



February 9, 2024

Quality Forest Products Ltd.
#203-17660 65A Ave.
Surrey, BC V3S 5N4

Quality Forest Products Ltd. (CTC Decision No. 01/2024)– Decision Notice

1. In June 2022, the then Commissioner directed an auditor to audit Quality Forest Products Ltd. (“QFP Can”) records to determine if its truckers were being paid the required minimum rates. The auditor was directed to audit the months of May 2020 and February 2021.
2. The auditor determined that QFP failed to pay the regulated minimum rate to five truckers, made improper payroll deductions, and failed to pay two truckers the regulated minimum trip rates, position movement rate (“PMR”) and fuel surcharge for certain trips in February 2021. In addition, QFP failed to clearly identify the position movement rate on each pay statement.
3. In Quality Forest Products Ltd. (CTC Decision No. 01/2024), I determined that this was an appropriate case to issue a penalty for the reasons set out in paragraphs 38-43. I proposed to impose an administrative fine against QFP in the amount of \$5,000.00.
4. I also ordered QFP to review its payroll records between December 1, 2019 to January 29, 2024 calculate the following by March 1, 2024 :
 - a. amounts owing to each IO after separating out the PMR from the trip rate as required by the Rate Order;
 - b. amounts owing to all drivers for improper deductions;
 - c. amounts owing to each IO who provided a daily log for any missing trips identified after comparison of the driver’s daily logs to the corresponding trip sheets.

(“Orders”)
5. Consistent with s. 34(2) of the Container Trucking Act I advised QFP that I would consider its written response to the proposed penalty if it was received within 7 days.
6. On February 1, 2024, QFP provided a submission requested an extension to May 31, 2024 to comply with the Orders to ensure that the reviews are completed correctly and to the satisfaction of the Office of the BC Container Trucking Commissioner (“OBCCTC”). QFP did not dispute the proposed administrative fine.
7. Regarding QFP’s request for a deadline extension, I am unclear how QFP determined it required a three month extension to complete the calculations. The deadline set out in the Orders

should be sufficient to complete the calculations and I decline to issue an extension at this time. If QFP determines it requires an extension closer to the deadline, it can again seek an extension at that time.

8. In the result, I hereby order QFP to pay an administrative fine in the amount of \$5,000.00. 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 a cheque in the amount of \$5,000.00 payable to the Minister of Finance.
9. Finally, I note that QFP may request a reconsideration of the Commissioner's Decision by filing a Notice of Reconsideration with the Commissioner not more than 30 days after QFP'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 Decision Notice along with the Commissioner's Decision will be published on the OBCCTC's website.

Dated at Vancouver, B.C., this 9th day of February 2024.

A handwritten signature in blue ink, appearing to read "Glen MacInnes". The signature is fluid and cursive, with the first name "Glen" and last name "MacInnes" clearly distinguishable.

Glen MacInnes
Commissioner