



July 08, 2025

Canada Drayage Inc.
1375 Kingsway Ave
Port Coquitlam BC V3C 1S2

Commissioner's Decision

Canada Drayage Inc. (CTC Decision No. 18/2025)

Introduction

1. Canada Drayage Inc. ("CDI") is a company performing prescribed container trucking services within the meaning of section 16 of the *Container Trucking Act* (the "Act") and is a licensee.
2. Under sections 22 and 23 of the Act, minimum rates that licensees must pay to truckers who provide specified container trucking services are established by the Commissioner via the Rate Order and licensees must comply with those statutorily established rates. Section 23(2) states:

A licensee who employs or retains a trucker to provide container trucking services must pay the trucker a rate and a fuel surcharge that is not less than the rate and fuel surcharge established under section 22 for those container trucking services.

3. CDI currently operates under a container trucking services ("CTS") licence that came into force on December 1, 2024 ("2024 CTS licence"). Section 6.16 of the CTS licence states: "The Licensee must carry out Container Trucking Services for On Dock Trips and Off Dock Trips using only Truck Tags allocated by the Commissioner on the conditions imposed by the Commissioner." Section 6.17 requires licensees to assign a truck tag to each truck performing CTS services for On-Dock Trips and Off-Dock Trips.
4. Appendix D section B(1)(f) and (h) to Schedule 1 of the 2024 CTS licence require a licensee to provide to the OBCCTC upon request payroll and remuneration records for each trucker performing container trucking services or working in the container trucking industry for the licensee, Related Person, affiliate or successor company.
5. Under section 31 of the Act, the Commissioner may conduct an audit or investigation to ensure compliance with the Act, the *Container Trucking Regulation* (the "Regulation") or licence.

6. CDI has been the subject of one other Commissioner's decision: CTC Decision No. 02/2020. In 2020, the Commissioner found that CDI had failed to ensure Indirectly Employed Operators were paid the minimum regulated rate. As CDI rectified this, the Commissioner exercised his discretion not to issue a penalty.

Background

7. It is important to address the background to this Decision in terms of setting the context for the proposed administrative penalty. CDI, along with Teamsters Local 31 ("Teamsters"), the trade union representing CDI drivers, took opposing views on the applicability of the minimum regulated rates to certain container movements in the Lower Mainland performed by CDI (generally, the movement of "marine" containers that had arrived in or departed the Lower Mainland via any method of transport other than via an ocean carrier at a marine terminal).
 8. Both CDI and Teamsters approached the then-Commissioner for an interpretation of certain scenarios presented to him and he initially provided his preliminary view that the containers in each scenario were "containers" involved in the carrying out of "container trucking services."¹ After some further correspondence from CDI, the then-Commissioner declined to consider CDI's scenarios in the abstract further but issued an industry bulletin on May 18, 2022 ("2022 Bulletin") to address some of the issues raised by CDI.
 9. After the 2022 Bulletin was issued, a complaint was received by a driver that he was paid less than the regulated rate for work similar to the scenarios outlined earlier to the then-Commissioner, and there was general agreement between CDI and the Teamsters that an audit would be necessary to provide a definitive answer to the initial scenarios put forward by CDI and Teamsters.²
 10. The audit was initiated on August 5, 2022, and the auditor sent the following request for documents from CDI for August 2021 and January 2022 (the "Audit Period"):
- Driver listing including names, addresses, telephone numbers, email addresses, and truck license plate numbers, a brief description of work performed, hire date, and termination date for all drivers during the audit periods;
 - Driver classification: company driver, Independent Operator ("IO") or Indirectly Employed Operator ("IEO"), as well as the sponsoring IO to the IEO;
 - All **original** daily trip sheets completed by the drivers;
 - Copies of all cancelled pay cheques or bank records confirming direct-deposit amounts for work performed during the audit periods;
 - Pay statements showing total gross earnings in each pay period, additional payments or deductions from pay including but not limited to positioning movement rate, fuel

¹ The scenarios are outlined in paragraph 8 of the 2024 Order.

² Audit Report, pgs. 3-4

- surcharge, wait time payments, and net pay amounts;
- Where paid on a per-trip basis, records of remuneration for all containers moved during the investigation period, including:
 - Origin and destination of each container moved
 - Container number
 - Amount paid for each move
- Where paid on an hourly basis, records of remuneration for all hours worked, including:
 - Number of hours worked each day
 - Hourly rate of pay
 - Job applications for drivers receiving the reduced hourly rate
- Where deductions are made to independent operators pay, supporting documentation to verify that the deductions are eligible as well as accurate;
- Where the hourly rate includes benefits, the type of benefit paid on behalf of the driver and the hourly value of each benefit;
- Listing of all records provided.

(“Required Records”)

11. The then-Commissioner resigned effective September 7, 2022 and my appointment began on the same day.
12. The audit report that had been completed based on the audit initiated in August of 2022 (“Audit Report”) was shared with CDI on February 2, 2023. The Audit Report reported that CDI divided its operations into three categories: a CTS division, a CP Rail division, and work under a Fastfrate contract. It also reported that CDI did not pay the regulated rates for Fastfrate work and that, although CDI did not provide the records requested for its CP Rail division, it appeared that CDI was not paying the regulated rates for that work. CDI was invited to provide a submission to the Audit Report by March 3, 2023.
13. CDI requested and was granted an extension to the deadline and provided a submission to the Audit Report on March 8, 2023.
14. CDI’s submission challenged the then-Commissioner’s application of the *Act* to certain container movements to and from a rail yard identified in the Audit Report, asserting that the CP and CN intermodal facilities were never intended to be captured by the *Act*. CDI also challenged the then-Commissioner’s interpretation of “container.” Around this same time, the OBCCTC introduced a new off-dock enforcement campaign as a result of which it became apparent that a small group of licensees who were performing regulated container trucking services in the Lower Mainland disagreed with this assessment. Each licensee’s arguments and the facts upon which their arguments were based had their own nuances, but all required careful review and analysis of the legislative scheme, the relevant history and past decisions. Most of these licensees argued that Canadian National Transportation Ltd. (CTC Decision No. 02/2019) meant that they did not have to pay the regulated rates for container movements to and from the railway. My review culminated

in a number of Commissioner Decisions related to “off-dock trips” and “containers” and the publication of an industry advisory on March 22, 2024, after which I was in a position to review CDI’s submission and the Audit Report.

2024 Order Against CDI

15. On November 29, 2024, I issued an order against CDI (“2024 Order”).³ At paragraph 23, I ordered, pursuant to section 9 of the *Act*, that CDI take the following steps within 30 days:
- a) pay the driver identified in the Audit Report \$75.00 for an improper deduction (“Order 1”);
 - b) pay its drivers the regulated rates for containers moved as either part of Fastfrate contract or on behalf of Fastfrate for January 2020 (i.e. \$7,734.46) and all other months, including February and March 2020, during which CDI moved containers as either part of its Fastfrate contract or on behalf of Fastfrate (“Order #2); and
 - c) provide the auditor with records for the Audit Period of CDI’s CP Rail division as set out in the August 5, 2022 correspondence (“Order #3”).
- (collectively the “Orders”)
16. I advised CDI in the 2024 Order that I may propose an administrative penalty based on its failure to comply with the *Act*, *Regulation*, or CTS license in accordance with section 34 of the *Act* once the total amount of money owed by CDI for the Audit Period was known.
17. On December 30, 2024, counsel for CDI advised that his client intended to apply for reconsideration of the Order but had been delayed in doing so owing to counsel’s personal circumstances and the holiday season. Counsel for CDI sought an extension until January 29, 2025 to file a notice of reconsideration under section 38 of the *Act*.
18. On January 7, 2025, I advised counsel for CDI that section 38 of the *Act* did not apply to the 2024 Order but agreed to suspend Order #1 and #2 pending CDI’s receipt of the Commissioner’s Decision. I also advised that CDI was required to comply with Order #3 no later than January 16, 2025.
19. On January 15, 2025, counsel for CDI advised that CDI required additional time to comply with Order #3 due in part to his failure to provide his client with a copy of my January 7, 2025 letter. Counsel advised that his client intended to comply with Order #3 but requested an extension until January 30, 2025.
20. On January 15, 2025, I granted CDI’s request for an extension to January 30, 2025. CDI did not comply with the Order by the deadline and I asked the Registrar to inquire about CDI’s intentions.

³ Paragraphs 7 to 12 of the 2024 Order provide background details that led to initiation of the audit.

21. On February 2, 2025, counsel for CDI requested an additional extension to February 14, 2025 due to a conflicting trial schedule and an inability to coordinate with CDI to attend to the request.
22. On February 4, 2025, I advised counsel for CDI and Mr. Timothy Hossain, the directing mind of CDI, that CDI should be able to produce the records set out in Order #3 without coordination by counsel, and that I would grant one last extension until 1:00 pm on February 14, 2025. I also advised that I would weigh any failure by CDI to meet deadlines in any administrative penalty I issued.
23. On February 13, 2025, counsel for CDI submitted, for the first time, that the Commissioner was without jurisdiction or authority to issue Order #3 as, *inter alia*, “the only circumstances in which records may be required to be produced pursuant to section 9 of the *Act* is if a licensee’s failure to provide records has been found to be in breach of the *Act* and the Commissioner orders the licensee to provide such records in order to remedy such breach and comply with the *Act*” and “there was no finding in the Order that CDI has breached or not complied with the *Act* by failing to produce records.”
24. Counsel further argued that the Audit Report made no finding that CDI has failed to comply with the *Act* and CDI was denied an opportunity to address that point in its submissions of March 8, 2023. CDI concluded by seeking an opportunity to make submissions on whether it is required to comply with Order #3 and provided several paragraphs of a “cursory overview of some of CDI’s high-level concerns regarding the Records Request.”
25. On February 20, 2025, I advised CDI that I had considered its submissions to date but would not provide CDI with an opportunity to make further submissions on compliance with Order #3 for the reasons set out in my letter. I provided CDI until February 27, 2025 to produce the records requested on August 5, 2022 and ordered on November 29, 2024.
26. On February 27, 2025, counsel for CDI wrote to assert again that the Commissioner does not have the jurisdiction to require the records in question, because:
 - the request is not predicated on any alleged breach of the *Act*;
 - there has been no decision or order that CDI’s failure to produce the records constitutes a breach of the *Act*;
 - the issue of whether work performed by CDI’s rail division is captured by the *Act* is unsettled law pending the outcome of a judicial review by Simard Westlink Inc.;
 - the “balance of” the records requested contain highly sensitive personal and confidential information regarding CDI and its employees, contractors, business partners and customers and can only be disclosed if required by law.

27. CDI requests that Order #3 be suspended pending the outcome of the judicial review by Simard Westlink Inc. or that the Commissioner issue a Commissioner's Decision regarding CDI's failure to comply with Order #3, at which point CDI will be in a position to present its case regarding the records in question.
28. As of the date of this Decision, CDI has not complied with Order #3.

Decision

29. At paragraph 22 of the 2024 Order, I set out my reasons for determining that CDI had improperly deducted \$75.00 from a driver's wages in January 2022. As I understood the Audit Report, CDI was charged a fee to provide a port pass to one of its drivers to move containers to and from the port on behalf of CDI and CDI deducted that fee from the driver's wages. As the deduction was a business cost and a financial offset and in breach of Appendix E of the CTS licence and section 24 of the *Act*, I ordered CDI to reimburse the driver as set out in Order #1.
30. At paragraphs 17 to 20 of the 2024 Order, I set out my reasons for determining that CDI was performing container trucking services when it moved "containers" under its Fastfrate division in January 2020 and its drivers were paid less than the minimum regulated rate. I found that CDI was in breach of section 23 of the *Act* and ordered CDI to pay its drivers \$7,734.46 for work performed in its Fastfrate division in January 2020 and for all other months during which CDI moved containers as part of its Fastfrate contract or on behalf of Fastfrate per Order #2.
31. At paragraph 21 of the 2024 Order, I noted that I was unable to determine if the containers moved by CDI as part of its "rail division" were in fact captured by the *Regulation*. I was of course also unable to determine the rate the drivers were paid because CDI failed to provide the records required by Order #3.
32. Appendix D Schedule 1 of the 2022 CTS license (in effect at the time of the request), and of the 2024 CTS licence ("Appendix D"), is very broadly worded. Section B of Appendix D requires licensees to keep, and provide upon request, all employment records in the possession of the "Licensee, Related Persons, affiliates and successor companies." CDI is required to provide this information pursuant to the terms of its CTS licence; section 9 of the *Act* does not factor in unless and until it refuses to do so. I note that CDI provided the records requested for its "Fastfrate" division even though it took the position that those containers movements were not captured by the *Act*, *Regulation*, or its CTS license. I am unclear why it would resist providing the same records for its "railway division" that it produced for the "Fastfrate" division.
33. Turning to CDI's submission that the Audit Report did not explicitly find that CDI failed to provide

the required records and therefore CDI was denied an opportunity to provide submissions to the Commissioner prior to the 2024 Order, the Audit Report concludes with the following at page 6:

CDI's CP Rail division was considered by CDI to be outside of the scope of the OBCCTC, as such, records associated with this division were not provided for the purposes of this audit. My analysis concludes that the work performed in this division is in fact CTS which would result in additional amounts owing to CDI's IOs.

On January 24, 2022, in an attempt to verify my understanding of CDI's business structure, I sent an email to CDI to confirm my interpretation of its three divisions. No response was provided by CDI to refute or confirm my interpretation.

34. Regarding CDI's submission that because the Audit Report did not find that CDI had breached the *Act*, CDI was not provided with an opportunity to a submission on that point, it is for the Commissioner to make findings of fact. The Audit Report sets out the results of the audit, including that the licensee failed to provide certain documents upon request.
35. CDI was provided with a copy of the Audit Report and invited to make a submission. CDI set out why it believed that certain container movements were exempt from the *Act, Regulation* and CTS license. It is reasonable to infer that it refused to provide the records in question to the auditor based on its interpretation.
36. I do not find that the records required under Appendix D are restricted to records concerning container trucking services, much less restricted to records meeting the licensee's definition of container trucking services. Appendix D requires licensees to produce payroll records for its employees as required by the *Employment Standards Act*⁴ and records related to the remuneration of truckers working in the container trucking industry,⁵ including those records in possession of Related Persons and affiliates. This is broad language that includes all employees and all container trucking services – not just those container trucking services that require access to a marine terminal or involve only trips in the Lower Mainland. If the language were as narrow as CDI infers, then licensees would be determining on their own what to produce which would hinder the enforcement role of the Commissioner.
37. I do not accept that the requested records can be withheld because of the licensee's own view that the records are not related to regulated container trucking services. Additionally, the OBCCTC has made clear on multiple occasions, including in the 2022 Bulletin and the 2024 Order, that containers transported to and from a railway by a licensee are captured by the *Act, Regulation* and CTS license. I note too that the then-Commissioner wrote to CDI on April 20, 2020 to confirm that it

⁴ Appendix D(4)(f) to Schedule 1 of the 2022 CTS Licence

⁵ Appendix D(4)(g) to Schedule 1 of the 2022 CTS Licence

must pay the regulated minimum rates when moving containers to and from CN and CP intermodal rail yards.⁶

38. The licensee cannot advance a “trust me” argument that the containers in question are not “containers” or the container trucking services in question are not “container trucking services” regulated by the *Act*. This is not for the licensee to determine. Section 12 of the *Act* provides that the Commissioner has exclusive jurisdiction to interpret the *Act*.
39. Additionally, there would be no prejudice to the licensee in simply producing the records, much like it did with its Fastfrate division.
40. An order can be issued under section 9 without a breach of the *Act*. Section 9 states that if a licensee fails to comply with “any provision of this *Act* or the regulations or with the licensee’s license, the Commissioner may order the licensee to comply with those requirements promptly.” CDI did not produce the records requested in the August 5, 2022 letter, as confirmed in the Audit Report. As the licensee did not comply with its CTS license, it was ordered to comply. That is the complete answer.
41. An order can be made under section 9 of the *Act* without involving section 32. The *Act* authorizes the Commissioner to audit and investigate licensees for compliance with certain requirements, including the minimum rate requirements. It would not make sense if the Commissioner could not conduct an audit to determine compliance unless he already believed that the licensee was not compliant. Commissioners have, since the coming into force of the *Act*, accessed licensee records in the same way the records have been requested, and then ordered, here. I also note section 31, which provides that the Commissioner “may conduct an audit or investigation to ensure compliance with this *Act*, the regulations and a licence, whether or not the commissioner has received a complaint.”
42. CDI also says “trust me” when it says that the issues that would arise from the production of the records in question would be similar to the issues that are the subject of the judicial review by Simard and asks that I wait to receive its “rail division” records until the outcome of that judicial review. There may be in fact similarities, but CDI has not provided me with the information to adequately consider them, or to adequately assess the request. I cannot confirm that the scope of container trucking services work is limited to the description provided by CDI. I cannot confirm whether CDI’s “rail division” work is captured by the *Act* or whether CDI is paying regulated rates.
43. I am not persuaded by CDI’s reliance on the *Personal Information and Protection Act* (“PIPA”) as

⁶ This letter has been reshared with CDI in a separate investigation report dated January 22, 2025. The letter advised CDI of the April 17, 2020 bulletin advising that licensees cannot rely on Canadian National Transportation Ltd. (CTC Decision No. 02/2019) to avoid paying the regulated rates when moving containers to and from a rail yard.

justification for not providing the records in question. CDI consents pursuant to Schedule 3 (“Licensee Consent”) of the CTS licence to “provide certain information, which may include personal information, respecting companies, vehicles, and vehicle operators and related activities...to the Commissioner,” to comply with the relevant privacy legislation, and to advise and obtain the consent of its employees, Related Persons, customers, and IOs that their personal and commercial information may be shared with the Commissioner. It is also likely that CDI can share this information under Part 6 of *PIPA*.

44. There is no dispute that CDI did not provide the records in question upon request to the auditor or pursuant to Order #3 by the deadline on January 30, 2025, the extended deadline of February 14, 2025 and the final deadline of February 27, 2025. Therefore, I find CDI is in breach of section 40 of the *Act*.

Proposed Penalty

45. Section 34 of the *Act* provides that, if the Commissioner is satisfied that a licensee has failed to comply with the *Act* or the terms of its licence, the Commissioner may impose a penalty or penalties on the licensee. Available penalties include suspending or cancelling the licensee’s licence or imposing an administrative fine. Under section 28 of the *Regulation*, an administrative fine may not exceed \$500,000 in cases relating to the payment of remuneration, wait time remuneration or fuel surcharge. In any other case an administrative fine may not exceed \$10,000.
46. The seriousness of the available penalties indicates the gravity of non-compliance with the *Act*, *Regulation* and CTS licence. The *Act* is beneficial legislation intended to ensure that licensees pay their employees and independent operators in compliance with the established rates. Licensees must comply with the legislation, as well as the terms and conditions of their licence, and the Commissioner is tasked under the *Act* with investigating and enforcing compliance.
47. In keeping with the above-described purpose of the legislation, the factors which will be considered when assessing the appropriate administrative penalty include the following as set out in Smart Choice Transportation Ltd. (OBCCTC Decision No. 21/2016):
- The seriousness of the respondent’s conduct;
 - The harm suffered by drivers as a result of the respondent’s conduct;
 - The damage done to the integrity of container trucking industry;
 - The extent to which the licensee was enriched;
 - Factors that mitigate the respondent’s conduct;
 - The respondent’s past conduct;
 - The need to demonstrate the consequences of inappropriate conduct to those who enjoy the benefits of having a CTS licence;

- The need to deter licensees from engaging in inappropriate conduct; and
- Orders made by the Commission in similar circumstances in the past.

48. In this case, I am cognizant that the audit was initiated by the previous Commissioner at the urging of CDI and the Teamsters to seek clarification on certain container trucking services involving “divisions” of CDI. I find that CDI breached sections 21 and 23 of the *Act*, respectively, when it deducted a financial off-set from one driver and failed to pay the regulated rates to drivers who performed container trucking services under its Fastfrate division. However, given the unusual circumstances that gave rise to this audit and the delay in my decision due to a change in the Commissioner in the middle of the audit, I will not issue an administrative penalty on those two breaches. I have, however, ordered that CDI reimburse its driver for an unauthorized deduction and pay its drivers the difference for the work involving its “Fastfrate” division as set out in Order #1 and #2. These orders were suspended until the issuance of this Decision, but come into effect with this Decision, as set out below.
49. I am unable to determine if CDI’s “rail division” work attracts the regulated rates and, if so, whether CDI paid the regulated rates because CDI has refused to produce the records required by Order #3. Therefore, I am unable to ascertain how much, if any, monies are owed to its drivers or the extent to which CDI has been enriched.
50. I find that CDI’s failure to provide the records in question is serious misconduct and hinders the ability of the OBCCTC to carry out its mandate to ensure drivers are paid the minimum regulated rate when performing regulated container trucking services. Furthermore, I do not find CDI’s arguments for refusing to provide the records convincing and I fail to see how it would be prejudiced or harmed by complying with Order #3. It is not acceptable for a licensee to withhold information it is required to produce upon request and pursuant to an order and put the Commissioner to the time and effort to obtain the very information it previously agreed to provide. This is even more egregious in this case as the licensee first approached the Commissioner to seek an opinion on the application of the *Act* to certain container movements and now withholds the very information needed to make the proper assessment. I find that an administrative penalty for failing to comply with Order #3 is appropriate.
51. Failure to provide required information had resulted in administrative fines ranging from monetary penalties to suspension and cancellation of licensee. In Gantry Trucking Ltd. (CTC Decision No. 14/2017), Hutchinson Cargo Ltd. (CTC Decision No. 27/2018), and Caanan Shipping Co. Ltd. (CTC Decision No. 05/2019), administrative fines ranging from \$20,000 to \$30,000 were issued after licensees failed to provide requested records. In Safeway Trucking Ltd. and Coast Pacific Carrier Inc. (CTC Decision No. 7/2021), the Commissioner noted that suspensions “may be a useful penalty when a licensee has failed to comply with an order and the term of the suspension is pegged to

compliance with the order..."⁷ but in that case he issued a license cancellation. In Sunlover Holdings Co. Ltd. (CTC Decision No. 22, 2017), the Commissioner proposed a suspension after the licensee failed to comply with an order but refrained from imposing the suspension when the licensee eventually complied with the order.⁸ Similarly, suspensions were ordered in Pro West Trucking Ltd. (CTC Decision No. 08/2023) and Embassy Transportation Inc. (CTC Decision No. 13/2024) and Super Star Transport Ltd. (CTC Decision No. 10/2025) after the respective licensees failed to comply with orders. which included a failure to produce all relevant documents

52. I pause to note that in the Pro West decision mentioned above, the licensee's legal counsel engaged in a series of protracted challenges to the Commissioner's jurisdiction to issue particular orders and the delays ultimately resulted in Pro West's drivers not being paid for the work they performed in a total amount in excess of \$600,000. It is important to keep this from happening again.
53. In this case, CDI has refused to provide the very records it is required under its CTS license and under Order #3 to provide although CDI asked for the audit in the first place. I consider that a license suspension is warranted in such circumstances to motivate CDI's compliance and to send a message to industry in general. If CDI's refusal to provide the records in question could be absolved with a monetary penalty, it would invite other licensees to weigh the impacts of an administrative penalty against the costs associated with compliance. Furthermore, I would never know if the "railway division" work is container trucking services work and if those drivers were paid the regulated rates which would be contrary to the purposes of the Act. Allowing CDI to engage in a similar protracted effort to challenge the Commissioner's jurisdiction would likely prejudice the Commissioner's ability to ensure those drivers were paid the regulated rate.
54. I recognize that CDI was found to have previously breached the Act, Regulation and/or licence and that no administrative fine was issued. Here, however, CDI's failure to provide the records in question has severely hampered the ability of the Commissioner to assess whether drivers are performing regulated container trucking services and, if so, whether they are being paid the regulated rates. I find CDI's intransigence requires a strong response to incentivize compliance.
55. Based on the above, I propose an administrative penalty of \$10,000 and that CDI's license be suspended until such time as it complies with Order #3, or for six months, whichever is sooner. The penalty should prevent other licensees from engaging in the cost-benefit analysis that appears to have occurred in this case.
56. Considering all the factors present in this case, I conclude that this is an appropriate case to issue a penalty. Therefore, in accordance with s. 34(2) of the Act, I hereby give notice as follows:

⁷ Paragraph 112.

⁸ See October 16, 2017 CTC Decision No 22/2017

- a. I propose to impose an administrative fine against CDI in the amount of \$10,000.00; and
- b. I propose to suspend CDI's license until such time as it complies with Order #3, or for six months, whichever is sooner.

57. Having now issued the Commissioner's Decision, I will provide CDI with 30 days from the date of this Decision to comply with Orders #1 and #2.

58. Should it wish to do so, CDI has 7 days from receipt of this notice to provide the Commissioner with a written response setting out why the proposed penalty should not be imposed.

59. If CDI provides a written response in accordance with the above, I will consider its response, and I will provide notice to CDI of my decision to either:

- a. Refrain from imposing any or all of the penalty; or
- b. Impose any or all of the proposed penalty.

Conclusion

60. In summary, CDI has been found to have violated its license and the Act by deducting a business cost from driver wages, not paying drivers performing Fastfrate work the regulated rates, and failing to provide records as requested and then as ordered. I have determined that it is appropriate to propose the imposition of a \$10,000 fine and that CDI's license be suspended until such time as it complies with Order #3, or for six months, whichever is sooner.

61. This decision will be delivered to the licensee and published on the Commissioner's website (www.obcctc.ca)

Dated at Vancouver, B.C. this 8th day of July 2025.

A handwritten signature in blue ink, appearing to read 'Glen MacInnes', is written over a light blue circular stamp.

Glen MacInnes
Commissioner