purpose of calculating overtime rates. Only the first 9 (nine) hours of each workday count towards the calculation of weekly overtime</p>

<sup>^</sup> Part 1 section 1 of ESA defines that a week is from Sunday to Saturday for the purpose of calculating overtime. Only the first nine hours of each workday count toward the calculation of weekly overtime.

# FUEL SURCHARGE

**“Reference price of diesel”** means the lower of the following:

- a) the average retail price per litre, including taxes, of diesel in Vancouver as reported by Kalibrate (formerly the Kent Group) for the month immediately before the date on which a fuel surcharge is calculated, rounded down to the nearest \$0.05;
- b) if an independent operator obtains diesel at a discount from the ordinary retail price for the purposes of providing container trucking services, the amount paid per litre by the independent operator, rounded down to the nearest \$0.05.

**Fuel surcharge formula:**

In each calendar month, if the reference price of diesel for an independent operator is more than \$1.05, a licensee must pay the independent operator a fuel surcharge, calculated in accordance with the following formula:

$$\frac{(A - \$1.05)}{\$0.05} \times B \times 2\%$$

where:

A = the reference price of diesel, in dollars;

B = the minimum compensation payable by the licensee to the independent operator in that month, as determined by the required rate payment (exclusive of the positioning movement rate), in dollars.

## APPENDIX I

ON-DOCK TRIP RATES Effective July 1, 2023 (INDEPENDENT OPERATORS)							
ITEM	Column 1	Column 2		Column 3		Column 4	
	Origin/Destination Area	Trip to or from Centerm/Vanterm		Trip to or from Deltaport		Trip to or from Fraser Surrey Docks	
			6.2%		6.2%		6.2%
		Current	July 1, 2023	Current	July 1, 2023	Current	July 1, 2023
1	Abbotsford East	\$240.20	\$ 255.09	\$240.20	\$ 255.09	\$210.90	\$ 223.98
2	Abbotsford West	\$205.10	\$ 217.82	\$205.10	\$ 217.82	\$187.60	\$ 199.23
3	Burnaby North	\$123.10	\$ 130.73	\$164.10	\$ 174.27	\$128.90	\$ 136.89
4	Burnaby South	\$128.90	\$ 136.89	\$158.20	\$ 168.01	\$123.10	\$ 130.73
5	Chilliwack	\$263.50	\$ 279.84	\$263.50	\$ 279.84	\$228.50	\$ 242.67
6	Cloverdale	\$158.20	\$ 168.01	\$158.20	\$ 168.01	\$140.70	\$ 149.42
7	Annacis	\$140.70	\$ 149.42	\$140.70	\$ 149.42	\$117.20	\$ 124.47
8	Delta	\$158.20	\$ 168.01	\$117.20	\$ 124.47	\$117.20	\$ 124.47
9	Tri Cities North	\$146.50	\$ 155.58	\$175.80	\$ 186.70	\$140.70	\$ 149.42
10	Maple Ridge	\$187.60	\$ 199.23	\$193.40	\$ 205.39	\$158.20	\$ 168.01
11	Langley West	\$181.70	\$ 192.97	\$181.70	\$ 192.97	\$140.70	\$ 149.42
12	Langley East	\$193.40	\$ 205.39	\$193.40	\$ 205.39	\$158.20	\$ 168.01
13	Mission	\$216.90	\$ 230.35	\$222.70	\$ 236.51	\$193.40	\$ 205.39
14	New Westminster	\$134.80	\$ 143.16	\$158.20	\$ 168.01	\$123.10	\$ 130.73
15	North Vancouver	\$123.10	\$ 130.73	\$169.90	\$ 180.43	\$158.20	\$ 168.01
16	Pacific Highway	\$193.40	\$ 205.39	\$158.20	\$ 168.01	\$140.70	\$ 149.42
17	Pitt Meadows	\$158.20	\$ 168.01	\$175.80	\$ 186.70	\$140.70	\$ 149.42
18	Port Kells	\$158.20	\$ 168.01	\$169.90	\$ 180.43	\$128.90	\$ 136.89
19	Tri Cities South	\$140.70	\$ 149.42	\$169.90	\$ 180.43	\$134.80	\$ 143.16
20	Richmond North	\$123.10	\$ 130.73	\$140.70	\$ 149.42	\$123.10	\$ 130.73
21	Richmond South	\$128.90	\$ 136.89	\$128.90	\$ 136.89	\$123.10	\$ 130.73
22	Surrey North	\$140.70	\$ 149.42	\$140.70	\$ 149.42	\$117.20	\$ 124.47
23	Surrey Central	\$158.20	\$ 168.01	\$140.70	\$ 149.42	\$140.70	\$ 149.42
24	Vancouver North	\$117.20	\$ 124.47	\$164.10	\$ 174.27	\$146.50	\$ 155.58
25	Vancouver South	\$117.20	\$ 124.47	\$158.20	\$ 168.01	\$140.70	\$ 149.42
26	West Vancouver	\$128.90	\$ 136.89	\$175.80	\$ 186.70	\$164.10	\$ 174.27



## APPENDIX II

ORIGIN/DESTINATION AREA DESCRIPTIONS			
Item	Column 1	Column 2	Column 3
	Origin/Destination Area	Description	Column/Row Letter in Off-Dock Table
<b>1</b>	Abbotsford East	That part of City of Abbotsford east of Highway 11	A
<b>2</b>	Abbotsford West	That part of City of Abbotsford west of Highway 11	B
<b>3</b>	Burnaby North	That part of City of Burnaby north of Highway 1	C
<b>4</b>	Burnaby South	That part of City of Burnaby south of Highway 1 and north of Marine Way	D
<b>5</b>	Chilliwack	City of Chilliwack	E
<b>6</b>	Cloverdale	That part of the City of Surrey south of Highway 1, east of 176 St and north of 40 Ave (eastern boundary is 196 St)	F
<b>7</b>	Annacis	That part of the City of Delta in the south arm of the Fraser River, and That part of the City of New Westminster south of the north arm of the Fraser River, and That part of the City of Richmond east of No. 9 Road, and That part of the City of Burnaby south of Marine Way	G
<b>8</b>	Delta	City of Delta including Tsawwassen, Tsawwassen First Nation and Westham Island, not including Annacis Island (G)	H
<b>9</b>	Tri Cities North	Those parts of the Cities of Coquitlam, Port Coquitlam, and Port Moody north of Highway 7A (Barnet Highway) / Highway 7 (Lougheed Highway)	I
<b>10</b>	Maple Ridge	City of Maple Ridge	J
<b>11</b>	Langley West	City of Langley and that part of the Township of Langley that is west of 240 St, not including that part that is north of Highway 1 and west of 208 St (Port Kells). Western boundary is 196 St	K
<b>12</b>	Langley East	That part of the Township of Langley that is east of 240 St, including Aldergrove	L
<b>13</b>	Mission	District of Mission	M
<b>14</b>	New Westminster	City of New Westminster excluding that part south of the north arm of the Fraser River	N
<b>15</b>	North Vancouver	City and North Vancouver and District of North Vancouver	O

<b>16</b>	Pacific Highway	City of White Rock and that part of the City of Surrey south of 40 Ave	P
<b>17</b>	Pitt Meadows	City of Pitt Meadows	Q
<b>18</b>	Port Kells	That part of the City of Surrey and Township of Langley north of Highway 1, east of 176 St and west of 208 St, including the CN Vancouver Intermodal Terminal.	R
<b>19</b>	Tri Cities South	Those parts of the Cities of Coquitlam, Port Coquitlam, and Port Moody south of Highway 7A (Barnet Highway) / Highway 7 (Lougheed Highway)	S
<b>20</b>	Richmond North	That part of City of Richmond north of Westminster Highway and west of No. 9 Road	T
<b>21</b>	Richmond South	That part of City of Richmond south of Westminster Highway and west of No. 9 Road	U
<b>22</b>	Surrey North	That part of Surrey north of Nordel Way / 88 Ave and west of 176 St including the Fraser Heights regions	V
<b>23</b>	Surrey Central	That part of Surrey south of Nordel Way / 88 Ave and west of 176 St and north of 40 Ave	W
<b>24</b>	Vancouver North	That part of City of Vancouver north of Grandview Highway / 12 <sup>th</sup> Ave / 10 <sup>th</sup> Ave	X
<b>25</b>	Vancouver South	That part of City of Vancouver south of Grandview Highway / 12 <sup>th</sup> Ave / 10 <sup>th</sup> Ave	Y
<b>26</b>	West Vancouver	District of West Vancouver	Z

## APPENDIX III

OFF-DOCK TRIP RATES Effective July 1, 2023 (INDEPENDENT OPERATORS)																										
Column 1	Column 2																									
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
A	112	123	182	182	123	156	177	177	182	150	145	133	123	177	194	156	177	156	177	188	182	166	161	194	188	199
B	123	112	166	166	133	140	161	161	166	140	133	123	123	161	177	145	166	145	161	172	166	150	145	177	172	182
C	182	166	112	123	199	133	133	145	128	150	145	156	177	128	128	150	133	133	128	128	133	128	133	123	123	133
D	182	166	123	112	199	133	128	133	128	150	145	150	177	123	128	145	133	133	128	128	133	128	133	123	123	133
E	123	133	199	199	112	166	194	194	199	161	156	145	133	194	210	166	188	172	194	205	199	182	177	210	205	215
F	156	140	133	133	166	112	133	128	140	145	123	128	150	128	145	123	140	123	133	140	140	123	123	145	140	150
G	177	161	133	128	194	133	112	123	140	161	140	145	177	123	133	133	145	133	133	123	128	128	128	133	128	140
H	177	161	145	133	194	128	123	112	145	161	140	145	182	128	140	128	145	133	140	128	123	123	123	140	133	145
I	182	166	128	128	199	140	140	145	112	133	145	150	150	133	140	145	128	140	123	140	145	128	140	140	140	145
J	150	140	150	150	161	145	161	161	133	112	140	145	123	140	156	150	123	145	133	166	166	145	145	156	161	161
K	145	133	145	145	156	123	140	140	145	140	112	123	145	140	156	128	150	123	140	150	145	128	128	150	150	161
L	133	123	156	150	145	128	145	145	150	145	123	112	140	145	161	133	156	128	145	156	150	133	133	156	156	166
M	123	123	177	177	133	150	177	182	150	123	145	140	112	172	188	156	140	150	150	194	188	156	156	194	194	194
N	177	161	128	123	194	128	123	128	133	140	140	145	172	112	133	133	133	128	128	123	128	123	128	128	128	140
O	194	177	128	128	210	145	133	140	140	156	156	161	188	133	112	156	145	145	140	128	133	140	145	123	128	123
P	156	145	150	145	166	123	133	128	145	150	128	133	156	133	156	112	145	133	140	140	133	128	123	150	145	156
Q	177	166	133	133	188	140	145	145	128	123	150	156	140	133	145	145	112	140	128	145	150	133	140	140	145	150
R	156	145	133	133	172	123	133	133	140	145	123	128	150	128	145	133	140	112	133	140	140	123	128	145	140	150
S	177	161	128	128	194	133	133	140	123	133	140	145	150	128	140	140	128	133	112	133	140	123	133	133	133	145
T	188	172	128	128	205	140	123	128	140	166	150	156	194	123	128	140	145	140	133	112	123	128	133	123	123	133
U	182	166	133	133	199	140	128	123	145	166	145	150	188	128	133	133	150	140	140	123	112	128	128	128	140	
V	166	150	128	128	182	123	128	123	128	145	128	133	156	123	140	128	133	123	123	128	128	112	123	140	133	140
W	161	145	133	133	177	123	128	123	140	145	128	133	156	128	145	123	140	128	133	133	128	123	112	145	140	150
X	194	177	123	123	210	145	133	140	140	156	150	156	194	128	123	150	140	145	133	123	128	140	145	112	112	128
Y	188	172	123	123	205	140	128	133	140	161	150	156	194	128	128	145	145	140	133	123	128	133	140	112	112	133
Z	199	182	133	133	215	150	140	145	145	161	161	166	194	140	123	156	150	150	145	133	140	140	150	128	133	112