

THE DRIVE



AUGUST 2023

ISSUE 22

IN THIS EDITION

The Office of the BC Container Trucking Commissioner issued a rate order with increased rates for all drivers, which came into effect on July 1, 2023. A first for the OBCCTC, overtime rates were included for company drivers and Indirectly Employed Operators. A similar announcement for the Independent Operators is anticipated.

In my endeavour to provide oversight of the local drayage industry, I met with different industry stakeholders ranging from drivers, licensees, unions, and external companies trying to enter the market, to understand concerns and issues from various stand points.

The OBCCTC assessed truck tag utilizations and revoked some underutilized tags. Later, Licensees were invited to submit applications for these limited number of truck tags that were available for redistribution. The OBCCTC redistributed four I/O truck tags and three company truck tags.

We have been taking steps to make improvements to our enforcement activities by regularly conducting joint effort enforcement initiatives together with other agencies, such as the CVSE to identify trucks carrying out untagged off-dock work. Our efforts have resulted in administrative penalties and orders for licensees to comply with the *Act*.

On July 27, 2023, one licensee who was found to be performing untagged off dock work has initiated a judicial review through the Supreme Court of British Columbia. I will endeavor to keep the industry informed of any judicial outcome.

In the meantime, our off-dock enforcement measures will continue. As we move forward in 2023, the OBCCTC will be reviewing its processes in preparation for new license applications in 2024.

Sincerely,
Glen MacInnes
Container Trucking Commissioner

LICENSEE & DRIVER RESOURCES

Office of the BC Container
Trucking Commissioner
604-660-6051
obcctc.ca

Confidential Drayage Complaint
Line (ConfidenceLine)
1-877-713-5109
www.drayage.confidenceline.net

Vancouver Fraser Port Authority
TLS Administrator
604-665-9333

OBCCTC Rate Order
obcctc.ca/rate-order

OBCCTC Decisions
obcctc.ca/decisions

OBCCTC Policies
obcctc.ca/policies

OBCCTC Industry Communications
obcctc.ca/industry-communications

Container Trucking Act
obcctc.ca/act

Container Trucking Regulation
obcctc.ca/regulation

WHAT'S NEW



New Rates for IOs, IEOs and Company Drivers

After considering the findings of an independent third party (Cascadia Partners) in their Trucking Compensation Study, and consulting with the industry stakeholders; the OBCCTC had published a Rate Review Recommendation Report earlier this year, making suggestions and asking for feedback. Subsequently a Consultation Report was released introducing for the first time ever, Overtime rates for the drivers, for working more than 9 hours a day and/or 45 hours in a work week. A Rate Order was issued with the revised increased rates effective July 1, 2023. While the overtime rates for company drivers and Indirectly Employed Operators (“IEOs”) have already been in effect, given a straightforward calculation based on hourly rates; the overtime rate calculation for the Independent Operators is still being determined as it is much more complex to calculate overtime rates for trip rates being drawn by the Independent Operators (“I/Os”).

[Learn more about Commissioner’s rate review consultations here](#)

Enforcements

In an endeavour to ensure compliance with the *Container Trucking Act* and the *Container Trucking Regulation*, the OBCCTC has been focusing on the enforcement in the past few months. We have joined forces with Commercial Vehicle Safety Enforcement (CVSE) and have been carrying out joint enforcement initiatives from time to time and have been successful in identifying trucks performing CTS work with untagged trucks off-dock. The OBCCTC provided Licensees an opportunity to present evidence to confirm the rate paid to these drivers and an opportunity to make a submission before a decision is rendered, following which some licensees have been fined as well.

[Check out the photos from our latest enforcement initiative on our Facebook page](#)

Truck Tag Utilization and Redistribution

The OBCCTC had been reviewing licensee truck tag performance. Earlier this year, approx. eighteen (18) licensees were advised that they were underutilizing some of their tags and were provided 90 days notice to improve their performance under the OBCCTC Truck Tag Management Policy. Upon expiry of the 90 day period, the OBCCTC rendered notices to those Licensees that had not improved their tag utilization and those tags were revoked. Subsequently, a bulletin was issued inviting Licensees to apply for the limited number of truck tags available for redistribution. The OBCCTC redistributed four I/O truck tags and three company truck tags to licensees demonstrating the need for additional truck tags.

[Read the bulletin here](#)

Wait time payments

As advised by the Vancouver Fraser Port Authority, wait time payments were distributed to companies for the first quarter of 2023. The amount for the quarter totalled \$405,000. The payments correspond to wait times incurred by drivers between January 1, 2023 – March 31, 2023, at Deltaport, Vanterm, Centerm and Fraser Surrey Docks.

[Click here for the bulletins](#)



RECENT DECISIONS

Embassy Transportation Inc. (CTC Decision No 04/2023) – Fined \$6,000

The licensee was found in violation of the *Container Trucking Act*, the *Container Trucking Regulation*, and its License for paying drivers non-compliant rates and failing to pay its drivers within the period required under the *Regulation*. Additionally, Embassy failed to maintain proper records and continued to under-pay the regulated fuel surcharge. Embassy was ordered to pay drivers the amount identified in this decision within 7 days.

Goodrich Transport Ltd. (CTC Decision No 06/2023) – Fined \$1,000

Goodrich Transport Ltd. was found to have violated its CTS Licence by performing container trucking services in the Lower Mainland with an untagged truck, in a joint enforcement initiative conducted by the OBCCTC and Commercial Vehicle Safety Enforcement (CVSE).

Ferndale Transport Ltd. (CTC Decision No 07/2023) – Fined \$1,500

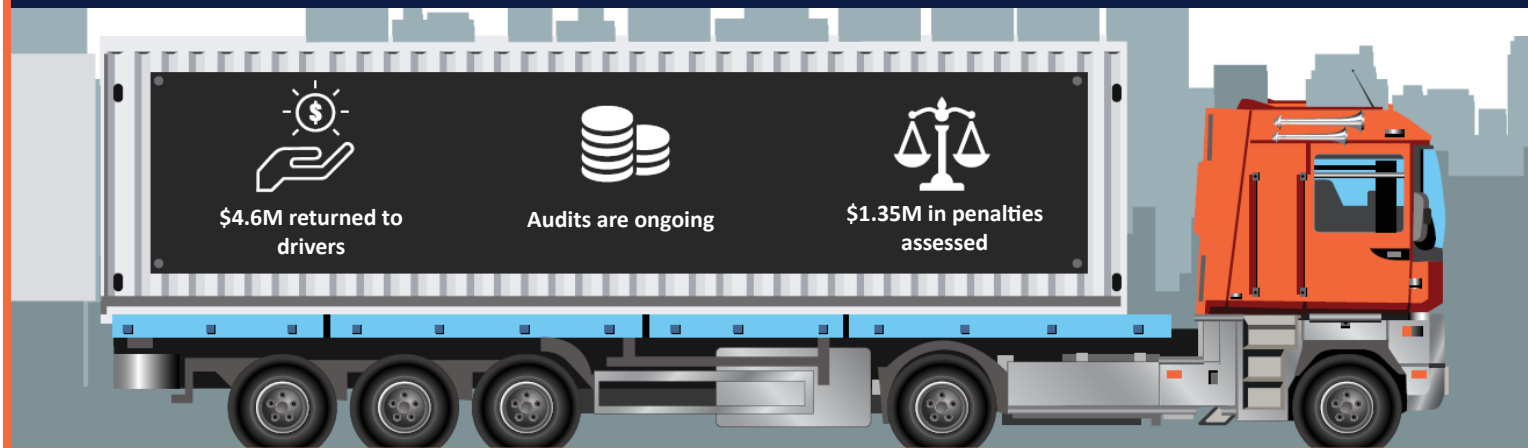
Ferndale Transport Ltd. was found to have violated its CTS Licence by subcontracting container trucking services in the Lower Mainland on March 15, 2023. Ferndale's truck was observed performing container trucking services with an untagged truck in an enforcement initiative carried out by the OBCCTC.

Simard Westlink Inc. – Order to Comply

Simard was found violating its CTS Licence and the *Container Trucking Act* by performing untagged off-dock trips on March 15, 2023, when it moved the ocean carrier approved containers for marine transportation of goods, between two facilities within the Lower Mainland.

[View all OBCCTC Decisions here](#)

OBCCTC COMPLIANCE UPDATE



DID YOU KNOW?

OBCCTC's ConfidenceLine

If you have any concerns and want to report workplace misconduct, please use the OBCCTC's ConfidenceLine to file a complaint. The ConfidenceLine provides a secure mechanism for anyone wanting to report any unethical conduct including fraud, bullying, undercutting and harassment. It is important to note that the identity of anyone using the ConfidenceLine is always protected and kept confidential. This service can be availed by calling 1-877-713-5109. The service is available in English and Punjabi 24 hours a day, 7 days a week.

[Click here for more information](#)

Rate Zone Maps

Rate Zone maps are available on the OBCCTC website to help the Independent Operators and licensees determine the minimum on-dock and off-dock trip rates effectively. The rate zone map is available in a simple to navigate Interactive version as well as a PDF version.

[Check out our Rate Zone Maps here](#)

Truck tags do not belong to Companies or Independent Operators

Truck tags are assigned to companies at the discretion of the OBCCTC for the period of the companies' license. They cannot be bought, sold or transferred. Licensees and drivers do not own tags and thus cannot move them from one company to another. If I/Os want to work for another company, they must find a company that has a vacant truck tag available. If a Licensee fails to utilize the truck tag(s), the OBCCTC will remove the tag(s). Our goal is to ensure that truck tags are fully utilized by licensees. I/Os can contact the Registrar at the Office of the BC Container Trucking Commissioner for the availability of vacant tags.

DON'T FORGET TO FOLLOW US ON FACEBOOK

Join our Facebook Community to be in the know about container trucking industry. We are constantly posting updates regarding OBCCTC activities and important information for industry stakeholders.

Follow us at [obcctc.ca/facebook](https://www.facebook.com/obcctc)



OFFICE OF THE
BRITISH COLUMBIA CONTAINER
TRUCKING COMMISSIONER

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